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Canada on the UN Security Council 1989-90

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Canada on the UN Security Council 1989-90



Ottawa, Ontario
K1A 0G2

February, 1990

Dear Readers:

Over the past year, we have been pleased to provide interested individuals and organizations with periodic summaries of Canada's activities as a non-permanent Member of the United Nations Security Council. The enclosed summary serves as an update on Council developments since our last report was prepared in August. As you can see, the period September-January was extremely busy, with the Security Council called upon to deal with a wide range of challenging issues.

The United Nation's role in Namibian independence must be seen as one of its greatest achievements. The quality of the Namibian election - a source of much anxiety - exceeded the hopes and expectations of all parties to that historic event. In Central America, the year's end brought continued hope that the regional peace process and the deployment of U.N. peacekeeping forces could withstand both renewed violence in El Salvador and suspension of the Nicaraguan ceasefire. And, despite the U.N.'s best efforts, resolution of conflict in Cambodia and the Lebanon remains frustratingly elusive.

Canada served as President of the Security Council through the month of October. I believe that we can all be proud of the critical role played during that month by our delegation in New York and by Ambassador Yves Fortier. At a time when contentious issues threatened to hamstring the work of the Council, Ambassador Fortier succeeded in promoting and maintaining an open, positive spirit that was still being felt at year's end.

Those familiar with the inner workings of the Security Council appreciate the relentless, painstaking, behind-the-scenes work that underlies the visible accomplishments. Formal meetings of the Council - which often deal with seemingly complex issues

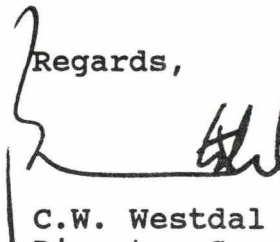
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in a matter of minutes - are preceded by hours and even days of informal meetings and bilateral consultations undertaken with the authority of the Council President. Canada's month on the Council was one of vigorous consultation; many of our initiatives bore fruit only in November and December.

Looking ahead to the next twelve months, we can assure you that Canada will continue to play a vigorous Security Council role. Building on our already solid reputation as a trustworthy conciliator, we hope to contribute to a strengthening of the United Nations in a period of dramatic global change.

Regards,

A handwritten signature in dark ink, appearing to be 'C.W. Westdal', written over a horizontal line. The signature is stylized and somewhat cursive.

C.W. Westdal
Director General
International Organizations
Bureau

CANADA ON THE U.N. SECURITY COUNCIL: 1989-90

SEPTEMBER 1989 - JANUARY 1990

INTRODUCTION

At the time of writing, Canada has passed the mid-way point of its two-year term as a non-permanent Member of the United Nations Security Council. The past year has been a busy one for Council members, and has brought both successes and frustrations. Elation over the U.N.'s highly effective role in promoting Namibian independence was tempered by the failure to achieve immediate movement towards a long-awaited settlement to the Cambodian crisis. While the U.N.-sponsored truce in the Iran-Iraq war has held, a formal end of the conflict is still not at hand. In Central America, the role of the United Nations in the regional peace plan was reaffirmed and UN peacekeepers were deployed despite the intensification of the civil war in El Salvador.

None of this should in any way minimize the important work of the Council in seeking to resolve the many complex peace and security issues before it. Council members themselves reflect the diverse opinions and attitudes to be found among the U.N. member states. Not surprisingly, bilateral and informal consultations are extensive. While such exhaustive (and exhausting) behind-the-scenes work is largely beyond the eyes of the press and public, it is critical to the more visible activity and action around the Council table.

As you will see in the pages that follow, we have continued over the past four months to use our influence to foster and maintain a pragmatic mood of co-operation among Council members. This, coupled with the general improvement in global political relations, has resulted in a constructive and conciliatory Council.

Our Permanent Representative to the United Nations, Ambassador Yves Fortier, and the Canadian delegation have worked with active headquarters' support to promote a positive climate in both the Security Council and the General Assembly. What follows is an overview of key issues confronting the Council over the past few months.

NAMIBIA

Ambassador Fortier visited Namibia in mid-September as part of his preparations for Canada assuming the Council Presidency in October. On September 28, the Secretary-General informed the Council of his decision (on the recommendation of his Special Representative in Namibia) to increase the number of UNTAG civilian police by an additional 500, to a total of 1,500. This was the second increase of the UNTAG police contingent since the adoption of UNSCR 632 at the beginning of the year. Noting the critical role being played by the civilian police in assuring conditions for free and fair Namibian elections, the Canadian government agreed to provide 100 RCMP officers for a six month period. The response from the RCMP was immediate, with its men and women arriving in Namibia less than three weeks after receiving the formal request from the Secretary-General. The Mounties make up the second-largest national police contingent in UNTAG. They have been deployed throughout the country, particularly in the north, where they are actively engaged in supervising and monitoring the local police force and liaising with local communities as to their security concerns.

On October 17, the Secretary-General sent a letter to the Security Council advising it of his decision to increase the number of UN electoral supervisors by 353, to a total of 1,395. Canada provided 50 such supervisors, drawn from the senior ranks of federal, provincial and territorial elections offices. On very short notice, the RCMP were also able to locate and dispatch 10 fingerprint experts (drawn from the ranks of retired officers) to assist in verification of tendered ballots.

During the month of October, the President of the Security Council, Ambassador Fortier, was involved in intensive debates on the implementation of the Settlement Plan. Once again, concern was focused on ongoing efforts to secure the full disbandment and demobilization of such South African security forces as Koevoet and two former South-West Africa Territorial Forces (SWATF) units, known as "bushmen battalions".

A draft resolution presented by the African and Non-Aligned Movement (NAM) members of the Council was criticized by others as one-sided in its censure of South Africa as the only party not abiding by the terms of the Plan and for appearing to favour the cause of SWAPO, just one of ten parties contesting the election. The proposed resolution also included provisions for the application of sanctions and the sending of a special Security Council team to Namibia. After a lengthy and heated debate that threatened to divide the Council on the eve of the Namibian elections, an amended resolution was negotiated under the chairmanship of Ambassador Fortier.

UNSCR 643, adopted unanimously by the Council one week prior to the Namibian elections, demanded immediate, full and strict compliance by all parties concerned, and particularly by South Africa, with the terms of Security Council resolutions 435, 632 and 640. It also called for the complete disbandment of all remaining paramilitary and ethnic forces and commando units, particularly Koevoet and SWATF. As well, UNSCR 643 demanded the immediate repeal of those remaining restrictive and discriminatory laws and regulations that would inhibit the holding of free and fair elections.

In his report to Council on November 3, the Secretary-General informed the members that the formal disbandment and demobilization of Koevoet had been completed on October 28 and 30, under the strict supervision of UNTAG. He also reported that the two "bushmen battalions" had long since had their weapons withdrawn and were now demobilized. On that same day, the Council met in urgent session and issued a statement deploring the allegations made by South Africa concerning the alleged movement of SWAPO forces across the Namibian/Angolan border. The South African Foreign Minister, Pik Botha, subsequently retracted his country's allegations.

The long-awaited Namibian elections took place November 7 to 11 under UNTAG supervision. The Security Council met November 14 to hear a report from the Secretary-General on the conduct of the Namibian vote. In an accompanying written report to the Council, the Secretary-General noted both that the elections had proceeded in a peaceful and orderly fashion and that the 97.04 per cent turnout of registered voters was an impressive demonstration of the importance Namibians themselves attached to the electoral process. He informed the Council that "the Special Representative in Namibia, after full scrutiny of the related procedures,...certified that the electoral process in Namibia had, at every stage, been free and fair and that it had been conducted to his satisfaction."

Following consultations with Council members, the President of the Security Council issued a statement on November 20, welcoming "with satisfaction the successful conclusion of the elections in Namibia, certified by the Special Representative of the Secretary-General as free and fair, thus paving the way for the convening of the Constituent Assembly and the early independence of Namibia at a date to be determined by the Constituent Assembly." The statement also noted "the continuing important role of the United Nations in the transition period in ensuring the implementation of the Settlement Plan, so that the Constituent Assembly, reflecting the collective will of the people, can draw up and adopt, in accordance with the Settlement Plan and free from any interference, a Constitution that will accord sovereignty to Namibia."

SOUTH AFRICA - 421 COMMITTEE

Canada is currently a member of the "421 Committee", which is composed of all Security Council members. Established in 1977, the Committee is responsible for overseeing the implementation of the mandatory arms embargo against South Africa enacted under UNSCR 418. It is further mandated to study ways by which the embargo can be made more effective and to seek further information from all U.N. member states regarding their implementation of Resolution 418.

Canada has sought to reinvigorate the work of the Committee. With our encouragement, the Chairman of the Committee organized private hearings on the arms embargo on September 14 and 27. The Right Honourable Joe Clark made a presentation to the Committee on September 27th in which he asked it to consider recommending the adoption of proposals to strengthen the embargo put forward by the Committee of the Commonwealth Foreign Ministers at that group's February 8 meeting in Harare, Zimbabwe. Canada also actively encouraged the publication of a report on the work of the Committee which was adopted unanimously on December 11, 1989.

CYPRUS

The United Nations Force in Cyprus (UNFICYP) was established by the Security Council in March, 1964 to act as a buffer between warring Greek- and Turkish-Cypriots. UNFICYP's original three-month mandate has been successively renewed for the past quarter century. While undoubtedly an effective peacekeeping force, its very success in this regard has unfortunately lessened the urgency of a diplomatic settlement of the sectarian conflict.

Canada has a particularly strong interest in seeing a resolution of the Cypriot situation. Our military personnel have served as UNFICYP peacekeepers since the force's inception; one in four of its 2,200 soldiers are Canadians. UNFICYP is also unique in being the only United Nations peacekeeping force to be financed from voluntary contributions from U.N. member states. A persistent shortfall in such contributions has left UNFICYP with an accumulated debt of \$175-million. The nations participating in UNFICYP - Canada included - have had to bear a disproportionately large percentage of the cost of providing peacekeepers.

On October 20, the Secretary-General launched an appeal to all U.N. member states for additional financial support of UNFICYP. It was noted that the cost to Canada of providing its contingent amounted to \$10.7-million (U.S.) for the last six months of 1989 alone.

The Secretary-General released a major report on UNFICYP on December 7, detailing both the recent evolution of political efforts to end the stalemate and detailing the difficult financial status of the peacekeeping operation. The document was remarkable for its direct language, stating that "it is not fair that the troop-contributing governments should have to bear so large a share of UNFICYP's cost." The Secretary-General went on to state that "it remains my view that the best way to finance UNFICYP on a more equitable basis would be for the United Nations' share of the costs of the Force to be financed from assessed contributions."

The report received a highly positive reaction, especially among troop-contributing countries on the Security Council: Canada, Finland and the United Kingdom. Those three delegations took a lead role in drafting a Council Presidential statement issued on December 14. It echoed the Secretary-General's concern that a quarter century had passed with no resolution of the Cyprus problem, stating that "a basis for effective negotiations exists provided both leaders (i.e. Greek- and Turkish-Cypriot) manifest the necessary goodwill and recognize that a viable solution must satisfy the legitimate interests of both communities."

Persistent Canadian efforts to have the Security Council address UNFICYP's financing were rewarded in both word and deed by Council members. The Presidential statement acknowledged both UNFICYP's funding woes and the Secretary-General's "appeal for greater financial contributions to UNFICYP which would help it continue its important peacekeeping role in Cyprus and would reduce its financial difficulties." As part of the Council's deliberations, France announced that it would voluntarily contribute one million francs to the UNFICYP fund - its first ever such contribution. These important breakthroughs were yet another example of the success of quiet, behind-the-scenes diplomacy in effecting progress without causing harmful divisions among Council members.

The December 14 statement also asked the Secretary-General to report back to the Council by March 1, 1990 as to progress in resuming intensive peace talks and developing an agreed outline to an overall settlement. Later that same day, Council members voted to extend UNFICYP's mandate a further six months, to June 15, 1990.

THE MIDDLE EAST

Lebanon

In September, the Secretary-General briefed Security Council members on discussions he had held with representatives of the Arab League attending the Belgrade Summit of the Non-Aligned Movement. As well, he reported on the results of a visit to Lebanon by his Special Representative. Following consultations with Council members, the President on September 20 issued a statement again calling for an immediate, comprehensive ceasefire and expressing the Council's "full support to the Tripartite High Committee in its action to put into effect a plan for the settlement of the Lebanese crisis in all its aspects by guaranteeing the full sovereignty, independence, territorial integrity and national unity of Lebanon." Prior to the adoption of the Taif accord by the various Lebanese factions, the Council issued four further statements, each of which sought to encourage progress towards a peaceful solution of this conflict.

On October 31, the five permanent Security Council members - the United States, Soviet Union, France, United Kingdom and China - issued a statement on the Lebanese situation without referring it to the other 10 non-permanent members. During informal consultations, Canada stressed that all Council members should have been consulted and given the opportunity to associate themselves with the statement. As a result, a formal Council statement was issued November 7, welcoming the election of Lebanese President Moawad and urging all parties to rally around him. Moawad's official letter of thanks reached Council members November 22, the day of his tragic assassination. At an urgently-called meeting, the Council that same day issued a condemnation of the murder as "an attack upon the unity of Lebanon, the democratic processes and the process of national reconciliation."

Occupied Territories

In early November, the Council met once again to debate the on-going uprising, or Intifadah, in the occupied territories. The extended curfew and drastic measures used by Israeli authorities to collect taxes from the West Bank village of Beit Sahur served to heighten concern. The Palestine Liberation Organization's supporters on the Security Council tabled a draft resolution very similar in tone and content to another put forward in June. In explaining its decision to veto the resolution, the American delegation stated that while its government was very concerned with the situation in the occupied territories, it found the resolution ill-timed and unhelpful to efforts under way to bring peace to the Middle East. For its

part, Canada expressed its continuing deep concern over the situation and Israeli use of arbitrary measures to attempt to control the Intifadah. We voted in favour of the resolution, as we had its predecessors.

As required by the General Assembly, the Secretary-General must report annually to that body on the possibility of convening an international Middle East peace conference. In preparation for his report, the Secretary-General requested the views of Security Council members. Co-ordination of Council views was undertaken by Canada during its Presidency in October. After lengthy negotiations and consultations, a response was issued on November 7 and incorporated into the Secretary-General's November 16 report to the General Assembly.

On November 29, the Council adopted UNSCR 645, extending the mandate of the United Nations Disengagement Observer Force (UNDOF) for a further six months, to May 31, 1990. Canada contributes several hundred troops to this peacekeeping mission stationed in the Golan Heights between Syria and Israel.

Iran-Iraq

In 1988, the Security Council established the United Nations Iran-Iraq Military Observer Group (UNIIMOG) to oversee the withdrawal of forces to internationally recognized boundaries. The mandate of this military observer group (which includes Canadian soldiers) was renewed by the Council in February and again on September 29 for a further six month term.

During Canada's October presidency, detailed consultations took place in an informal Council meeting following a briefing by the Secretary-General on the upcoming "shuttle" mission to Baghdad and Tehran by his Special Representative. Following this informal meeting, Ambassador Fortier, with the Secretary-General at his side, read a Council statement to the media expressing "profound concern" at the lack of tangible progress being made by Iran and Iraq to implement UNSCR 598 (which had cemented the Gulf War ceasefire).

CENTRAL AMERICA

The Security Council on July 27 unanimously adopted UNSCR 637 supporting the peace process in Central America. On August 7, the five Central American Presidents signed the Esquipulus II peace plan. As part of the plan, an international commission to monitor the disbandment and relocation of the Nicaraguan "Contras" was to be set up under the joint auspices of the Organization of American States and the U.N. The Secretaries-General of the two bodies agreed to establish an International Support and Verification Commission (CIAV) on

September 6.

On October 11, the Secretary-General released to the Security Council his report on the results of a U.N. technical reconnaissance mission sent to the region in mid-September. In that report, he asked the Security Council to invite a number of countries - including Canada - to take part in a United Nations Observer Group in Central America (ONUCA). The mandate of this unarmed military/civilian force would be:

1. to monitor on a regular basis areas reported to harbour bases and camps of irregular forces and insurrectionist movements;
2. to monitor on a regular basis land, sea and air borders across which military operations or assistance might be carried out; and
3. to investigate immediately any complaint received from one of the five Central American governments of any non-humanitarian aid provided to any irregular forces or insurrectionist movement.

ONUCA was to consist of 260 military observers, a 115-person air unit, a naval unit of about 50 persons and a medical unit of up to 14 people. As well, some 104 U.N. staff and 82 locally-recruited civilians would carry out political and administrative functions. Deployment would occur over four phases. Canada agreed to consider the request to participate in ONUCA, providing that agreement was reached on effective operating rules, a limited duration and appropriate financing.

During the month of October, Canada, as President of the Security Council, drafted the enabling resolution for ONUCA following intensive discussions with other Council members and the Secretary-General's office. Such action succeeded in avoiding raising issues that might have caused Council divisions and a delay to the approval of ONUCA.

Canada's efforts came to fruition on November 7, when the Security Council unanimously adopted UNSCR 644, approving ONUCA's formation. An accompanying statement by November's President, China, underscored the Council's "full support for the Secretary-General's efforts to assist the Central American governments" in their quest for peace. It also emphasized that when the time came to renew ONUCA's six-month mandate, Council members would "wish to assure themselves that the presence of the observer group is continuing to contribute actively to the achievement of a firm and lasting peace in Central America." The Secretary-General himself took the opportunity to state that ONUCA's "establishment in itself constitutes a confidence-building measure which can contribute to...stability in the region."

Such confidence as existed was severely shaken by events on the ground in Central America. On October 28, Nicaragua announced that it was suspending its 19-month ceasefire with the "contra" resistance movement until it was assured that those forces would be demobilized before the scheduled February 25, 1990 national elections. Then, during the second week of November, the FMLN insurrectionist forces broke off negotiations with the El Salvadoran government. Within days, on November 11, they had launched a nationwide military offensive centred on the capital, San Salvador.

A meeting of the Security Council was convened on November 30 at the request of the Salvadoran government to "consider actions by the Nicaraguan government which constitute breaches of the regional agreements concluded by the Central American presidents." Nicaragua submitted its own draft resolution, calling inter alia for an immediate ceasefire in El Salvador and welcoming the forthcoming deployment of ONUCA. While El Salvador, Nicaragua and the United States all spoke to the issue, no resolution was agreed upon.

In a note to the Secretary-General on November 30, Canada agreed to participate in ONUCA and to provide 32 military officers and a self-sufficient air unit of eight light observation helicopters. A Canadian Brigadier-General was appointed ONUCA's second-in-command. On December 3, an ONUCA advance party - including seven Canadians - was deployed to the Honduran capital of Tegucigalpa. In mid-January, more Canadian officers were deployed, and ONUCA observers took up positions in each of the five Central American capitals and in some border areas.

On December 8, the Security Council issued a statement (to which Canada had contributed compromise language) expressing "grave concern over the present situation in Central America, in particular over the numerous acts of violence resulting in loss of lives and sufferings of the civilian population." Noting that the five Central American presidents were to meet in San Jose, Costa Rica on December 10-12, the Council urged "all those states, including those with links with the region and interests in it, to refrain from all actions that could impede the achievement of a real and lasting settlement in Central America through negotiations."

At the conclusion of the San Jose meeting, the five presidents on December 12 issued the "Coronado Declaration" reaffirming their commitment to the peace process as laid out in the Esquipulus II accords. Attacking the "use of force and terror to achieve political ends and objectives", the declaration called for a cessation of hostilities by the FMLN in El Salvador and for their demobilization under the supervision of CIAV. It

also supported the Nicaraguan government by calling for funds earmarked for the Contras to be diverted to CIAV to support voluntary demobilization and repatriation. At the same time, the five presidents urged an accelerated deployment of ONUCA forces to halt arms supplies from reaching both insurrectionist groups, and requested a broadening of ONUCA's mandate to include verification of the cessation of hostilities and demobilization. (Any expansion of ONUCA's mandate would, of course, require Security Council approval.) Finally, the Coronado Declaration asked that the Secretary-General set up a liaison mechanism to involve those countries with interests in the Central American region in the peace process.

1989 also saw the establishment of a third United Nations mission to Central America - the United Nations Observation Mission for the Verification of the Elections in Nicaragua (ONUVEN). In the 'Tesoro Beach Accord' of February 14, the five Central American presidents agreed to develop a plan for the demobilization and voluntary repatriation of the Contra forces in concert with a Nicaraguan undertaking to hold free and democratic national elections on February 25, 1990. It was also agreed that the Secretaries-General of the United Nations and the Organization of American States would be asked to send international observers to verify the electoral process.

Having received a formal Nicaraguan request in early March, the Secretary-General dispatched several preliminary missions to Nicaragua to assess the situation and consult the Sandinista government. On July 7, the Security Council was informed of his decision to proceed to establish ONUVEN. The mission's mandate included verifying:

1. that political parties were equitably represented in the Supreme Electoral Council and its subsidiary bodies (nine regional electoral councils and 4,100 electoral boards);
2. that political parties enjoyed complete freedom of organization and mobilization, without hindrance or intimidation;
3. that all political parties had equitable access to State television and radio; and
4. that electoral rolls were properly drawn up.

ONUVEN was also charged with drawing any complaints or irregularities to the attention of the Nicaraguan Supreme Electoral Council, to request information on remedial action and to submit regular reports to the Secretary-General.

Meanwhile, on June 28, the Secretary of State for External Affairs announced that Canada would provide technical assistance to the Supreme Electoral Council in organizing for the 1990 Nicaraguan elections. A technical mission undertaken by Elections Canada resulted in the Rt. Hon. Joe Clark announcing on September 28 that Canada would contribute approximately \$700,000 in materials and technical assistance to the Nicaraguan electoral authorities.

ONUVEN issued its first report in mid-October and a second report in early December. Both reports were generally positive about the structure and process of the election (especially the achievement of voter registration), but the second report highlighted concerns which may become more serious as the election proceeds. This includes an increase in election-related violence, campaigns to discredit the electoral process itself, and the use of state-owned mass media and other government property by the Sandinista party.

The second wave of ONUVEN observers was deployed in early December to coincide with the official launch of the Nicaragua national election campaign. Canada had expressed its willingness to contribute personnel to act as ONUVEN electoral observers and, on December 20, the Secretary-General formally requested that Canada provide five poll watchers for the final phase of the ONUVEN mission which will take place February 21 to 26.

PANAMA

In the early morning hours of December 20, the United States launched a military invasion of Panama. The stated aims of the U.S. action were to safeguard American lives, restore democratic government, defend the integrity of the Panama Canal treaties, and remove General Manuel Noriega from power in order to face drug charges in the United States.

On the same day, the Security Council met at the request of the Nicaraguan delegation to consider the situation. It soon became clear that there were two main issues. The first and more important issue was determining the position which the Security Council should adopt towards the invasion itself. The second point was the determination of which delegate should represent Panama at the Security Council debate - the nominee of the new government headed by Guillermo Endara, the 1989 president-elect, or a representative put forward by the Noriega regime.

The latter decision was complicated by the fact that the position had been vacant for some time and the requests for accreditation for both candidates were submitted within hours of each other on December 20. The issue was finally resolved on December 23, when the requests for participation in an official capacity were dropped and both nominees attended the Council meeting as observers with an interest in the proceedings, not as official representatives of the Panamanian government.

Regarding the Security Council position on the U.S. intervention, a draft resolution was submitted by NAM Security Council members which drew on Article 2 of the U.N. Charter (that Members should abstain from the threat of or use of force in their international conduct) and deplored the U.S. intervention as a "flagrant violation of international law", and demanded the immediate withdrawal of U.S. armed forces.

The United States delegation defended its action by citing Article 51 of the UN Charter, the right of self-defence, and pointing out that Noriega regime had declared itself to be in a "state of war" with the United States and had acted on that by killing an unarmed American soldier. The U.S. also noted that the Panama Canal treaty specifically gave the United States the right to protect the Panama Canal and that, under Article 52 of the U.N. Charter, the issue should first be considered by the regional body, in this case the Organization of the American States.

In a December 20 statement to the Council, Ambassador Fortier acknowledged that "intervention by force by a member of the United Nations in the internal affairs of any state is against both the letter and spirit of the U.N. charter. My government regrets the use of force by the U.S.A. in Panama", and noted that "intervention by force is a dangerous precedent...." However, Canada also drew attention to Article 51 of the United Nations Charter and stated that it was necessary to "examine all the circumstances to determine whether or not it (the U.S.A.) had compelling reasons." Canada concluded that "such compelling reasons did exist", that force had been a "last resort" and that Panama could "now look forward to the consolidation of democracy and to a peaceful and stable future...."

The draft resolution was put to a vote December 23. The resolution received 10 votes in favour (Algeria, Colombia, Ethiopia, Malaysia, Nepal, Senegal, Yugoslavia, Brazil, U.S.S.R., and China), 1 abstention (Finland), and 4 against (Canada, France, United Kingdom, and United States). The resolution was not adopted since three permanent members of the Security Council voted against it.

After the Security Council veto, a similar resolution was brought to the United Nations General Assembly, where it was passed December 28 with the following vote: 75 for - 40 abstentions - 20 against (including Canada) - 24 not present.

On January 3, 1990, the Nicaraguan delegation requested a meeting of the Security Council to discuss the forcible entry of American soldiers into the Official Residence of the Nicaraguan Ambassador to Panama. According to the Nicaraguan delegation, on December 29 U.S. soldiers entered the residence without permission, despite being shown diplomatic identification, proceeded to search the Residence, and took away some of the Ambassador's possessions. The U.S. Permanent Representative to the United Nations submitted a letter on January 4 which expressed regret for the incident, and stated that a mistake had been made by its armed forces and that all goods had been returned once the troops had been informed that the house was in fact the Official Residence of the Nicaraguan Ambassador.

A draft resolution closely resembling a resolution passed by the Organization of American States on January 8 was circulated. (Canada had voted for the resolution in that forum.) The Security Council resolution acknowledged the American apology and explanation, but declared that the events were nevertheless a violation of international law and reaffirmed the need to comply with the rules of international law that guarantee diplomatic immunity. The resolution was put to a vote on January 17 with the following result: 13 for (including Canada) - 1 abstention (United Kingdom) - 1 against (United States). The resolution was not adopted as the result of a permanent member's veto.

In voting for the resolution, Canada's representative stated that "we must take into account that the Government of the United States has acknowledged that the forcible entry of its troops...was an error and has expressed its regrets...however we supported this resolution because it reaffirms certain basic and important principles guiding the conduct of international relations."

ROMANIA

In December, the brutal killing and repression of peaceful protestors by then President Ceausescu's Securitate forces caught the attention of the world. What began as a simple protest soon escalated into a "popular revolution" when the Romanian Army joined the people in deposing the Ceausescu government. Canada supported a proposal to have the Council meet to discuss the serious situation in Romania. However, certain members were strongly opposed as they maintained that it was

purely an internal matter and therefore not within the mandate of the Council. We maintained, however, that the discovery of mass graves in Timisoara and continued killings could enflame ethnic loyalties and possibly provoke interventions by neighbouring states, threatening regional peace and security. Council members subsequently met informally on a number of occasions to discuss the situation, and on December 23 the President of the Council announced that the situation in Romania would be discussed by the Council on December 26. However, by that Tuesday morning the Romanian Army appeared to be in control and, as there no longer appeared to be any potential threat to regional peace and security, it was decided that such a meeting was no longer necessary.

TERRORISM AND DRUG TRAFFICKING

In early September, the British delegation initiated a proposal for the Security Council to consider threats to international peace and security caused by the illicit drug trade. The intent was to have the Council urge states to give fullest possible political and material support to the fight against drug traffickers. While the proposal enjoyed initial widespread support among Council members, the counter-notion of a special session of the General Assembly to deal with the drug issue was advanced by non-Council members. Ambassador Fortier, as Council President for October, urged the U.K. to withdraw its proposal on the understanding that the issue would be revisited at a later date. It would seem that the seeds for future action have been planted.



Security Council

Distr.
GENERAL

S/RES/628 (1989)
16 January 1989

RESOLUTION 628 (1989)

Adopted by the Security Council at its 2842nd meeting,
on 16 January 1989

The Security Council,

Recalling its resolution 626 (1988) of 20 December 1988,

Taking note of the tripartite agreement signed by the People's Republic of Angola, the Republic of Cuba and the Republic of South Africa on 22 December 1988 (S/20346),

Taking also note of the bilateral agreement between the People's Republic of Angola and the Republic of Cuba, signed on 22 December 1988 (S/20345),

Emphasizing the importance of these two agreements in strengthening international peace and security,

1. Welcomes the signature of the tripartite agreement between the People's Republic of Angola, the Republic of Cuba and the Republic of South Africa on the one hand, and of the bilateral agreement between the People's Republic of Angola and the Republic of Cuba on the other hand;
2. Expresses its full support for these agreements, and to that effect decides to follow closely the developments in their implementation;
3. Calls upon all parties concerned, as well as all Member States, to co-operate in the implementation of these agreements;
4. Requests the Secretary-General to keep the Security Council fully informed on the implementation of this resolution.





Security Council

Distr.
GENERAL

S/RES/629 (1989)
16 January 1989

RESOLUTION 629 (1989)

Adopted by the Security Council at its 2842nd meeting,
on 16 January 1989

The Security Council,

Reaffirming its relevant resolutions, in particular, resolutions 431 (1978) of 27 July 1978 and 435 (1978) of 29 September 1978,

Taking note of its resolution 628 (1989) of 16 January 1989,

Noting that the parties to the Protocol of Brazzaville, contained in document S/20325 of 14 December 1988, agreed to recommend to the Secretary-General that 1 April 1989 be established as the date for the implementation of resolution 435 (1978),

Recognizing the progress in the Southwestern African peace process,

Expressing concern at the increase in the police and para-military forces and the establishment of South West Africa Territory Force since 1978 and stressing the need to ensure conditions under which the Namibian people will be able to participate in free and fair elections under the supervision and control of the United Nations,

Noting also that these developments make appropriate a re-examination of the requirements for UNTAG effectively to fulfil its mandate which include, inter alia, keeping borders under surveillance, preventing infiltration, preventing intimidation, and ensuring the safe return of refugees and their free participation in the electoral process,

Recalling the approval by the Security Council of the Secretary-General's statement on 28 September 1978 to the Security Council (S/12869),

Emphasizing its determination to ensure the early independence of Namibia through free and fair elections under the supervision and control of the United Nations, in accordance with its resolution 435 (1978) of 29 September 1978,

Reaffirming the legal responsibility of the United Nations over Namibia,

1. Decides that 1 April 1989 shall be the date on which implementation of resolution 435 (1978) will begin;
2. Requests the Secretary-General to proceed to arrange a formal cease-fire between SWAPO and South Africa;
3. Calls upon South Africa to reduce immediately and substantially the existing police forces in Namibia with a view to achieving reasonable balance between these forces and UNTAG so as to ensure effective monitoring by the latter;
4. Reaffirms the responsibility of all concerned to co-operate to ensure the impartial implementation of the settlement plan in accordance with resolution 435 (1978);
5. Requests the Secretary-General to prepare at the earliest possible date a report to the Council on the implementation of resolution 435 (1978), taking into account all relevant developments since the adoption of that resolution;
6. Requests also the Secretary-General, in preparing his report, to re-examine requirements necessary for UNTAG in order to identify wherever possible tangible cost-saving measures without prejudice to his ability fully to carry out its mandate as established in 1978, namely, to ensure the early independence of Namibia through free and fair elections under the supervision and control of the United Nations;
7. Calls upon Members of the United Nations to consider, in co-ordination with the Secretary-General, how they might provide economic and financial assistance to the Namibian people, both during the transitional period and after independence.



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FURTHER REPORT OF THE SECRETARY-GENERAL CONCERNING
THE IMPLEMENTATION OF SECURITY COUNCIL RESOLUTIONS
435 (1978) AND 439 (1978) CONCERNING THE QUESTION
OF NAMIBIA

INTRODUCTION

1. On 27 October 1987 I submitted to the Security Council my report (S/19234) on the question of Namibia. Part I of the present report contains an account of developments since 30 October 1987 relating to the implementation of the United Nations plan for Namibia. Part II contains the Secretary-General's recommendations for the implementation of resolution 435 (1978) with effect from 1 April 1989 and responds to the request contained in paragraphs 5 and 6 of resolution 629 (1989) as to the requirements for the United Nations Transition Assistance Group (UNTAG).

I

2. The Security Council resumed its consideration of the question of Namibia at its 2755th meeting on 28 October 1987 and continued its discussion of the item at its 2756th to 2759th meetings, on 29 and 30 October 1987. At its 2759th meeting on 30 October 1987, the Security Council adopted resolution 601 (1987), the text of which reads as follows:

"The Security Council,

"Having considered the reports of the Secretary-General of the United Nations of 31 March 1987 1/ and 27 October 1987, 2/

"Having heard the statement by the President of the United Nations Council for Namibia, 3/

"1/ Official Records of the Security Council, Forty-second Year, Supplement for January, February and March 1987, document S/18767.

"2/ Ibid., Supplement for October, November and December 1987, document S/19234.

"3/ Ibid., Forty-second Year, 2755th meeting.

"Having also considered the statement by Mr. Theo-Ben Gurirab, Secretary for Foreign Affairs of the South West Africa People's Organization, 3/

"Recalling General Assembly resolutions 1514 (XV) of 14 December 1960 and 2145 (XXI) of 27 October 1966 as well as resolution S-14/1 of 20 September 1986,

"Recalling and reaffirming its resolutions 269 (1969), 276 (1970), 301 (1971), 385 (1976), 431 (1978), 432 (1978), 435 (1978), 439 (1978), 532 (1983), 539 (1983) and 566 (1985),

"1. Strongly condemns racist South Africa for its continued illegal occupation of Namibia and its stubborn refusal to comply with the resolutions and decisions of the Security Council, in particular resolutions 385 (1976) and 435 (1978);

"2. Reaffirms the legal and direct responsibility of the United Nations over Namibia;

"3. Affirms that all outstanding issues relevant to the implementation of its resolution 435 (1978) have now been resolved as stated in the Secretary-General's reports of 31 March and 27 October 1987;

"4. Welcomes the expressed readiness of the South West Africa People's Organization to sign and observe a cease-fire agreement with South Africa, in order to pave the way for the implementation of Security Council resolution 435 (1978);

"5. Decides to authorize the Secretary-General to proceed to arrange a cease-fire between South Africa and the South West Africa People's Organization in order to undertake the administrative and other practical steps necessary for the emplacement of the United Nations Transition Assistance Group;

"6. Urges States Members of the United Nations to render all the necessary practical assistance to the Secretary-General and his staff in the implementation of the present resolution;

"7. Requests the Secretary-General to report to the Security Council on the progress in the implementation of the present resolution and to submit his report as soon as possible;

"8. Decides to remain seized of the matter."

3. In a communication dated 11 November 1987 (S/19290), Mr. Sam Nujoma, President of the South West Africa People's Organization (SWAPO), assured me of the fullest co-operation of SWAPO in respect of the mandate entrusted to me by Security Council resolution 601 (1987). He reiterated the readiness of SWAPO to proceed immediately to sign and observe a cease-fire agreement with South Africa in accordance with the provisions of the United Nations plan, as endorsed by the Council in its resolution 435 (1978).

4. I held consultations with H.E. Mr. José Eduardo dos Santos, President of Angola, in Luanda on 18 February 1988, to review developments in south-western Africa. He expressed support for my efforts to facilitate a peaceful settlement and said that Angola would continue to support the action of the United Nations to bring about peace in the region. To this end, he informed me that Angola was prepared to take new practical steps towards the attainment of that objective, including the initiation of peace talks with the Government of South Africa.
5. I also met with the President of SWAPO in Luanda on 18 February 1988, to discuss the implementation of Security Council resolution 601 (1987). I informed him that I had not received a definitive response from South Africa in regard to the cease-fire called for in Security Council resolution 601 (1987). He informed me that SWAPO was prepared to demonstrate flexibility in order to facilitate a settlement. In this connection, he stated that, while all constructive efforts to break the current impasse were welcome, no solution to the Namibian problem was acceptable outside the framework of resolution 435 (1978).
6. In subsequent discussions with the Permanent Representative of South Africa on paragraph 5 of Security Council resolution 601 (1987), I was informed that the Government of South Africa was not at war with any of the parties in Namibia. The Permanent Representative reiterated the position of the Government of South Africa that agreement must be reached on the withdrawal of all Cuban troops from Angola prior to the implementation of Security Council resolution 435 (1978).
7. Delegations of Angola, Cuba, and South Africa, through the mediation of the Government of the United States of America, met in London, Cairo, New York and Geneva between 3 May and 5 August 1988. Their discussions were aimed at achieving a regional settlement of the conflict in south-western Africa. In New York they reached agreement, ad referendum to their Governments, on a basic document entitled "Principles for a peaceful settlement in south-western Africa" (see annex). This document, which was initialled by the delegations of Angola, Cuba and South Africa on 13 July 1988, was approved by their respective Governments the following week and released publicly by mutual agreement on 20 July 1988.
8. Following further discussions from 2 to 5 August 1988 in Geneva, the delegations of Angola, Cuba and South Africa agreed on a sequence of steps necessary to prepare the way for the independence of Namibia in accordance with Security Council resolution 435 (1978) and to achieve peace in south-western Africa. They agreed to recommend to me the date of 1 November 1988 for the implementation of Security Council resolution 435 (1978) to begin. Further, the parties approved, ad referendum to their respective Governments, the text of a tripartite agreement that embodied, in binding treaty form, the principles negotiated in New York and published on 20 July 1988. On their side, Angola and Cuba reiterated their decision to subscribe to a bilateral accord which would include a timetable acceptable to all parties for the staged and total withdrawal of Cuban troops from Angola. The parties approved a comprehensive series of practical steps that would enhance mutual confidence, reduce the risk of military confrontation and create the conditions in the region necessary to conclude the negotiations. With the approval of these measures, a de facto cessation of hostilities came into effect. These agreements were embodied in the Geneva

Protocol of 5 August 1988, which was approved by the Governments of Angola, Cuba and South Africa. On 8 August 1988, those three Governments and the Government of the United States of America issued a joint statement on the outcome of their negotiations (see S/20109, annex).

9. On 8 August 1988, the Foreign Minister of South Africa confirmed to me, in terms of the provisions of paragraph 5 of the Geneva Protocol, the South African Government's commitment to adopt the necessary measures of restraint in order to maintain the existing de facto cessation of hostilities.

10. On 12 August 1988, the President of SWAPO informed me (S/20129) that SWAPO had agreed to comply with the commencement of the cessation of all hostile acts, in accordance with the Geneva agreement. He also stated that SWAPO would be ready to continue to abide by that agreement until the formal cease-fire under resolution 435 (1978). He stated that the cessation of SWAPO's combat actions against the South African forces in Namibia would only hold provided that South Africa also showed the necessary political will to do the same.

11. The parties to the talks on the situation in south-western Africa kept me informed of the progress of their negotiations. In my exchanges of views with them, I welcomed the agreements reached and urged them to redouble their efforts to facilitate a settlement. All confirmed their recommendation of the date of 1 November 1988 for the beginning of the implementation of Security Council resolution 435 (1978), in accordance with the Geneva Protocol.

12. A meeting of the Heads of State of the front-line States was held at Luanda on 8 August 1988. In a communiqué issued after the meeting, the Heads of State expressed their satisfaction and gave their total support for the results outlined in the joint statement issued at Geneva on 8 August 1988. They called upon the parties concerned to avoid any action that might jeopardize the negotiations. After having noted the positive evolution of the negotiations, with particular emphasis on the quadripartite meeting held at Geneva, the Heads of State requested the Secretary-General of the United Nations to take measures aimed at the implementation of Security Council resolution 435 (1978).

13. On 30 August 1988, I received a communication from the Permanent Representative of South Africa, stating that, in keeping with the spirit of the discussions between South Africa, Angola and Cuba, with United States mediation, which were aimed at securing a peaceful solution to the situation in south-western Africa, South Africa had, on 30 August 1988, completed the withdrawal of its troops from Angolan territory, in accordance with an undertaking given during the course of the discussions at Geneva.

14. Earlier, on 8 August 1988, I had received a communication from the Foreign Minister of South Africa, in which he informed me that, since the implementation of resolution 435 (1978) was one of the important objectives of the Geneva Protocol, the South African Government considered it imperative that I should become involved at that stage. Accordingly, he informed me that the South African State President was inviting me to visit South Africa with a view to discussing preparations for the implementation of resolution 435 (1978) and related

matters, such as the decisive importance of impartiality on the part of the Secretary-General and the Security Council of the United Nations. He anticipated that my visit would expedite the steps envisaged in the Geneva Protocol.

15. On 17 August 1988, I met with Mr. Derek Auret, Special Envoy of the South African Foreign Minister. He informed me that he had been asked by the Foreign Minister to stress the importance the Government of South Africa attached to the invitation it had extended to me and to urge me to accept it as a matter of priority. He emphasized that the President of South Africa believed that my visit would facilitate the peace process in south-western Africa and would stimulate and move forward the process for a settlement.

16. With regard to the question of impartiality raised in the Foreign Minister's letter, I emphasized to his Special Envoy that agreement had been reached on that issue in previous discussions with South Africa and that this had been reflected in my report to the Security Council (S/15943, para. 17) after my visit to South Africa in August 1983. Following further exchanges of views on the Foreign Minister's letter, it was agreed that discussions would not be re-opened on matters regarding which agreements had already been reached. It was also understood that any discussions envisaged with the Government of South Africa would be held within the framework of relevant decisions of the Security Council and the mandate entrusted to me as Secretary-General. I asked the Special Envoy to convey to the Foreign Minister my acceptance of the invitation by his President, subject to agreement on a mutually convenient date for my visit.

17. I subsequently confirmed to the Government of South Africa that I would be available to visit South Africa from 21 to 23 September 1988. I also accepted an invitation from the President of Angola to visit Luanda on 23 and 24 September 1988 to hold discussions with him on the situation in south-western Africa.

18. I was accompanied on my visit to South Africa and Angola by Mr. Martti Ahtisaari, my Special Representative for Namibia; Mr. Abdulrahim A. Farah, Under-Secretary-General for Special Political Questions, Regional Co-operation, Decolonization and Trusteeship; and Mr. Marrack Goulding, Under-Secretary-General for Special Political Affairs.

19. In Pretoria, on 22 September 1988 I met with Foreign Minister Botha, General Magnus Malan, Minister of Defence, and Mr. L. A. Pienaar, Administrator-General of Namibia. My discussions with the Foreign Minister focused on practical arrangements for the implementation of Security Council resolution 435 (1978). I held discussions later the same day with representatives of the internal parties of Namibia, who had come to Pretoria to exchange views with me on the United Nations plan for Namibia. The next day, 23 September 1988, I met with the State President and held extensive discussions with him, both on the question of Namibia and on the general situation in the region.

20. The State President reiterated to me South Africa's commitment to the Geneva Protocol of 5 August 1988, by which the parties to the Protocol, including South Africa, had agreed on a sequence of steps necessary to prepare the way for the implementation of Security Council resolution 435 (1978) and to achieve peace

in south-western Africa. In this connection, he reaffirmed the recommendation that the implementation of Security Council resolution 435 (1978) should begin on 1 November 1988. He stated that implementation could start as soon as agreement was reached on the total withdrawal of Cuban troops from Angola, as called for in the Geneva Protocol, and that South Africa would continue its efforts within the context of the talks on south-western Africa, in order to expedite agreement.

21. In response, I informed the State President that I was encouraged by the progress made at the talks on the situation in south-western Africa and urged all concerned, including South Africa, to make a renewed and determined effort at the next round to facilitate a settlement.

22. I informed the State President that I had set in motion the administrative machinery for the emplacement of UNTAG in Namibia. In this connection, I urged the Government of South Africa to extend its co-operation to the United Nations, particularly in respect of facilities and services which would be required by UNTAG in Namibia during the transitional period. Following these exchanges of views with the State President, I reached agreement with the Government of South Africa on the dispatch of a United Nations technical team to visit Namibia and South Africa as a matter of urgency, in order to up-date plans concerning administrative and logistic requirements, as well as budgetary provisions, for UNTAG. The technical mission was to review the situation on the ground in Namibia, hold discussions with its South African counterparts and collect, at first hand, necessary technical information and data. The technical mission duly visited Namibia and South Africa between 2 and 23 October 1988.

23. In my discussions in Pretoria, it was also agreed to finalize for signature the draft agreement on the status of UNTAG, in order to establish the legal status of UNTAG and its personnel in Namibia. This has now been done in principle. I also reviewed with the State President developments concerning the military component of UNTAG which had taken place since my last visit to South Africa in August 1983. I explained that further consultations would be necessary, especially as regards the logistic elements of the military component, before its composition could be finalized.

24. I further confirmed to the State President that agreement had been reached on the system of proportional representation for the elections envisaged in Security Council resolution 435 (1978). I also confirmed that the text of the Principles concerning the Constituent Assembly and the Constitution of an independent Namibia (S/15287) constituted an integral part of the United Nations plan (see para. 35 below).

25. During these discussions, I reiterated to the South African authorities that South Africa remained the interlocutor of the United Nations in regard to the implementation of Security Council resolution 435 (1978) and that, in the implementation of the United Nations plan, the Administrator-General of the Territory must assume the full functions entrusted to him in the settlement proposal (S/12636) as the counterpart of my Special Representative.

26. The question of impartiality was raised again in my discussions in Pretoria, both by the South African authorities and by representatives of the internal parties of Namibia. I reaffirmed that agreement had been reached with the Government of South Africa on that issue and that it had been confirmed as such in my report to the Security Council after my visit to South Africa in August 1983 (S/15943, para. 17). I again gave assurances to all concerned of the complete impartiality of the United Nations in the implementation of Security Council resolution 435 (1978). I emphasized that I expected the same from all South African officials in the discharge of their responsibilities in Namibia during the transitional period. So far as the United Nations was concerned, I stressed that all the parties in Namibia would be treated equally on the commencement of implementation of the United Nations plan. I confirmed to the State President that the United Nations would place all the political parties of Namibia on an equal footing during the transitional period leading to independence.

27. I confirmed with the South African authorities the informal understandings reached in 1982 by the front-line States and Nigeria, SWAPO and the Western Contact Group on the question of impartiality in respect of the responsibilities of the Government of South Africa and the United Nations during the transitional period (see paras. 35 and 36 below).

28. On the completion of my visit to South Africa, I proceeded to Luanda on 23 September 1988 and held discussions on the same day with President José Eduardo dos Santos on the situation in south-western Africa. He informed me of the progress made at the talks on the situation in south-western Africa and assured me that the Government of Angola would continue with its efforts in the negotiations in order to facilitate a settlement. Among other things, he confirmed to me that South Africa had completed the withdrawal of its troops from Angola on 30 August 1988. In this connection, he emphasized that the objectives of Security Council resolution 602 (1987) had been fulfilled. My visit to Luanda also provided me with the opportunity of exchanging views with the President of SWAPO and of informing him of the outcome of my visit to Pretoria.

29. At the 2827th meeting of the Security Council, held on 29 September 1988, the President of the Security Council made a statement on behalf of the members of the Council concerning the question of Namibia (S/20208). The members of the Council stated that they supported the action I had taken in regard to the implementation of Security Council resolution 435 (1978) and encouraged me to continue my efforts to that end. They took particular note of developments in previous weeks by some of the parties to find a peaceful solution to the conflict in south-western Africa. The nature of the efforts was reflected in the joint statement of 8 August 1988 by the Governments of Angola, Cuba, South Africa and the United States. The members of the Council urged the parties to display the necessary political will to translate the commitments they had made into reality in order to bring about a peaceful settlement of the Namibian question and peace and stability in the region. In particular, they strongly urged South Africa to comply forthwith with the Security Council's resolutions and decisions, particularly resolution 435 (1978), and to co-operate with the Secretary-General in its immediate, full and definitive implementation. To that end, they urged States Members of the United

Nations to render all necessary assistance to the Secretary-General and his staff in the administrative and other practical steps necessary for the emplacement of UNTAG.

30. Following the signing of the Geneva Protocol on 5 August 1988, delegations of Angola, Cuba and South Africa, through the mediation of the Government of the United States, held five meetings at Brazzaville, between 24 August and 13 December 1988, to continue negotiations towards a peaceful solution of the conflict in south-western Africa. I was represented at Brazzaville by my Special Representative for Namibia. On 13 December 1988, the Governments of Angola, Cuba and South Africa signed the Brazzaville Protocol (S/20325) by which the parties agreed to recommend to me that 1 April 1989 be established as the date for the implementation of Security Council resolution 435 (1978).

31. As agreed in the Brazzaville Protocol, the parties met on 22 December 1988 in New York at United Nations Headquarters for signature of the tripartite agreement prepared in Geneva in August (S/20346) and for signature by Angola and Cuba of a bilateral agreement relating to the withdrawal of Cuban troops from Angola (S/20345). In anticipation of the latter, the Security Council had, on 20 December 1988, unanimously decided, by its resolution 626 (1988), to establish under its authority the United Nations Angola Verification Mission (UNAVEM), for a period of 31 months, to verify implementation of the bilateral agreement. In its resolution 628 (1989) the Council welcomed the signature of the tripartite and bilateral agreements and expressed its full support for those agreements.

32. Following the signing of the tripartite and bilateral agreements on 22 December 1988, I met on the same day with the Foreign Minister and with the Defence Minister of South Africa to exchange views on the implementation of Security Council resolution 435 (1978). They confirmed South Africa's agreement to recommend to me that 1 April 1989 be the date for the implementation of Security Council resolution 435 (1978) and stated that the Government of South Africa was ready to extend all necessary co-operation with regard to the responsibilities entrusted to me for the implementation of the United Nations plan for Namibia.

II

33. At its 2842nd meeting on 16 January 1989, the Security Council unanimously adopted resolution 629 (1989), the text of which reads as follows:

"The Security Council,

"Reaffirming its relevant resolutions, in particular, resolutions 431 (1978) of 27 July 1978 and 435 (1978) of 29 September 1978,

"Taking note of its resolution 628 (1989) of 16 January 1989,

"Noting that the parties to the Protocol of Brazzaville, contained in document S/20325 of 14 December 1988, agreed to recommend to the Secretary-General that 1 April 1989 be established as the date for the implementation of resolution 435 (1978),

"Recognizing the progress in the south-western African peace process,

"Expressing concern at the increase in the police and paramilitary forces and the establishment of the South West Africa Territory Force since 1978, and stressing the need to ensure conditions under which the Namibian people will be able to participate in free and fair elections under the supervision and control of the United Nations,

"Noting also that these developments make appropriate a re-examination of the requirements for the United Nations Transition Assistance Group effectively to fulfil its mandate which include, inter alia, keeping borders under surveillance, preventing infiltration, preventing intimidation and ensuring the safe return of refugees and their free participation in the electoral process,

"Recalling the approval by the Security Council of the Secretary-General's statement on 28 September 1978 to the Security Council (S/12869),

"Emphasizing its determination to ensure the early independence of Namibia through free and fair elections under the supervision and control of the United Nations, in accordance with its resolution 435 (1978) of 29 September 1978,

"Reaffirming the legal responsibility of the United Nations over Namibia,

"1. Decides that 1 April 1989 shall be the date on which implementation of resolution 435 (1978) will begin;

"2. Requests the Secretary-General to proceed to arrange a formal cease-fire between the South West Africa People's Organization and South Africa;

"3. Calls upon South Africa to reduce immediately and substantially the existing police forces in Namibia with a view to achieving reasonable balance between these forces and the United Nations Transition Assistance Group so as to ensure effective monitoring by the latter;

"4. Reaffirms the responsibility of all concerned to co-operate to ensure the impartial implementation of the settlement plan in accordance with resolution 435 (1978);

"5. Requests the Secretary-General to prepare at the earliest possible date a report to the Council on the implementation of resolution 435 (1978), taking into account all relevant developments since the adoption of that resolution;

"6. Requests also the Secretary-General, in preparing his report, to re-examine requirements necessary for the United Nations Transition Assistance Group in order to identify wherever possible tangible cost-saving measures without prejudice to his ability fully to carry out its mandate as established in 1978, namely, to ensure the early independence of Namibia through free and fair elections under the supervision and control of the United Nations;

"7. Calls upon Members of the United Nations to consider, in co-ordination with the Secretary-General, how they might provide economic and financial assistance to the Namibian people, both during the transitional period and after independence."

This part of the present report is submitted in pursuance of paragraphs 5 and 6 of the above resolution.

34. In its resolution 435 (1978), adopted on 29 September 1978, the Security Council had approved the Secretary-General's report of 29 August 1978 (S/12827), together with his explanatory statement of 28 September 1978 (S/12869). That report, with the explanatory statement, detailed arrangements for the implementation of the proposal for a settlement of the Namibian situation which had been put forward on 10 April 1978 by the five Western members of the Security Council (the "Western Contact Group") (S/12636). The settlement proposal and the Secretary-General's report on its implementation had been exhaustively negotiated with all the parties concerned.

35. The United Nations plan for Namibia includes agreements and understandings reached by the parties since the adoption of Security Council resolution 435 (1978) and confirmed as such to the Secretary-General. These agreements and understandings remain binding on the parties. In this connection, I wish to draw attention to the following:

(a) The agreement reached in 1982 that UNTAG, with the co-operation of host Governments and in the context of implementation of Security Council resolution 435 (1978), would monitor SWAPO bases in Angola and Zambia (S/15776);

(b) Informal understandings reached in 1982 on the question of impartiality (see also para. 36 below);

(c) The text of the Principles concerning the Constituent Assembly and the Constitution of an independent Namibia which was transmitted to the Secretary-General on 12 July 1982 (S/15287);

(d) The agreement reached in November 1985 (S/17658) on the system of proportional representation for the elections envisaged in Security Council resolution 435 (1978).

36. With regard to subparagraph (b) above, the informal understandings, also known as the impartiality package, include undertakings by the Western Contact Group, the front-line States and Nigeria and SWAPO, with respect to activities within the United Nations system once the Security Council meets to authorize the

implementation of Security Council resolution 435 (1978). The informal understandings also detail corresponding obligations on the part of the Government of South Africa in order to ensure free and fair elections in Namibia. At a meeting on 24 September 1982 the representatives of the front-line States and Nigeria, SWAPO and the Western Contact Group jointly confirmed to me the agreements they had reached in respect of the impartiality package and presented me with a check-list of their informal understandings. All the parties at the meeting confirmed to me their agreement to the informal understandings contained in their check-list. In separate discussions with the Western Contact Group, the Government of South Africa also confirmed its agreement to those understandings which relate to its responsibilities under the settlement plan.

37. Members of the Council will recall that, in the second paragraph of the explanatory statement of 28 September 1978, the Secretary-General recognized that the cost of UNTAG would be a particularly heavy burden for Members to bear and stated that he would of course try to ensure that the mandate was carried out in the most economical manner possible. This has been an imperative guideline for the Secretariat in its detailed planning for the implementation of the settlement proposal for Namibia.

38. As approved in Security Council resolution 435 (1978), the civilian component of UNTAG will consist of two elements. Its non-police element will have the function of assisting the Special Representative in implementing paragraphs 5 to 7 of the settlement proposal and the relevant sections of the annex thereto (S/12636). In this connection, the settlement proposal makes provision for each stage of the electoral process and in regard to all measures affecting the political process at all levels of administration. It states that every adult Namibian, without discrimination or fear of intimidation from any source, will be eligible to vote, campaign and stand for election to the Constituent Assembly. It makes provision for secret ballot and for full freedom of speech, assembly, movement and the press. It requires that the electoral machinery ensure that all political parties and interested persons, without regard to their political views, shall have a full and fair opportunity to organize and participate in the electoral process. It requires the repeal of all remaining discriminatory or restrictive measures which might abridge the objective of free and fair elections and the release of all political prisoners or detainees so that they can fully and freely participate in the electoral process, without fear of arrest, detention, intimidation or imprisonment. The proposal also provides for the peaceful return of all Namibians in exile so that they, too, may fully and freely participate in the electoral process without risk of arrest, detention, intimidation or imprisonment. It stipulates that all Namibians be given a full and voluntary choice whether to return. It requires that my Special Representative take steps to guarantee against the possibility of intimidation or interference with the electoral process from whatever quarter. Compliance with all the criteria indicated in the settlement proposal is a guiding principle for me and will be scrupulously ensured by my Special Representative and his staff.

39. Taking these factors into account, no further savings could be found in respect of the plans for the Special Representative of the Secretary-General and his staff and for the administrative personnel of UNTAG, beyond those which have

resulted from consolidations deriving from a review of 1978 plans undertaken some years ago. As regards the electoral element in the civilian component of UNTAG, the precise number of electoral supervisors required will depend on the detailed arrangements for the election which, in accordance with the settlement proposal, will be worked out by my Special Representative and the Administrator-General, in the context of their respective functions, once the implementation of the United Nations plan has begun (S/17658). In these circumstances, I propose to maintain the present provision for about 800 electoral supervisors.

40. As regards UNTAG's civilian police monitors, the concept was first described in paragraph 9 of the settlement proposal (S/12636). Therein, it is provided that "primary responsibility for maintaining law and order in Namibia during the transition period shall rest with the existing police forces. The Administrator-General, to the satisfaction of the United Nations Special Representative, shall ensure the good conduct of the police forces and shall take the necessary action to ensure their suitability for continued employment during the transition period. The Special Representative shall make arrangements when appropriate for United Nations personnel to accompany the police forces in the discharge of their duties. The police forces would be limited to the carrying of small arms in the normal performance of their duties". Paragraph 10 of the settlement proposal also provides that the "Special Representative will take steps to guarantee against the possibility of intimidation or interference with the electoral process from whatever quarter". The tasks of UNTAG's police monitors are also described in paragraphs 29 and 30 of the Secretary-General's report of 29 August 1978 (S/12827) and in his explanatory statement of 28 September 1978 (S/12869). Therein, the Special Representative's responsibilities in this area were summarized as follows:

"(a) To satisfy himself that the Administrator-General ensures the good conduct of the police force;

"(b) To satisfy himself that the Administrator-General takes the necessary action to ensure the suitability of the police for continued employment during the transition period;

"(c) To make arrangements when appropriate for United Nations personnel to accompany the police forces in the discharge of their duties".

41. The Secretary-General has been assured that monitoring by UNTAG of the existing police forces will be fully facilitated. The organizational and deployment format of UNTAG police monitors will follow that of the existing police forces. They will come under the authority of the Special Representative of the Secretary-General from his headquarters at Windhoek and will operate through a number of district headquarters situated throughout the Territory. Each district will have several sub-stations or posts at strategic locations. The number of district and sub-stations will be approximately 30. This number will be kept under constant review. The stations from which UNTAG police monitors will operate will be so located as to enable them to visit all existing police stations in the Territory. UNTAG police monitors will be highly mobile and will also exercise a general overview in regard to the maintenance of law and order in the Territory, in accordance with the mandate of the Special Representative of the Secretary-General.

42. In the Secretary-General's report of 29 August 1978 it was indicated that approximately 360 police monitors, who would be professional policemen seconded by Governments, would be required. The then existing police forces numbered close to 3,000. In his explanatory statement of 28 September 1978 the Secretary-General said that concern had been expressed as to whether the number of United Nations personnel to monitor the police was appropriate to the tasks they were expected to perform. He announced that he would keep the question under continuous review. The concern of the Council has now also been expressed in resolution 629 (1989) regarding, *inter alia*, the increase in police and paramilitary forces in Namibia since 1978 and the need to prevent intimidation. The technical survey mission which visited Namibia in October 1988 was informed that the total number of police in the Territory, including counter-insurgency forces, had risen to approximately 8,300. Of these, the counter-insurgency unit, known as *Koevoet*, was said to number approximately 3,000 personnel. Monitoring the disbandment of counter-insurgency units, including *Koevoet*, will be the concern of the military component of UNTAG, which will ensure such disbandment as part of the military tasks described above, in accordance with the settlement proposal. Even after such disbandment, however, the existing police force will be substantially greater than that present in the Territory in 1978, to which the former proposed figure of 360 related, although they continue for the most part to operate from the same locations. I was informed by the South African Foreign Minister on 22 December 1988 that South Africa intends to reduce the size of the existing police force to 7,100. I was thereafter informed by South Africa of a further reduction to 6,000. I shall continue to keep under constant review the adequacy of the number of police monitors in regard to their tasks. However, in the first place and in the circumstances described above, I have concluded that 360 police monitors will be insufficient. I therefore propose an increase in their number to 500.

43. Under the existing plan, the military component would account for more than 75 per cent of the cost of UNTAG. Its tasks derive from paragraph 8 of the settlement proposal and are set out in more detail in the annex thereto (S/12636). These tasks were further elaborated in the Secretary-General's report of 29 August 1978 (S/12827), which was approved in resolution 435 (1978), and in the subsequent detailed operational planning by the Secretariat. They can be summarized as follows:

- (a) To monitor the cessation of hostile acts by all parties;
- (b) To monitor the restriction of South African Defence Force (SADF) troops to base and their subsequent reduction to the agreed strength of 1,500 men, who will be restricted to certain agreed locations;
- (c) To monitor such SADF military personnel as continue to perform civilian functions during the transitional period;
- (d) To monitor the dismantling of the command structures of citizen forces, commando units and ethnic forces (now known as "full-time forces" and including the South West Africa Territory Force (SWATF)), the withdrawal of all SADF personnel attached to those forces, and the confinement of all the arms and ammunition of such forces to agreed locations;

(e) To monitor the restriction of SWAPO troops to base in Angola and Zambia;

(f) To keep the borders under surveillance and prevent infiltration;

(g) To ensure that all military installations along the northern border are deactivated or placed under United Nations supervision and to provide security for vital installations in the northern border area.

In addition, the military component is to assist and support the civilian component of UNTAG in the discharge of its tasks, as may be required. This will include the protection of entry points and reception centres for returning Namibians.

44. In 1978 the Security Council accepted the Secretary-General's judgement that up to 7,500 military personnel would be needed to perform these tasks, consisting of 7 infantry battalions, totalling approximately 5,000, plus 200 military observers and, in addition, command, communications, engineer, logistic and air support elements totalling approximately 2,300, all ranks. In his explanatory statement of 28 September 1978 (S/12869) the Secretary-General made it clear that this was an estimate based upon reliable professional judgement, in the light of the tasks to be performed and of previous United Nations experience, as well as of the rules and regulations governing the deployment of United Nations personnel. The military component of UNTAG would be built up gradually and would be introduced by stages. The total of 7,500 military personnel would be the authorized upper limit and the actual size of the military component at any given time would depend upon the development of the general situation, which the Secretary-General would keep under constant review.

45. The deployment plans prepared between 1978 and 1982 provided for the gradual build-up of the military component of UNTAG in stages, up to 6 infantry battalions, 200 military observers and approximately 2,300 logistic personnel. The seventh battalion was to be held in reserve in its home country. It remains the opinion of my military advisers that deployment at this level would be required if the military component was to be capable of carrying out in full all the military tasks listed in paragraph 43 above. The question therefore becomes one of whether the relevant developments, referred to in resolution 629 (1989), make it possible to delete or reduce any of these tasks, thus permitting the deployment of a smaller military component. Only in this way would it be possible to devise the tangible cost-saving measures which the Secretary-General is requested to identify in paragraph 6 of resolution 629 (1989).

46. It is clear that many of the tasks enumerated in paragraph 43 above will still be required. These include the monitoring of the dismantling of the citizen forces, commando units and ethnic forces, including SWATF, monitoring SADF forces in Namibia, as well as SWAPO forces in neighbouring countries, and the supervision and security of installations in the northern border area (i.e., items (b), (c), (d), (e) and (g) in paragraph 43). These tasks are clearly defined, in the sense that the numbers and locations of the personnel and sites to be monitored or secured are known. It is thus possible to make a reasonably exact estimate of the numbers of United Nations military personnel who will be required. Most of these tasks can be performed by military observers, although armed troops will be

required for some of them, notably the guarding of installations in the north and the safe custody of the arms of the citizen forces, commando units and ethnic forces, including SWATF, after these have been deposited in agreed locations.

47. I should like to take this opportunity to clarify paragraph 25 of the Secretary-General's report of 29 August 1978 (S/12827) where it is stated that "the military component, including the monitors, will be provided with weapons of a defensive character". Many of the functions assigned to the "monitors" in the UNTAG operational plan are in fact those performed by unarmed military observers in other United Nations peace-keeping operations. In accordance, therefore, with standard peace-keeping practice, the military observers deployed with UNTAG will not carry weapons.

48. The other tasks enumerated in paragraph 43 above are the monitoring of the cessation of all hostile acts, border surveillance and the prevention of infiltration. By definition, they require the military component of UNTAG to be very extensively deployed at strategic points along the length of the borders and to maintain a highly mobile reserve to react to any hostile acts which might take place during the transition period. Much of the requirement for infantry in the present plan for UNTAG is attributable to these tasks.

49. On 20 December 1988 I received a visit from the permanent representatives of the five permanent members of the Security Council. They informed me that they strongly supported the efforts of the Secretary-General and his staff to help to facilitate the independence of Namibia. They believed that the two agreements to be signed on 22 December at United Nations Headquarters would lead to Namibian independence on 1 April 1990. In this respect, UNTAG would play a crucial role. In order to obtain the necessary support, the five permanent members believed it was necessary to re-examine the plan for UNTAG, taking into account positive developments in the south-western Africa peace process, as reflected in the above-mentioned agreements. They were convinced that UNTAG could carry out its primary function - to ensure free and fair elections - in a substantially more economical manner. The permanent members therefore hoped that I would begin a thorough review of existing UNTAG plans, particularly with respect to the size of the military component to be deployed, in order to achieve the maximum reduction in costs. This review, they stated, would be completely consistent with the letter and the spirit of resolution 435 (1978) and reports which I myself had made to the Council concerning the point that the actual size of UNTAG should reflect the prevailing political situation in the area. In subsequent contacts with representatives of the permanent members, it was pointed out by them that, under the special scale of assessments for peace-keeping operations, they would be responsible for 57 per cent of the costs of UNTAG and that the establishment of an operation larger than they thought necessary would both put in question the financing of that operation and jeopardize the prospects for other peace-keeping operations in the future.

50. On 21 December 1988 I received a visit from the permanent representatives of a number of non-aligned countries, led by the Permanent Representative of Zimbabwe in his capacity as representative of the Chairman of the Movement of Non-Aligned Countries, and including the non-aligned members of the Security Council, the

front-line States and Nigeria and SWAPO. The Permanent Representative of Zimbabwe stated that, in the view of the non-aligned countries, the Secretary-General needed effective means to supervise and control elections in Namibia in accordance with resolution 435 (1978); the situation in Namibia had become more complex since 1978, notably because of the consolidation of the South African military, police and administrative presence; this led the non-aligned countries to conclude that, if anything, there was a need for an increase in the military component of UNTAG; but it was not their wish to renegotiate the existing settlement plan. In this connection, the Permanent Representative of Zimbabwe expressed grave reservations about moves to tamper with the military component of UNTAG, because such a move would violate Security Council resolution 435 (1978) and would compromise the Secretary-General's ability to conduct free and fair elections in Namibia. In a communication addressed to me on 23 December 1988, President Robert Mugabe of Zimbabwe, Chairman of the Movement of Non-Aligned Countries, reiterated to me the concerns of the non-aligned countries in regard to the reduction of the military component of UNTAG as a cost-saving measure. A ministerial delegation of the front-line States, comprising the foreign ministers of Botswana, Mozambique and Zambia, also expressed similar concerns to me when I met with them on 6 January 1989.

51. Throughout my contacts with the permanent members and with the non-aligned countries, I consistently stressed that resolution 435 (1978) had approved a certain level of resources to enable the Secretary-General to carry out the military tasks assigned to UNTAG in the 1978 settlement proposal. If it was the Security Council's wish that fewer resources should now be made available for UNTAG, the Council should indicate which of the tasks in the settlement proposal were no longer required. I urged the need for consultations between the members of the Council for this purpose.

52. Resolution 629 (1989) represented a compromise which was achieved with some difficulty and which did not fully resolve the differences between the proponents of the two points of view described above nor clearly eliminate any of the tasks assigned to UNTAG. The differences revolve round the question of how much confidence is to be placed in the readiness of the various parties to the proposed settlement in south-western Africa to honour the commitments, formal and informal, which they have entered into vis-à-vis each other and vis-à-vis the United Nations. As Secretary-General, I have to assume, in this as in other cases, that all the parties will honour the commitments which they have solemnly entered into; indeed, no operation of this kind can succeed without the full co-operation of all the parties. In the present circumstances the Secretary-General is obliged to advise the Council that, after so much progress has been achieved and when the independence of Namibia is at last in sight, it would be a tragedy if this question of confidence and the resulting differences within the Council were to cause further delay, thus seriously jeopardizing the emplacement of UNTAG by 1 April 1989, the date on which the Council has already decided that the implementation of resolution 435 (1978) should begin.

53. Since resolution 629 (1989) was adopted, I have pursued consultations with all the parties concerned. Their views have been taken into account in the preparation of this report. But as members of the Security Council are aware, it has not been

possible to reconcile the opposing viewpoints described above. At the same time, all concerned are determined that implementation of the United Nations plan for Namibia should begin on 1 April 1989. I have therefore thought it right to submit to the Council a concept of operations which will not be wholly satisfactory to either side, nor to me, but which offers the best available prospect of fulfilling my mandate of ensuring the early independence of Namibia through free and fair elections under the supervision and control of the United Nations, while at the same time enjoying the necessary financial support of the members of the Organization. Such a concept of operations is set out in the next paragraph. In putting it together I have taken into account the following:

(a) The paramount need for UNTAG to be capable, and to be seen to be capable, of ensuring the full implementation of resolution 435 (1978), including, above all, the creation of conditions which will permit free and fair elections;

(b) The repeated assurances which I have received from the neighbouring countries, including South Africa, that, in accordance with paragraph 12 of the settlement proposal (S/12636), they will ensure to the best of their abilities that the provisions of the transitional arrangements, and the outcome of the election, are respected and that they will afford the necessary facilities to my Special Representative and all United Nations personnel to carry out their assigned functions and to facilitate such measures as may be desirable for ensuring tranquillity in the border areas;

(c) The views expressed by some members of the Council that recent progress in the south-western Africa peace process has reduced the need for the tasks of border surveillance and the prevention of infiltration;

(d) The feasibility which has now emerged of consolidating UNTAG's operations by grouping geographically tasks assigned to the military component of UNTAG and assigning a variety of tasks to each unit, whether infantry or military observers, including assisting in ensuring the safe return of refugees;

(e) The feasibility of assigning to military observers some tasks which had previously been reserved for the infantry, without impairing the operational efficiency of the Force;

(f) Increasing the ratio of operational troops to headquarters and administrative staffs, by increasing the size of the infantry battalions.

54. Taking these factors into account, the concept of operations which I recommend to the Security Council is as follows:

(a) The Force Commander would concentrate on the tasks of monitoring the disbandment of the citizen forces, commando units and ethnic forces, including SWATF, monitoring SADF forces in Namibia, as well as SWAPO forces in neighbouring countries and supervising and securing installations in the northern border area (i.e. the tasks listed in subparagraphs (b), (c), (d), (e) and (g) of paragraph 43 above);

(b) The authorized upper limit for the military component of UNTAG would remain at 7,500;

(c) Three enlarged infantry battalions, each averaging 850 all ranks, would be deployed initially, with the other battalions being held in reserve. This would provide as many operational troops as five battalions of the size envisaged in the earlier deployment plan, but with the overall numbers being reduced because of the regrouping of the operational troops, and the consequent elimination of some headquarters and administrative elements;

(d) To permit the transfer of certain tasks from infantry to military observers, the military observer element deployed initially would be increased from 200 to 300 officers;

(e) The logistic elements deployed initially would total about 1,700 all ranks and would be appropriate for a force of three enlarged infantry battalions and 300 military observers, taking into account also the need for the military logistic elements to support the civilian component;

(f) Budgetary provisions would at this stage be presented to the General Assembly on the basis of a military component of 4,650 consisting of 3 enlarged infantry battalions, 300 military observers, about 1,700 logistic troops and headquarters staff of about 100, all ranks;

(g) If it should become apparent during the course of the transitional period that a military component of this size was insufficient to assist my Special Representative in carrying out his mandate of ensuring the early independence of Namibia through free and fair elections under the supervision and control of the United Nations and that there was a real need for additional military personnel, the Secretary-General would so inform the Security Council and, subject to there being no objection from the Council, would deploy as many of the reserve battalions, with appropriate logistic elements, as he judged to be necessary. I would seek urgent financial provision from the General Assembly for this additional deployment. I trust that, under such circumstances, I could count on the support of all members of the Council, particularly its permanent members, to help to meet the logistic commitments involved in an urgent deployment of this kind, including assistance with airlift to the mission area as a voluntary contribution.

55. If the Security Council decides to approve the implementation of resolution 435 (1978) on the above basis, the estimated cost of the civilian and military components of UNTAG will be approximately \$416 million, excluding the cost of the operation of the Office of the United Nations High Commissioner for Refugees (UNHCR) for the return of Namibians currently in exile, for which I intend to launch a separate appeal. This is inevitably a preliminary figure based on information currently available and on the experience of United Nations peace-keeping operations; it may be subject to revision once UNTAG has been launched. It is based on the assumptions that:

(a) Member States providing infantry battalions and logistic units or police officers for UNTAG will be reimbursed on the same basis as those which contribute troops to the United Nations Disengagement Observer Force (UNDOF) and the United Nations Interim Force in Lebanon (UNIFIL);

(b) Member States will not be reimbursed for troop costs or other costs during the period that battalions or other units are held in reserve in their home countries;

(c) Military observers and electoral supervisors assigned to UNTAG will be made available by the Member States concerned on the same basis as observers provided to the United Nations Truce Supervision Organization (UNTSO).

56. It is also necessary to emphasize that the estimate in the preceding paragraph is based on the assumption that UNTAG will purchase goods and services from local sources of supply in southern Africa whenever these are more economical than sources of supply elsewhere. Any other assumption will call into question the feasibility of the operation in the time-scale already decided by the Council, as well as increasing its cost.

57. It is recommended that the costs of UNTAG should be considered as expenses of the Organization to be borne by the Member States in accordance with Article 17, paragraph 2, of the Charter. It is my intention also to recommend to the General Assembly that the assessments to be levied on Member States be credited to a special account which would be established for this purpose.

58. If the Security Council decides to proceed on the basis recommended above, I will do everything possible to have UNTAG in place and operational by 1 April 1989. My ability to achieve this will, however, depend crucially on the availability of the major financial resources which will be needed immediately to meet the expenses of the set-up phase of UNTAG. It will be essential, therefore, for the General Assembly to take very early action to appropriate the necessary funds for the financing of UNTAG and for Member States thereafter to pay their assessments without delay. The latest experience gained in connection with the payment of assessed contributions for an operation which was recently established by the Council has shown that, at the end of the assessed period, the rate of payment was less than 56 per cent of the amount apportioned. In light of these considerations, I shall appeal to Member States to make advances, on a voluntary basis, to meet the initial expenses of UNTAG pending formal action by the General Assembly. These advances will be repaid as soon as it has been determined that sufficient assessed contributions have been collected. I shall also appeal to Member States to make voluntary contributions, both in cash and in kind, to UNTAG.

59. A large number of Governments have already expressed their interest in providing military personnel for UNTAG, whether infantry battalions or military observers or logistic units. As soon as the Council has decided to proceed as recommended in this report, I shall finalize my proposals for the composition of the military component and, after consulting the parties, I will seek the Council's agreement to my proposals. Members of the Council will recall that the appointment of the Force Commander, Lieutenant-General Prem Chand (India), has already been approved by the Council (S/13862, para. 5).

60. As regards the cease-fire envisaged in resolution 435 (1978), both South Africa and SWAPO agreed to a de facto cessation of hostilities, with effect from 10 August 1988, as provided for in the Geneva Protocol of 5 August 1988. It was foreseen in resolution 435 (1978) that the cease-fire between South Africa and SWAPO would take effect on the date of the beginning of implementation of the settlement plan. I accordingly intend to send identical letters, at the appropriate time, to South Africa and SWAPO proposing a specific date and hour for the formal cease-fire to begin. In those letters I will also request both parties to inform me in writing, by a specific date, of their agreement to abide by the formal cease-fire. Meanwhile I appeal to all the parties to exercise maximum restraint and to refrain from any actions which might jeopardize the present de facto cessation of hostilities or implementation of the settlement plan.

61. In conclusion, I would like to emphasize that, as members of the Council are aware, resolution 435 (1978) entrusts to the Secretary-General a wide range of responsibilities in connection with the supervision and control of free and fair elections in Namibia. My officials and I will be required to act with complete impartiality in carrying out these tasks. The same will be expected from the Administrator-General and all other officials in the Territory. The successful implementation of Security Council resolution 435 (1978) will depend upon the co-operation of all parties concerned as well as of the international community as a whole. As far as my own responsibilities are concerned, I trust that I can count on all Member States, and on my colleagues in the United Nations system, for their co-operation in enabling the United Nations family as a whole to meet its responsibilities to the people of Namibia in accordance with the United Nations plan.

Annex

PRINCIPLES FOR A PEACEFUL SETTLEMENT IN SOUTH-WESTERN AFRICA

The Governments of the People's Republic of Angola, the Republic of Cuba and the Republic of South Africa have reached agreement on a set of essential principles to establish the basis for peace in the south-western region of Africa. They recognize that each of these principles is indispensable to a comprehensive settlement.

- A. Implementation of resolution 435 (1978) of the Security Council of the United Nations. The parties shall agree upon and recommend to the Secretary-General of the United Nations a date for the commencement of implementation of United Nations Security Council resolution 435 (1978).
- B. The Governments of the People's Republic of Angola and of the Republic of South Africa shall, in conformity with the dispositions of resolution 435 (1978) of the Security Council of the United Nations, co-operate with the Secretary-General with a view towards ensuring the independence of Namibia through free and fair elections, abstaining from any action that could prevent the execution of said resolution.
- C. Redeployment towards the north and the staged and total withdrawal of Cuban troops from the territory of the People's Republic of Angola on the basis of an agreement between the People's Republic of Angola and the Republic of Cuba and the decision of both States to solicit the on-site verification of that withdrawal by the Security Council of the United Nations.
- D. Respect for the sovereignty, sovereign equality and independence of States and for territorial integrity and inviolability of borders.
- E. Non-interference in the internal affairs of States.
- F. Abstention from the threat and utilization of force against the territorial integrity and independence of States.
- G. The acceptance of the responsibility of States not to allow their territory to be used for acts of war, aggression, or violence against other States.
- H. Reaffirmation of the right of the peoples of the south-western region of Africa to self-determination, independence, and equality of rights.
- I. Verification and monitoring of compliance with the obligations resulting from the agreements that may be established.
- J. Commitment to comply in good faith with the obligations undertaken in the agreements that may be established and to resolve the differences via negotiations.

K. Recognition of the role of the permanent members of the Security Council of the United Nations as guarantors for the implementation of agreements that may be established.

L. The right of each State to peace, development and social progress.

M. African and international co-operation for the settlement of the problems of the development of the south-western region of Africa.

N. Recognition of the mediating role of the Government of the United States of America.



Security Council

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S/20457
9 February 1989

ORIGINAL: ENGLISH

EXPLANATORY STATEMENT BY THE SECRETARY-GENERAL CONCERNING
HIS FURTHER REPORT (S/20412) CONCERNING THE IMPLEMENTATION
OF SECURITY COUNCIL RESOLUTIONS 435 (1978) AND 439 (1978)
CONCERNING THE QUESTION OF NAMIBIA

1. On 23 January 1989, I submitted to the Security Council a further report (S/20412) on the question of Namibia. Part II of the report was submitted in pursuance of Security Council resolution 629 (1989).
2. The report contained my recommendations for the implementation of the United Nations plan for Namibia with effect from 1 April 1989, as decided by the Security Council in paragraph 1 of its resolution 629 (1989). In preparing my report I was conscious of the urgent need for the Council to adopt, without further delay, the necessary enabling resolution so that this date could be met. The recommendations in my report were intended to aid the Security Council to take this decision. We are now very close to the absolute minimum lead-time required for the effective mobilization of the United Nations Transition Assistance Group (UNTAG) and its emplacement in Namibia.
3. Since the submission of my report, I have held extensive consultations with the various parties. During these consultations concerns were raised about some of the recommendations contained in my report. I should like to address these concerns in this explanatory statement.
4. In paragraph 54 of my report, I recommended to the Security Council a concept of operations which in the circumstances seemed to me to offer the best available prospect of ensuring the early independence of Namibia through free and fair elections in accordance with the timing decided by the Council. I should like to reiterate that, under this concept of operations, the authorized upper limit for the military component of UNTAG would remain at 7,500, as stipulated in the explanatory statement of 28 September 1978 (S/12869) and approved by the Security Council in its resolution 435 (1978). While confirming this fundamental provision for the military component of UNTAG, I recommended to the Security Council that budgetary provisions should at this stage be presented to the General Assembly on the basis of a military component of 4,650 personnel consisting of 3 enlarged infantry battalions, 300 military observers, about 1,700 logistic troops and headquarters staff of about 100, all ranks. These would be the number of troops

initially deployed in Namibia while at the same time the figure of 7,500 would be maintained as the authorized upper limit of the military component. The 3 enlarged battalions would provide the Force Commander with 15 line companies (i.e. troops available for operational duties in the field), which is only 3 fewer than the 18 line companies which would have been provided by the six smaller battalions envisaged in the earlier deployment plan. Under the concept of operations outlined in my report, the reserve battalions would be available at short notice for service in Namibia, in order to meet any unforeseen developments in regard to the overall mandate of UNTAG.

5. The mandate of the military component of UNTAG, as approved in Security Council resolution 435 (1978), remains unchanged. Paragraph 54 (a) of my report specifies only the tasks on which it is envisaged that the Force Commander would concentrate. No tasks have been eliminated. Moreover, final and definitive decisions concerning functional priorities and deployment can be taken only in the light of the circumstances prevalent at the time of implementation. In this connection, I intend to keep under constant review throughout the transitional period both the deployment of the military component of UNTAG and its size in relation to its ability to carry out its full mandate in the actual situation on the ground. I will not fail to inform the Security Council if the situation requires the deployment of additional military personnel to Namibia. I have been assured by all the members of the Security Council, including the permanent members, that they will extend their fullest co-operation to me in terms of paragraph 54 (g) of my report and that they will respond promptly to any need for additional military personnel which I might deem warranted, up to the authorized upper limit of 7,500.

6. In paragraph 47 of my report I stated that, in accordance with standard peace-keeping practice, the military observers deployed with UNTAG will not carry weapons. Following representations made to me by a number of delegations, I have decided to make an exception to this standard peace-keeping practice and have accordingly given the Force Commander of UNTAG discretion to authorize the military observers deployed with UNTAG to carry weapons of a defensive character, as and when necessary.

7. In paragraph 55 of my report, I stated that the estimated cost of the civilian and military components of UNTAG will be approximately \$416 million, excluding the cost of the operation of the Office of the United Nations High Commissioner for Refugees for the return of Namibians currently in exile, for which I intend to launch a separate appeal. This statement was based on my judgement that such an appeal would be the best means of securing the necessary funding in time. Concern has been expressed that a separate appeal of this nature might not raise adequate funding in time for the operation of the High Commissioner and that this in turn could delay the early return of Namibians currently in exile to participate in the electoral process. I continue to believe that these fears are unfounded but I will not hesitate to recommend alternative arrangements if, contrary to my expectations, there is a shortfall in funding for the operations of the High Commissioner. These will be conducted as an integral part of the UNTAG operation under the relevant provisions of the United Nations plan.

8. I remain convinced that the recommendations contained in my report, as clarified by this explanatory statement, offer the best available prospect of fulfilling my mandate of ensuring the early independence of Namibia through free and fair elections under the supervision and control of the United Nations, while at the same time enjoying the necessary financial support of members of the Organization. It is my fervent hope that the Security Council can now proceed to approve my report and thus make its final determination for the emplacement of UNTAG in Namibia on 1 April 1989 in accordance with the decision it has already taken.



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S/RES/632 (1989)
16 February 1989

RESOLUTION 632 (1989)

Adopted by the Security Council at its 2848th meeting on
16 February 1989

The Security Council,

Reaffirming its relevant resolutions, in particular, resolutions 431 (1978) of 27 July 1978, 435 (1978) of 29 September 1978 and also 629 (1989) of 16 January 1989,

Further reaffirming that the United Nations plan contained in its resolution 435 (1978) remains the only internationally accepted basis for the peaceful settlement of the Namibian question,

Confirming its decision contained in paragraph 1 of resolution 629 (1989) of 16 January 1989 that 1 April 1989 shall be the date on which implementation of resolution 435 (1978) will begin,

Having considered the report submitted by the Secretary-General 1/ and his explanatory statement of 9 February 1989, 2/

Taking into account the assurances given to the Secretary-General by all its members as contained in paragraph 5 of his explanatory statement,

Reaffirming the legal responsibility of the United Nations over Namibia until independence,

1. Approves the report of the Secretary-General 1/ and his explanatory statement 2/ for the implementation of the United Nations plan for Namibia;

1/ S/20412.

2/ S/20457.

2. Decides to implement its resolution 435 (1978) of 29 September 1978 in its original and definitive form to ensure conditions in Namibia which will allow the Namibian people to participate freely and without intimidation in the electoral process under the supervision and control of the United Nations leading to early independence of the Territory;

3. Expresses its full support for and co-operation with the Secretary-General in carrying out the mandate entrusted to him by the Security Council under its resolution 435 (1978);

4. Calls upon all parties concerned to honour their commitments to the United Nations plan and to co-operate fully with the Secretary-General in the implementation of the present resolution;

5. Requests the Secretary-General to keep the Security Council fully informed on the implementation of the present resolution.



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FURTHER REPORT OF THE SECRETARY-GENERAL CONCERNING
THE IMPLEMENTATION OF SECURITY COUNCIL RESOLUTIONS
435 (1978) AND 439 (1978) CONCERNING THE QUESTION
OF NAMIBIA

Addendum

1. I wish to transmit to the Council the text of the Agreement between the United Nations and the Republic of South Africa concerning the Status of the United Nations Transition Assistance Group in Namibia (South-West Africa), done at New York on 10 March 1989, which is annexed to the present report.
2. I shall continue to keep Council members informed of any further developments with regard to the establishment of the United Nations Transition Assistance Group.

Annex

Agreement between the United Nations and the Republic of South Africa
concerning the Status of the United Nations Transition Assistance
Group in Namibia (South-West Africa)

I. DEFINITIONS

1. For the purposes of this Agreement the following definitions shall apply:
2. "UNTAG" means the United Nations Transition Assistance Group established pursuant to Security Council resolution 435 (1978) consisting of:
 - (a) The "Special Representative" appointed by the Secretary-General of the United Nations pursuant to Security Council resolution 431 (1978). Any reference to the Special Representative in this Agreement shall, except in paragraph 31, include any member of UNTAG to whom he delegates a specified function or authority;
 - (b) A "civilian section" composed of United Nations officials and of other persons assigned by the Secretary-General to assist the Special Representative;
 - (c) A "military section" composed of military and civilian personnel assigned by participating States to serve as part of UNTAG.
3. "Member of UNTAG" means any member of the civilian or military section but, unless specifically stated otherwise, does not include locally recruited personnel.
4. "Participating State" means a State contributing personnel to the military section of UNTAG.
5. "Territory" means Namibia (South-West Africa).
6. "Government" means the Government of the Republic of South Africa including the Administrator-General of the Territory, as well as all competent local authorities.
7. "Convention" means the Convention on the Privileges and Immunities of the United Nations adopted by the General Assembly of the United Nations on 13 February 1946.

II. APPLICATION OF THIS AGREEMENT

8. Unless specifically provided otherwise, the provisions of this Agreement and any obligation undertaken by the Government or any privilege, immunity, facility or concession granted to UNTAG or any member thereof apply in the Territory only.

III. APPLICATION OF THE CONVENTION

9. The Convention shall apply to UNTAG, subject to the special provisions specified in this Agreement.
10. Article II of the Convention shall also apply to the property, funds and assets of participating States used in connection with UNTAG.

IV. STATUS OF UNTAG

11. Members of UNTAG shall refrain from any activity of a political nature in the Territory and from any action or activity incompatible with the impartial and international nature of their duties or inconsistent with the spirit of the present arrangements. The Special Representative shall take all appropriate measures to ensure the observance of these obligations.
12. The Government undertakes to respect the exclusively international nature of UNTAG.

Premises

13. The premises referred to in section 3 of the Convention shall include those made available to UNTAG pursuant to paragraph 25 of this Agreement and any other premises actually occupied or used by UNTAG.

Taxation

14. The Government undertakes to exempt UNTAG from general sales tax paid on all official UNTAG purchases for own use, excluding those for resale in commissaries.

United Nations flag; vehicle markings

15. UNTAG shall display the United Nations flag at or on its headquarters, camps and other premises, vehicles, vessels and otherwise as agreed to in consultation between the Special Representative and the Government. Other flags or pennants may be displayed only in exceptional cases and in accordance with conditions prescribed by the Special Representative. The display of such flags or pennants shall be subject to prior consultation with the Government.

16. Vehicles, vessels and aircraft of UNTAG shall carry a distinctive United Nations identification, which shall be notified to the Government.

Communications

17. UNTAG shall enjoy the facilities in respect of communications provided in article III of the Convention only for the purpose of executing its task as laid down in Security Council resolution 435 (1978).

18. Subject to the provisions of paragraph 17, UNTAG shall have authority to install and operate radio-sending and receiving stations as well as satellite systems to connect appropriate points within the Territory and United Nations offices in other countries, and to exchange traffic with the United Nations global telecommunications network; provided that the satellite systems shall be installed and operated by UNTAG only after consultation with the Government. The telecommunication services shall be operated in accordance with the International Telecommunication Convention and Regulations, and the frequencies on which any such station may be operated shall be decided upon in co-operation with the Government and shall be communicated by the United Nations to the International Frequency Registration Board.

19. Subject to the provisions of paragraph 17, UNTAG shall enjoy, within the Territory, the right to unrestricted communication by radio (including satellite, mobile and hand-held radio), telephone, telegraph, facsimile or any other means, and of establishing the necessary facilities for maintaining such communications within and between premises of UNTAG, including the laying of cables and land lines and the establishment of fixed and mobile radio-sending, receiving and repeater stations, provided that land lines and cables between premises of UNTAG shall be laid only after consultation and agreement with the Government and provided further that the frequencies on which the radio will operate shall be decided upon in co-operation with the Government. It is understood that connections with the local system of telegraphs, telex and telephone may be made only after consultation and in accordance with arrangements with the Government, it being further understood that the use of the local system of telegraphs, telex and telephones will be at rates and under conditions not less favourable than those applicable to comparable users.

20. UNTAG may make arrangements through its own facilities for the processing and transport of private mail addressed to or emanating from members of UNTAG. The Government shall be informed of the nature of such arrangements, and shall not interfere with or apply censorship to the mail of UNTAG or its members. In the event that postal arrangements applying to private mail of members of UNTAG are extended to transfer of currency or the transport of packages and parcels, the conditions under which such operations are conducted shall be agreed with the Government.

Travel and transport

21. UNTAG and its members shall enjoy, together with its vehicles, vessels, aircraft and equipment, freedom of movement within the Territory. The Special Representative shall consult in advance with the Government with respect to large movements of personnel, stores or vehicles through airports or on railways or roads used for general traffic within the Territory. The Government undertakes to supply UNTAG, where necessary, with maps and other information that may be useful in facilitating its movements.

22. Vehicles, including all military vehicles, vessels and aircraft of UNTAG shall not be subject to registration or licensing by the Government provided that all such vehicles shall carry the third-party insurance required by relevant legislation.

23. UNTAG may use roads, bridges, canals and other waters, port facilities and airfields without the payment of dues, tolls or charges other than charges for services rendered.

Imports, exports and local purchases by or for UNTAG

24. (a) UNTAG may in terms of relevant legislation import into the Territory, or into South Africa for direct transport to the Territory along routes prescribed by the Government, free of duty or other restrictions, equipment, provisions, supplies and other goods which are for the exclusive and official use of UNTAG or for resale in the commissaries provided for in paragraph 46.

(b) UNTAG may also in terms of relevant legislation clear ex-customs and excise warehouse, free of duty or other restrictions, equipment, provisions, supplies and other goods which are for the exclusive and official use of UNTAG or for resale in the commissaries provided for in paragraph 46.

(c) All such equipment as far as it is still usable, all unconsumed provisions, supplies and other goods so imported or cleared ex-customs and excise warehouse which are not transferred, or otherwise disposed of on terms and conditions to be agreed upon, to the competent local authorities of the Territory or to an entity nominated by them, shall be exported from the Territory and from South Africa on completion of UNTAG's task.

(d) To the end that such importation, clearances and exportation may be effected with the least possible delay, a mutually satisfactory procedure, including documentation, shall be agreed between UNTAG and the Government.

V. FACILITIES FOR UNTAG

25. The Government undertakes to assist UNTAG as far as possible in obtaining and making available where applicable, premises, water, electricity and other facilities required at rates, dues or charges not less favourable than those charged to comparable consumers or users and in the case of interruption or threatened interruption of service to give as far as is within its power the same priority to the needs of UNTAG as to essential government services. Amounts due by UNTAG in this regard shall be settled on a basis to be agreed with the Government. UNTAG shall be responsible for the maintenance and upkeep of facilities so provided.

26. UNTAG shall have the right, where necessary, to generate, within its premises, electricity for its use and to transmit and distribute such electricity.

Provisions, supplies and services; sanitary arrangements

27. The Government shall assist UNTAG as far as possible in obtaining equipment, provisions, supplies and other goods and services from sources within the Territory and, if necessary, within South Africa, required for its subsistence and operations. In making purchases on the local market, UNTAG shall take the necessary steps to avoid any adverse effect on the local economy.

28. UNTAG and the Government shall co-operate with respect to sanitary services and shall extend to each other the fullest co-operation in matters concerning health, particularly with respect to the control of communicable diseases in accordance with international conventions.

Recruitment of local personnel

29. UNTAG may recruit locally such personnel as it requires. In the recruitment of such personnel, UNTAG shall at all times act in close consultation with the Government. The Government undertakes, upon the request of the Special Representative, to assist UNTAG in the recruitment of such personnel. The terms and conditions of employment for locally recruited personnel shall be prescribed by the Special Representative.

Currency

30. The Government undertakes to make available to UNTAG against reimbursement in mutually acceptable currency, South African currency required for the use of UNTAG, including the pay of its members, at the rate of exchange most favourable to UNTAG that is officially recognized by the Government.

VI. MEMBERS OF UNTAG

Status

31. The Special Representative, the Commander of the military section of UNTAG and such high-ranking members of the Special Representative's staff as may be agreed upon with the Government shall have the status specified in section 19 of the Convention provided that the privileges and immunities therein referred to shall be those accorded to diplomatic envoys by South African law.

32. Officials of the United Nations assigned to the civilian section of UNTAG and whose names are for that purpose notified to the Government by the Special Representative shall be considered as officials within the meaning of section 17 of the Convention.

33. Other persons assigned to the civilian section of UNTAG as well as civilian personnel assigned to the military section whose names are for the purpose notified to the Government by the Special Representative shall be considered as experts on mission within the meaning of article VI of the Convention.

34. Military personnel assigned to the military section of UNTAG shall have the status specially provided for in this Agreement.

35. Locally recruited personnel shall enjoy only those privileges and immunities specifically provided for them in this Agreement.

Entry, residence and departure

36. The Special Representative and members of the civilian section of UNTAG shall, whenever so required by the Special Representative, have the right to enter into, reside in and depart from the Territory, and as required for that purpose to travel in direct transit through South Africa from agreed points of entry and exit. The Special Representative shall notify the Government, and whenever possible in advance, of the movement of any such member in transit to and from the Territory.

37. Members of the military section of UNTAG shall be exempt from passport and visa regulations and immigration inspection and restriction on entering into or departing from the Territory, and as required for that purpose on transiting South Africa from agreed points of entry and exit along agreed routes and on agreed conditions provided that the Special Representative shall notify the Government in advance of the movement to or from the Territory of any such member. They shall be exempt from any regulations governing the residence of aliens in the Territory, including registration, but shall not be considered as acquiring any right to permanent residence in the Territory. For the purpose of such entry or departure or transiting of South Africa such members shall be required to have only: (a) an individual or collective movement order issued by or under the authority of the Special Representative or any appropriate authority of a participating State; and (b) a personal identity card issued in accordance with paragraph 38 of this Agreement, except in the case of first entry when the personal identity card issued by the appropriate authorities of a participating State shall be accepted in lieu of the said UNTAG identity card.

Identification

38. The Special Representative shall issue to each member of UNTAG before or as soon as possible after such member's first entry into the Territory, as well as to all locally recruited personnel, a numbered UNTAG identity card, which shall show full name, date of birth, title or rank, service (if appropriate) and photograph. Except as provided in article VII of the Convention or in paragraph 37 of this Agreement, such identity card shall be the only document required of a member of UNTAG.

39. Members of UNTAG as well as locally recruited personnel shall be required to present, but not to surrender, their UNTAG identity cards upon demand of an appropriate official of the Government.

Uniform and arms

40. Military members of UNTAG shall wear, while performing official duties, the national military uniform of their respective States with standard United Nations accoutrements. The wearing of civilian dress by military members of UNTAG may be authorized by the Special Representative at other times.

Military members of UNTAG, members of the civilian police element of UNTAG and United Nations Security Officers designated by the Special Representative may possess and carry arms while on duty in accordance with their orders.

Permits and licences

41. The Government agrees to accept as valid, without tax or fee, a permit or licence issued by the Special Representative for the operation by any member of UNTAG, including locally recruited personnel, of any UNTAG transport or communication equipment and for the practice of any profession or occupation in connection with the functioning of UNTAG; provided that no licence to drive a vehicle or pilot an aircraft shall be issued to any person who is not already in possession of an appropriate and valid licence.

42. Without prejudice to the provisions of paragraph 40, the Government further agrees to accept as valid, without tax or fee, a permit or licence issued by the Special Representative to a member of UNTAG for the carrying or use of firearms or ammunition in connection with the functioning of UNTAG.

Taxation

43. Members of UNTAG shall be exempt from taxation on the pay and emoluments received from the United Nations or from a participating State and any income received from outside the Territory.

They shall also be exempt from all other direct taxes, except the general sales tax and municipal rates for services, and from all registration fees and charges.

Customs and fiscal regulations

44. The Special Representative shall co-operate with the Government and shall render all assistance within his power in ensuring the observance of the customs and fiscal laws and regulations of the Territory and of South Africa by the members of UNTAG, in accordance with this Agreement.

45. Members of UNTAG shall in terms of relevant legislation have the right to import free of duty their personal effects in connection with their arrival in the Territory. They shall be subject to the laws and regulations of the Territory and, as appropriate, of South Africa, governing customs and foreign exchange with respect to personal property not required by them by reason of their presence in the Territory with UNTAG. Special facilities for entry and exit shall be granted by the Government to regularly constituted units of the military section, provided that it has been notified sufficiently in advance. On departure from the Territory, members of UNTAG may, notwithstanding the above-mentioned exchange regulations, take with them such funds as the Special Representative certifies were received in pay and emoluments from the United Nations or from a participating State and are a reasonable residue thereof. Special arrangements shall be made for the implementation of these provisions in the interests of the Government and the members of UNTAG.

46. For the benefit of the members of UNTAG, but not of locally recruited personnel, UNTAG may establish, maintain and operate commissaries at its headquarters and in camps. Such commissaries may provide goods of a consumable

nature and other customary articles of small value. The Special Representative shall take all necessary measures to prevent abuse of such commissaries and the sale or resale of such goods to persons other than members of UNTAG, and he shall give sympathetic consideration to observations or requests of the Government concerning the operation of the commissaries.

Military police; arrest and transfer of custody; mutual assistance

47. The Special Representative shall take all appropriate measures to ensure the maintenance of discipline and good order among members of UNTAG as well as locally recruited personnel. To this end personnel designated by the Special Representative shall police the premises of UNTAG and such areas where its members are deployed. Elsewhere such personnel shall be employed only subject to arrangements with the Government and in liaison with it in so far as such employment is necessary to maintain discipline and order among members of UNTAG.

48. The military police of UNTAG shall have the power of arrest over the military members of UNTAG. The personnel mentioned in paragraph 47 above may also take into custody any other person on the premises of UNTAG. Such other person shall be delivered immediately to the nearest appropriate official of the Government for the purpose of dealing with any offence or disturbance on such premises.

49. Subject to the provisions of paragraphs 31 and 33 officials of the Government may take into custody any member of UNTAG:

(a) When so requested by the Special Representative; or

(b) When such a member of UNTAG is apprehended in the commission or attempted commission of a criminal offence. Such person shall be delivered immediately, together with any weapons or other item seized, to the nearest appropriate representative of UNTAG whereafter the provisions of paragraph 54 shall apply mutatis mutandis.

50. When a person is taken into custody under paragraph 48 or paragraph 49 (b), UNTAG or the Government, as the case may be, may make a preliminary interrogation but may not delay the transfer of custody. Following such transfer, the person concerned shall be made available upon request to the arresting authority for further interrogation.

51. UNTAG and the Government shall assist each other in carrying out all necessary investigations into offences in respect of which either or both have an interest, in the production of witnesses and in the collection and production of evidence, including the seizure of and, if appropriate, the handing over of things connected with an offence. The handing over of any such things may be made subject to their return within the terms specified by the authority delivering them. Each shall notify the other of the disposition of any case in the outcome of which the other may have an interest or in which there has been a transfer of custody under the provisions of paragraphs 48, 49 and 50.

52. The Government shall ensure the prosecution of persons subject to its criminal jurisdiction who are accused of acts in relation to UNTAG or its members which, if committed in relation to the forces of the Government, would have rendered such acts liable to prosecution.

Jurisdiction

53. All members of UNTAG including locally recruited personnel shall be immune from legal process in respect of words spoken or written and all acts performed by them in their official capacity. Such immunity shall continue even after they cease to be members of or employed by UNTAG and after the expiration of the other provisions of this Agreement.

54. Should the Government consider that any member of UNTAG has committed a criminal offence, it shall promptly inform the Special Representative and present to him any evidence available to it.

Subject to the provisions of paragraph 31:

(a) If the accused person is a member of the civilian section or a civilian member of the military section, the Special Representative shall conduct any necessary supplementary inquiry and then agree with the Government on whether the United Nations should institute disciplinary proceedings or the Government institute prosecution. Failing such agreement, the question shall be resolved as provided in paragraph 59 of this Agreement;

(b) Military members of the military section of UNTAG shall be subject to the exclusive jurisdiction of their respective participating States in respect of any criminal offences which may be committed by them in the Territory.

55. If any civil proceeding is instituted against a member of UNTAG before any court of the Territory the Special Representative shall be notified immediately, and he shall certify to the court whether or not the proceeding is related to the official duties of such member.

(a) If the Special Representative certifies that the proceeding is related to official duties, such proceeding shall be discontinued and the provisions of paragraph 57 of this Agreement shall apply.

(b) If the Special Representative certifies that the proceeding is not related to official duties, the proceeding may continue. If the Special Representative certifies that a member of UNTAG is unable because of official duties or authorized absence to protect his interests in the proceeding, the court shall at the defendant's request suspend the proceeding until the elimination of the disability, but for not more than ninety days. Property of a member of UNTAG that is certified by the Special Representative to be needed by the defendant for the fulfilment of his official duties shall be free from seizure for the satisfaction of a judgement, decision or order. The personal liberty of a member of UNTAG shall not be restricted in a civil proceeding, whether to enforce a judgement, decision or order, to compel an oath or for any other reason.

Deceased members

56. The Special Representative shall have the right to take charge of and dispose of the body of a member of UNTAG who dies in the Territory, as well as that member's personal property located within the Territory, in accordance with United Nations procedures.

VII. SETTLEMENT OF DISPUTES

57. Except as provided in paragraph 59, any dispute or claim of a private law character to which UNTAG or any member thereof is a party and over which the courts of the Territory do not have jurisdiction because of any provision of this Agreement shall be settled by a standing Claims Commission to be established for that purpose. One member of the Commission shall be appointed by the Secretary-General of the United Nations, one member by the Government and a Chairman jointly by the Secretary-General and the Government. If no agreement as to the Chairman is reached within thirty days of the appointment of the first member of the Commission, the President of the International Court of Justice may, at the request of either the Secretary-General of the United Nations or the Government, appoint the Chairman. Any vacancy on the Commission shall be filled by the same method prescribed for the original appointment, provided that the thirty-day period there prescribed shall start as soon as there is a vacancy in the chairmanship. The Commission shall determine its own procedures, provided that any two members shall constitute a quorum for all purposes (except for a period of thirty days after the creation of a vacancy) and all decisions shall require the approval of any two members. The awards of the Commission shall be final and binding, unless the Secretary-General of the United Nations and the Government permit an appeal to a tribunal established in accordance with paragraph 59. The awards of the Commission shall be notified to the parties and, if against a member of UNTAG, the Special Representative or the Secretary-General of the United Nations shall use his best endeavours to ensure compliance.

58. Disputes concerning the terms of employment and conditions of service of locally recruited personnel shall be settled by the administrative procedures to be established by the Special Representative.

59. Any other dispute between UNTAG and the Government, and any appeal that both of them agree to allow from the award of the Claims Commission established pursuant to paragraph 57 shall, unless otherwise agreed by the parties, be submitted to a tribunal of three arbitrators. The provisions relating to the establishment and procedures of the Claims Commission shall apply, *mutatis mutandis*, to the establishment and procedures of the Tribunal. The decisions of the Tribunal shall be final and binding on both parties.

VIII. SUPPLEMENTAL ARRANGEMENTS

60. The Special Representative and the Government may conclude supplemental arrangements to this Agreement.

61. The Special Representative and the Government shall take appropriate measures to ensure close and reciprocal liaison at every appropriate level.

IX. NATURE AND DURATION OF AGREEMENT

62. This Agreement is concluded for the sole purpose of assisting in the implementation of Security Council resolution 435 (1978) and has no bearing upon the respective positions of the parties concerning the status of the Territory.

63. This Agreement shall enter into force upon signature by or for the Secretary-General of the United Nations and the Government.

64. This Agreement shall remain in force until the departure of the final element of UNTAG from the Territory except that:

(a) The provisions of paragraphs 53 and 59 shall remain in force;

(b) The provisions of paragraph 57 shall remain in force until all claims have been settled that arose prior to the termination of this Agreement and were submitted prior to or within three months of such termination.

In witness whereof the undersigned, duly authorized representatives of the United Nations and the Government, respectively, have signed this Agreement in two copies in English.

Done at New York on 10 March 1989.

FOR THE UNITED NATIONS:

FOR THE GOVERNMENT OF THE
REPUBLIC OF SOUTH AFRICA:

(Signed) Martti AHTISAARI

(Signed) Jeremy B. SHEARAR

Appendix

Memorandum of understanding

In the course of the negotiations between the United Nations and South Africa relating to the Agreement concerning the Status of the United Nations Transition Assistance Group in Namibia, understandings were reached between the Parties concerning the interpretation and application of certain provisions of the Agreement. Those understandings are set forth in the present memorandum.

In relation to paragraph 29

With regard to the recruitment of local personnel it is understood that UNTAG will engage in the direct recruitment of local staff on as wide a basis as possible, having regard to the need to secure the highest standards of efficiency, competence and integrity, in accordance with the Secretary-General's responsibility under Article 101 of the Charter. In this connection UNTAG will consult inter alia with the South African Government which may assist it to obtain appropriately qualified local staff.

In relation to paragraph 54

- (i) In regard to the exercise of jurisdiction under paragraph 54 (b) by the participating States in respect of any criminal offences, the United Nations will obtain in its relationship agreement with each participating State which assigns such members to UNTAG an undertaking that it is able and willing to exercise the required jurisdiction.

Should a participating State fail within a reasonable time to take steps to exercise the required jurisdiction in any particular case, including arrest and detention when appropriate, and should the accused remain in the Territory, he shall become subject to local criminal jurisdiction.

- (ii) The Special Representative shall, within a reasonable period, inform the Government whether a participating State has exercised jurisdiction in a particular case and if so he shall inform the Government of the outcome thereof.
- (iii) A participating State may at any time request the Government, through the Special Representative, to exercise criminal jurisdiction in general in all cases or in a particular case.
- (iv) In any case where a member of UNTAG is subject to local criminal jurisdiction the Special Representative shall make such member available for any criminal proceedings that may be instituted against such member.



General Assembly Security Council

Distr.
GENERAL

A/44/117
S/20451
7 February 1989

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Forty-fourth session
QUESTION OF PALESTINE
THE SITUATION IN THE MIDDLE EAST
REPORT OF THE SPECIAL COMMITTEE TO
INVESTIGATE ISRAELI PRACTICES
AFFECTING THE HUMAN RIGHTS OF
THE POPULATION OF THE OCCUPIED
TERRITORIES

SECURITY COUNCIL
Forty-fourth year

Letter dated 7 February 1989 from the Chargé d'affaires a.i.
of the Permanent Observer Mission of Palestine to the United
Nations addressed to the Secretary-General

I am instructed by the Executive Committee of the Palestine Liberation Organization, which has the powers and responsibilities of the Provisional Government of Palestine, to bring the following to your immediate attention.

The situation in the Palestinian territory occupied by Israel since 1967, including Jerusalem, remains dangerous and has deteriorated further as a result of the effective implementation of additional repressive measures against our people that have resulted in an increasing number of casualties. Over the past weekend, three Palestinian teenagers have been killed and more than 35 injured. It is important to remind you that, since December 1988, 55 Palestinians have been killed and at least 500 injured.

We believe that the aforementioned dangerous situation requires official consideration by the Security Council.

We should be grateful if you would arrange to have the text of this letter circulated as an official document of the General Assembly, under the items entitled "Question of Palestine", "The situation in the Middle East" and "Report of

A/44/117

S/20451

English

Page 2

the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories", and of the Security Council.

(Signed) Dr. M. Nasser AL-KIDWA
Alternate Permanent Observer
Chargé d'affaires a.i. of
Palestine to the United Nations

The Permanent Mission of Canada
to the United Nations



La Mission Permanente du Canada
auprès des Nations Unies

INTERVENTION BY AMBASSADOR L. YVES FORTIER,
REPRESENTATIVE OF CANADA TO THE
SECURITY COUNCIL

January 11, 1989

Mr. President,

It was with great sorrow that we learned of the death last Saturday of his Imperial Majesty, Emperor Hirohito of Japan. On behalf of the Government of Canada we extend our most sincere sympathies to the members of his family, his government and the people of Japan.

At the outset, may I take this opportunity to congratulate you on assuming your seat on the Security Council and the presidency of this body for the month of January. You are filling the shoes of your distinguished predecessor, Ambassador Hideo Kagami of Japan, whom we congratulate for his excellent contribution to the work of this body. My delegation also wishes to express its deep appreciation to Argentina, Italy, the Federal Republic of Germany, Japan and Zambia who during their two-year service on the Council have each contributed so much wisdom to its deliberations. In addition, I should like to express my gratitude for the kind words of welcome which have been extended to Canada by all those who have participated in our deliberations in the past week. We look forward to working constructively with all our colleagues on the Council, including those who have joined this body at the same time we have, and to whom I would like to extend my best wishes.

Mr. President, my delegation has listened with great care to all the participants in the debate on the issue now before us. In addition, Canada has, outside this chamber, sought and received information on the incident from both parties. As a result, Canada has reached certain conclusions which must affect our consideration of the draft resolution which has been placed before this body earlier this afternoon.

Mr. President, Canada does not support the draft resolution and will vote against it. While Canada favours the call on all parties to exercise restraint in the aftermath of the incident of January 4th and to resolve their problems by peaceful means, we

have accepted the United States' explanation for its actions during the incident. Therefore, we cannot associate ourselves with a draft resolution which contains a one-sided treatment of the incident.

The incident over the Mediterranean took place at a time when tensions throughout the world have been generally decreasing, and after a year in which the Security Council, and the United Nations more broadly, has been able to register concrete progress on many of the most troublesome issues before it. It is my sincere hope that following the conclusion of our deliberations today we will be able to put this incident behind us and resume our work on the pressing agenda of issues affecting international peace and security on which this Council has been seeking to reach consensus.

Thank you, Mr. President.



Security Council

Distr.
GENERAL

S/20463
17 February 1989

ORIGINAL: ENGLISH

Algeria, Colombia, Ethiopia, Malaysia, Nepal,
Senegal and Yugoslavia: draft resolution

The Security Council,

Having considered the letter dated 8 February 1989 from the Permanent Representative of Tunisia to the United Nations, in his capacity as Chairman of the Arab Group for the month of February (S/20454), and the letter dated 7 February 1989 from the Alternate Permanent Observer of Palestine to the United Nations (S/20451),

Bearing in mind the inalienable rights of all peoples recognized by the Charter of the United Nations and proclaimed by the Universal Declaration of Human Rights,

Gravely concerned over the increasing suffering and continued violation of the human rights of the Palestinian people in the Palestinian territories occupied by Israel since 1967, including Jerusalem,

Gravely concerned in particular over the imposition of new measures by Israel, the occupying Power, which have led to increased injuries and deaths of innocent Palestinian civilians, including children,

Considering that the current policies and practices of Israel, the occupying Power, in the Palestinian territories occupied by Israel since 1967, including Jerusalem, are bound to have grave consequences for the endeavours to achieve comprehensive, just and lasting peace in the Middle East,

Recalling the obligation of the high contracting parties under article 1 of the Fourth Geneva Convention, to ensure respect for the Convention in all circumstances,

Conscious of the need to end the Israeli occupation and to achieve a comprehensive and lasting peace in the Middle East,

1. Strongly deplores Israel's persistent policies and practices against the Palestinian people in the Palestinian territories occupied by Israel since 1967,

including Jerusalem, especially the violation of human rights, and in particular the opening of fire that has resulted in injuries and deaths of Palestinian civilians, including children;

2. Strongly deplores also the continuing disregard by Israel, the occupying Power, of the relevant decisions of the Security Council;

3. Confirms once more that the Fourth Geneva Convention relative to the protection of civilian persons in time of war of 12 August 1949 is applicable to the Palestinian territories occupied by Israel since 1967, including Jerusalem, and the other occupied Arab territories;

4. Calls upon Israel, the occupying Power, to abide by the relevant resolutions of the Security Council, as well as to comply with its obligations under the Fourth Geneva Convention and to desist forthwith from its policies and practices that are in violation of the provisions of the Convention;

5. Calls furthermore for the exercise of maximum restraint to contribute towards the establishment of peace;

6. Affirms the urgent need to achieve, under the auspices of the United Nations, a comprehensive, just and lasting settlement of the Middle East conflict, an integral part of which is the Palestinian problem, and expresses its determination to work towards that end;

7. Requests the Secretary-General to follow the implementation of this resolution, including examining the situation in the Palestinian territories occupied by Israel since 1967, including Jerusalem, by all means available to him and to report to the Security Council;

8. Decides to keep the situation in the Palestinian territories occupied by Israel since 1967, including Jerusalem, and the other occupied Arab territories, under review.

The Permanent Mission of Canada
to the United Nations



La Mission Permanente du Canada
auprès des Nations Unies

Explanation of vote concerning the intervention
of the Permanent Observer of the Bureau of
Palestine to the United Nations given by
His Excellency Mr. L. Yves Fortier,
Ambassador and Permanent Representative of
Canada to the United Nations, January 11, 1989

Canada has abstained in this vote to allow the Permanent Observer of the Bureau of Palestine to the United Nations to address the Security Council directly because the request by the observer of Palestine does not conform to the procedure followed in the past, i.e. a request submitted by a sponsor country on its behalf. Canada wishes also to draw the attention of the Members of the Council to General Assembly resolution 43/177 relating to the question of Palestine which does not change this procedure and whose operative paragraph three is explicit in that regard. Canada does not oppose the principle that the Permanent Observer of the Bureau of Palestine be heard at the various bodies of the United Nations but believes that normal procedure should be followed. Furthermore, Canada reiterates that it has not recognized the Palestinian State declared in Algiers.

Concerning the issue of Palestinian communications with the United Nations and its various organs, Canada thinks that the pertinent General Assembly resolution (43/160A) in this case addresses only the issue of direct circulation of these communications as official documents of the United Nations and its various organs.





Security Council

Distr.
GENERAL

S/RES/630 (1989)
30 January 1989

RESOLUTION 630 (1989)

Adopted by the Security Council at its 2843rd meeting,
on 30 January 1989

The Security Council,

Recalling its resolutions 425 (1978), 426 (1978), 501 (1982), 508 (1982), 509 (1982) and 520 (1982), as well as all its resolutions on the situation in Lebanon,

Having studied the report of the Secretary-General on the United Nations Interim Force in Lebanon of 24 January 1989 (S/20416 and Add.1 and Corr.1 and Add.2), and taking note of the observations expressed therein,

Taking note of the letter dated 19 January 1989 from the Permanent Representative of Lebanon to the United Nations addressed to the Secretary-General (S/20410),

Responding to the request of the Government of Lebanon,

1. Decides to extend the present mandate of the United Nations Interim Force in Lebanon for a further interim period of six months, that is, until 31 July 1989;
2. Reiterates its strong support for the territorial integrity, sovereignty and independence of Lebanon within its internationally recognized boundaries;
3. Re-emphasizes the terms of reference and general guidelines of the Force as stated in the report of the Secretary-General of 19 March 1978, approved by resolution 426 (1978), and calls upon all parties concerned to co-operate fully with the Force for the full implementation of its mandate;
4. Reiterates that the Force should fully implement its mandate as defined in resolutions 425 (1978), 426 (1978) and all other relevant resolutions;
5. Requests the Secretary-General to continue consultations with the Government of Lebanon and other parties directly concerned with the implementation of the present resolution and to report to the Security Council thereon.





Security Council

Distr.
GENERAL

S/20416
24 January 1989

ORIGINAL: ENGLISH

REPORT OF THE SECRETARY-GENERAL ON THE UNITED NATIONS
INTERIM FORCE IN LEBANON

(for the period 26 July 1988-24 January 1989)

Introduction

1. In its resolution 617 (1988) of 29 July 1988, the Security Council decided to extend the mandate of the United Nations Interim Force in Lebanon (UNIFIL) for a further interim period of six months, until 31 January 1989. The Council also reiterated its strong support for the territorial integrity, sovereignty and independence of Lebanon within its internationally recognized boundaries; re-emphasized the terms of reference and general guidelines of the Force as stated in the report of the Secretary-General of 19 March 1978, approved by resolution 426 (1978), and called upon all parties concerned to co-operate fully with the Force for the full implementation of its mandate; and reiterated that UNIFIL should fully implement its mandate as defined in resolutions 425 (1978), 426 (1978) and all other relevant resolutions. The Council requested the Secretary-General to continue consultations with the Government of Lebanon and other parties directly concerned on the implementation of the resolution and to report to the Council thereon.

2. On the same day the Security Council adopted resolution 618 (1988), in which it condemned the abduction of Lieutenant-Colonel William Richard Higgins, an officer of the United States of America and military observer of the United Nations Truce Supervision Organization (UNTSO) serving with UNIFIL, who had been kidnapped on 17 February 1988; demanded his immediate release; and called upon Member States to use their influence in any way possible to promote the implementation of the resolution.

Organization of the Force

3. As of January 1989, the composition of UNIFIL was as follows:

Military personnel

Fiji	HQ UNIFIL	11	
	Infantry battalion	670	
	Force Mobile Reserve	36	
	Military police	<u>8</u>	725
Finland	HQ UNIFIL	13	
	Infantry battalion	508	
	Force Mobile Reserve	18	
	Military police	<u>9</u>	548
France	HQ UNIFIL	22	
	Composite battalion (maintenance company, defence company, armoured escort company)	474	
	Military police	<u>8</u>	504
Ghana	HQ UNIFIL	52	
	Infantry battalion	761	
	Engineer company	46	
	Force Mobile Reserve	33	
	Military police	<u>7</u>	899
Ireland	HQ UNIFIL	33	
	Infantry battalion	601	
	HQ Camp Command	81	
	Force Mobile Reserve	17	
	Military police	<u>12</u>	744
Italy	HQ UNIFIL	4	
	Helicopter unit	44	
	Military police	<u>4</u>	52
Nepal	HQ UNIFIL	19	
	Infantry battalion	800	
	Force Mobile Reserve	32	
	Military police	<u>5</u>	856
Norway	HQ UNIFIL	27	
	Infantry battalion	678	
	Maintenance company	158	
	Force Mobile Reserve	30	
	Military police	<u>17</u>	910
Sweden	HQ UNIFIL	23	
	Logistic battalion	611	
	Force Mobile Reserve	9	
	Military police	<u>8</u>	651
	Total UNIFIL		<u>5 889</u> a/

a/ The total UNIFIL strength includes 16 officers from the Force (4 Fijians, 6 Ghanaians and 6 Nepalese) who have been temporarily redeployed to serve with the United Nations Good Offices Mission in Afghanistan and Pakistan (UNGOMAP).

The deployment of UNIFIL as of January 1989 is shown on the map set out in the addendum to the present report (S/20416/Add.1).

4. The command of UNIFIL continues to be exercised by Lieutenant-General Lars-Eric Wahlgren of Sweden.
5. In the period under review, 64 military observers of UNTSO assisted UNIFIL in the performance of its tasks. These unarmed officers are organized as Observer Group Lebanon (OGL) and are under the operational control of the Commander of UNIFIL. They manned the five observation posts along the Lebanese side of the Israel-Lebanon armistice demarcation line. They also operated three mobile teams, which were increased to four from mid-December 1988, in parts of the area of operation including those under Israeli control, the so-called "security zone". At the request of the Government of the United States of America, all United States officers assigned to OGL have been withdrawn from service in Lebanon, as of November 1988.
6. Logistic support for UNIFIL was provided by the Swedish logistic battalion, elements of the French composite battalion, the Norwegian maintenance company and the Italian helicopter unit, as well as by certain civilian sections (notably those responsible for communications and vehicle maintenance).
7. In January 1988, I informed the Council (see S/19445, para. 6) of my efforts to obtain a replacement for the explosive ordnance detachment, which had formed part of the French composite battalion but had been withdrawn in the second half of 1987 following a decision by the Government of France. These efforts have not, so far, been successful. I am, therefore, again asking the troop-contributing Governments to ensure that their contingents have an improved capacity for dealing with explosive ordnance, particularly unexploded ammunition and mines.
8. The Force Mobile Reserve, a composite mechanized company consisting of elements from seven contingents (Fiji, Finland, Ghana, Ireland, Nepal, Norway and Sweden) has again proved its usefulness as an integrated unit, especially at times of tension in different parts of the UNIFIL area of operation when it is used to reinforce battalions and seal off critical areas.
9. The Lebanese army unit serving with UNIFIL maintained a strength of 128, all ranks. The bulk of the unit was stationed at Tyre, while small elements were at Arzun, Al Yatun and Qana.
10. I regret to report that, during the period under review, three members of the Force, an Irish, a Norwegian and a Swedish soldier, lost their lives in accidents. Seventeen soldiers suffered injuries, 5 as a result of hostile fire, 5 from mine explosions and the others in accidents. Since the establishment of UNIFIL, 156 members of the Force have died, 60 of them as a result of firing and mine or bomb explosions, 68 in accidents and 28 from other causes. Some 230 have been wounded by firing and mine or bomb explosions.
11. On 12 December 1988, a statement was issued in Beirut in the name of a group calling itself the Organization of the Oppressed of the World threatening to

execute Lieutenant-Colonel Higgins for alleged espionage and in retaliation for Israeli attacks against Lebanese and Palestinian targets. On the same day, I expressed grave concern about this statement, rejected the charges against Colonel Higgins as baseless and urgently called for his immediate release.

12. Efforts to improve the security of UNIFIL personnel and facilities continued during the mandate period that is about to end. It is hoped that further improvements, including the relocation of the headquarters of the Norwegian battalion to a secure compound near Ebel es Saqi, will be achieved during the next mandate period.

13. The problems faced by UNIFIL in obtaining land and buildings remain acute, because of arrears, since 1984, in the payment of rents by the Lebanese Government to existing landlords. A partial payment of rents was made by the Lebanese authorities in September 1988. However, the landlords concerned have strongly protested about the amounts received, which they say took no account of inflation and the devaluation of the Lebanese currency since 1984 and covered only a small fraction of outstanding rents. I have drawn the attention of the Lebanese authorities to the urgent need for payment of the full amounts due and to the difficulties which the Force will otherwise continue to encounter in obtaining the land and buildings it needs.

Situation in the UNIFIL area

14. UNIFIL remained unable to extend its area of operation up to the Israel-Lebanon armistice demarcation line, as envisaged in Security Council resolution 425 (1978). Israel continued to control in southern Lebanon an area manned by the Israel Defence Forces (IDF) and the so-called "South Lebanon Army" (SLA). The boundaries of that area have not been clearly defined but are determined de facto by the forward positions of IDF and SLA. It includes the area adjacent to the international border, part of the Nepalese, Irish and Finnish battalion sectors, the entire Norwegian battalion sector and sizeable areas to the north of the UNIFIL area of operation. Its approximate extent within the UNIFIL area of operation is indicated on the map (see S/20416/Add.1). (It should be noted that areas under Israeli control north of the UNIFIL area are not shown.) Within the UNIFIL area of operation, IDF and SLA maintained 54 positions (see map). IDF personnel were observed in SLA positions on numerous occasions, especially at night.

15. In the period under review, UNIFIL recorded a total of 114 operations by resistance groups against IDF and SLA targets (12 in August, 18 in September, 21 in October, 26 in November, 27 in December, and 10 in January). These operations usually took the form of attacks with small arms, rocket-propelled grenades, rockets and mortars; mines and roadside bombs were also often used. There was a marked intensification of activities in some of the northern parts of the UNIFIL area of operation, especially in the Finnish battalion sector.

16. Activities from IDF/SLA positions or patrols, whether in retaliation or unprovoked, often involved the use of heavy artillery, tank and mortar shelling and Israeli helicopter gunships. Fire from IDF/SLA positions or patrols resulted in

many firings close to, and sometimes hit, UNIFIL positions and vehicles, in one case an ambulance of the Finnish battalion. In the current reporting period, there were 108 unprovoked firings close, all of which were protested by UNIFIL to IDF. Following the increase in firings close to Irish battalion positions from IDF/SLA compounds in July 1988, which were protested to the Israeli authorities at a high level, there was a lessening of such activities in that sector from August until the autumn, but they later increased.

17. UNIFIL was subjected to other harassments, e.g. interference with the movement of its troops, mainly by SLA personnel, but also by IDF, all of which were protested to the Israeli military authorities.

18. Firings close to UNIFIL positions resulted also from action by resistance groups; in most cases, such firings stopped after warning shots by UNIFIL personnel. Several other incidents between UNIFIL and armed elements occurred, mainly due to denial to armed individuals of passage through UNIFIL checkpoints, and these resulted in threats against UNIFIL personnel.

19. In a particularly serious incident in the Finnish battalion sector on the evening of 12 November 1988, five armed elements succeeded in entering an isolated UNIFIL position in the gorge of the Litani river. The position is maintained primarily in order to protect a pump station of the Lebanese water authority, which ensures water supply to more than 50 villages in the area. The armed intruders held five Finnish soldiers and two Lebanese civilian water authority workers at gunpoint and demanded that UNIFIL personnel accompany them to Sidon. Negotiations throughout the night resulted in four of the intruders surrendering to Finnish troops which had surrounded the position. The fifth refused to surrender, but was eventually overpowered and disarmed by the Finnish soldiers, though I regret to have to report that in the struggle one of the two Lebanese civilians was killed by the intruder. All five intruders were handed over to Lebanese authorities.

20. On the morning of 15 December 1988, four Lebanese civilians working in a field near Tibnin were abducted and transported to the prison maintained by SLA at Khiam in the Israeli-controlled area. The vehicles which are believed to have been used for the operation passed through an Irish battalion checkpoint without their purpose being detected. The incident led to an extremely tense situation at Tibnin and the headquarters there of the Irish battalion was fired at by armed elements. As a result, the Irish battalion was put on full alert and was reinforced by a unit of the Force Mobile Reserve. In the afternoon of the same day, the tension spread to other parts of the Irish battalion sector. A serious incident developed near the village of Jumayjimah, where about 20 armed elements fired at and stopped an Irish armoured personnel carrier. This situation was quickly defused through negotiations. There were, however, further threats to Irish positions and to members of the battalion elsewhere in the Irish battalion sector. In an apparently related incident on the following day, five armed elements fired at and overran an Irish battalion checkpoint near Tibnin and kidnapped three Irish soldiers. UNIFIL immediately blocked all roads in its area of operation and mounted an intensive search on the ground and by helicopter. The Amal Movement provided valuable assistance in the search operations and, on 17 December, Amal personnel intercepted the armed elements and secured the release of the Irish soldiers. On the same day, two of the Lebanese civilians abducted near Tibnin were released from Khiam prison.

21. UNIFIL continued to provide protection and security to the civilian population. In recent weeks, the SLA campaign of forced recruitment of local men sharply intensified in the Israeli controlled area, especially in the Norwegian battalion sector and part of the Finnish battalion sector. Coercion and arrests of those refusing to join the SLA ranks were reported, as well as threats to their relatives. These activities were protested by UNIFIL to the Israeli military and political authorities.

22. Many Lebanese civilians were abducted from their villages by SLA and expelled from the Israeli controlled area. On 5 January 1989, in particular, 26 civilians, including elderly persons, children and infants, were expelled from their homes in the Norwegian battalion sector. Mr. Marrack Goulding, Under-Secretary-General for Special Political Affairs, met the persons concerned in Beirut on 12 January and subsequently pressed the Israeli authorities, at a very senior level, to permit their return to their homes. UNIFIL itself consistently protested to IDF about such expulsions. UNIFIL also provided its good offices, at the request of Lebanese authorities, by intervening with the Israeli military and political authorities to seek the release of Lebanese civilians arrested and held by IDF/SLA.

23. UNIFIL troops detonated mines and roadside bombs, as well as unexploded remnants of war, in the area of operation. This is an important activity given the high risk to UNIFIL personnel and to the civilian population, especially unsuspecting children, of casualties from such explosives.

24. UNIFIL pursued its efforts to provide humanitarian assistance to the maximum extent possible within available resources. This was done by individual battalions, mainly in the medical and health areas and in support to welfare institutions, using funds supplied by the troop-contributing Governments. In addition, UNIFIL medical centres in the area of operation treated a large number of civilians; at the UNIFIL hospital at Naqoura, approximately 6,448 Lebanese patients were treated, 561 of them as in-patients.

25. UNIFIL also continued its close co-operation in the humanitarian field with Lebanese authorities, as well as with United Nations agencies and programmes, the International Committee of the Red Cross (ICRC) and non-governmental organizations. Consultations between the Force Commander and the Co-ordinator of United Nations Assistance for the Reconstruction and Development of Lebanon are continuing, with a view to promoting, through the office of the Co-ordinator, projects in the humanitarian, welfare and reconstruction areas that would benefit the inhabitants of southern Lebanon.

Financial aspects

26. By its resolution 43/229 of 21 December 1988, the General Assembly authorized the Secretary-General to enter into commitments for UNIFIL at a rate not to exceed \$11,903,500 gross (\$11,714,500 net) per month for the 12-month period beginning 1 February 1989, should the Security Council decide to continue the Force beyond the period of six months authorized under its resolution 617 (1988). If the Council decides to extend UNIFIL beyond its current mandate period, the costs to

the United Nations for maintaining the Force would be within the commitment authorized by the Assembly in its resolution 43/229, assuming an average maximum force strength of 5,850 troops and continuance of the Force's existing responsibilities.

27. At the beginning of January 1989, unpaid assessed contributions to the UNIFIL Special Account for the mandate periods ending 31 January 1989 amounted to \$304 million.

Observations

28. The mandate period which is about to end was another difficult time for UNIFIL. The Force's ability to carry out the tasks which the Security Council assigned to it in 1978 is still blocked. Many of the assumptions on which the Council's decision to establish the Force was founded remain unfulfilled. Israel continues to refuse to withdraw its forces from Lebanon. Its "security zone" has become a focus of attack, both by those whose aim is to attack Israel itself and by those with the aim of liberating Lebanese territory from foreign occupation. Attempts by armed elements to infiltrate Israel, which increased substantially during 1988, and retaliatory air and commando raids by Israel, often far to the north of the UNIFIL area of operation, mean that international peace and security are a long way from being restored. The failure to elect a new President of the Republic and the subsequent existence of two rival governments in Beirut has prevented UNIFIL from making any progress towards fulfilment of its third task, which is to assist the Government of Lebanon in ensuring the return of its effective authority in southern Lebanon.

29. Another negative factor has been the continuing harassment of UNIFIL personnel by various armed groups in the area. It is with deep regret that I have to report to the Council that, in spite of the Council's resolution 618 (1988) of 29 July 1988 and strenuous and continuing efforts by myself and my staff, it has not yet been possible to secure the release of Lieutenant-Colonel Higgins, who was kidnapped near Tyre nearly a year ago, on 17 February 1988. I renew my appeal for help to all Governments or individuals who may be in a position to influence those holding Colonel Higgins. Paragraph 20 of the present report describes another very serious incident which, but for the energetic action of the Amal Movement in intercepting the kidnappers, would have led to three UNIFIL soldiers being added to the list of foreign hostages so tragically and unjustifiably held captive in Lebanon. No less inexcusable are the daily firings close to UNIFIL position and vehicles. Most of these are the work of SLA. The Israeli authorities, who arm, pay, train and direct SLA, have repeatedly been urged, at all levels, to ensure that this dangerous practice is brought to an end. Efforts on their part, for which I was grateful, led to a marked improvement in the weeks following my last report to the Council, but I regret to have to inform the Council that the incidence of firings close has since risen close to its former level.

30. A further problem, which has worsened during the period under review, is the Force's financial situation. A number of Member States either fail to pay their assessed contributions in full or pay them only after long delay. The deficit of

\$304 million on the UNIFIL Special Account (see para. 27 above) represents money which is owed by the United Nations to the troop-contributing Governments. As I have repeatedly stated, it is both unfair to those Governments and threatening to the prospects for future peace-keeping operations that so large a share of the costs of UNIFIL should be borne by the taxpayers of the troop-contributing countries. I again appeal to all Member States to pay their assessed contributions in full and on time.

31. In recent consultations with the Lebanese authorities, all those consulted, on both sides in Beirut, stressed their hope that the Security Council would again decide to renew the UNIFIL mandate for a period of six months. This was also the view of the Syrian authorities. I have since received a letter dated 19 January 1989 from the Permanent Representative of Lebanon to the United Nations (S/20410), which confirms the Lebanese request to the Security Council for renewal of the mandate for a further period of six months.

32. As for the Israeli authorities, they confirmed that their positions remain basically unchanged. They continue to take the position that the Israeli presence in Lebanon is a temporary arrangement, which is necessary for ensuring the security of northern Israel so long as the Lebanese Government is not able to exercise effective authority and prevent its territory from being used to launch attacks against Israel. They do not consider that UNIFIL, as a peace-keeping force, can assume this responsibility.

33. Given the negative developments described in paragraphs 28 to 30 above, and in particular the continuing inability of UNIFIL to carry out its original mandate, it is understandable that questions have been asked about whether the Force should be maintained at its present strength at a time when the international community is having to meet demands for substantial resources to finance several new peace-keeping operations. There are, however, four countervailing considerations which the Security Council will wish to take into account in studying Lebanon's request. They are as follows:

(a) The Council has repeatedly reaffirmed its conviction that the solution to the problems of southern Lebanon lies in the implementation in full of resolution 425 (1978), by which, inter alia, the Council decided to establish UNIFIL;

(b) Although still prevented from carrying out its original mandate, UNIFIL plays a valuable role in controlling, to an important extent, the level of violence in southern Lebanon, especially along the line of confrontation at the edge of the Israeli controlled area, or "security zone". To withdraw the Force would risk an unpredictable conflagration in a volatile region;

(c) UNIFIL provides humanitarian support to the population in its area of operation. Some of these functions are described in paragraphs 21 to 25 above. Moreover, the people of southern Lebanon consider the presence of UNIFIL to be essential for their security and for the return of some degree of normality to their daily lives. Inhabitants of southern Lebanon displaced from their villages during the hostilities in earlier years who have since returned to their homes have mainly done so in those parts of the UNIFIL area of operation which are relatively

free of IDF/SLA interference. This was clearly demonstrated following the IDF/SLA withdrawal from Tallet Huqban in 1987 (see S/19445, para. 26);

(d) The continuing presence of UNIFIL is seen by the people of Lebanon as a whole as a symbol of the international community's commitment to the sovereignty, independence and territorial integrity of their country. Most of the Lebanese leaders recently consulted stated that they were convinced that implementation of resolution 425 (1978) would play a major part in helping to resolve the wider political crisis in Beirut and that the withdrawal of UNIFIL would make it even more difficult to achieve national reconciliation.

34. These are powerful arguments and they cause me to recommend, again, that the Council should take the action requested of it by Lebanon and renew UNIFIL's mandate for a further period of six months.

35. Finally, I wish to pay tribute to Lieutenant-General Lars-Eric Wahlgren, the Force Commander, and to all the men and women under his command, both military and civilian, for the manner in which they have carried out their difficult assignment. Their discipline and bearing have been of a high order, reflecting credit on themselves, on their countries and on the United Nations.

The first part of the document discusses the importance of maintaining accurate records of all transactions. It emphasizes that every entry should be supported by a valid receipt or invoice. This ensures transparency and allows for easy verification of the data.

In the second section, the author outlines the various methods used to collect and analyze the data. This includes both primary and secondary data collection techniques. The analysis focuses on identifying trends and patterns over time, which is crucial for making informed decisions.

The final part of the report provides a detailed breakdown of the findings. It highlights the key areas where improvements can be made and offers practical recommendations for future actions. The goal is to ensure that the organization remains competitive and efficient in its operations.

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Security Council

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S/20378
11 January 1989

ORIGINAL: ENGLISH

Algeria, Colombia, Ethiopia, Malaysia, Nepal, Senegal
and Yugoslavia: draft resolution

The Security Council,

Having heard the statements made by the representatives of the Libyan Arab Jamahiriya and the United States of America,

Deeply concerned at the increase of tension created by the downing of two Libyan reconnaissance planes by the armed forces of the United States of America,

Cognizant of the adverse impact of such acts on the encouraging international political climate which has prevailed recently, and in particular on the maintenance of peace and security in the Mediterranean region,

Recalling the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations, the Declaration on the Strengthening of International Security and the Definition of Aggression,

1. Deplores the downing of the two Libyan reconnaissance planes by the armed forces of the United States of America;
2. Calls upon the United States of America to suspend its military manoeuvres off the Libyan coast in order to contribute to the reduction of tension in the area;
3. Calls upon all parties to refrain from resorting to force, to exercise restraint in this critical situation and to resolve their differences by peaceful means in keeping with the Charter of the United Nations;
4. Calls upon the United States of America and the Libyan Arab Jamahiriya to co-operate with the Secretary-General in an effort to bring about a peaceful settlement of the differences existing between the two countries;

5. Requests the Secretary-General to keep the Security Council regularly informed on the implementation of the present resolution;

6. Decides to remain seized of the matter.

(Mr. Fortier, Canada)

My delegation has listened with great care to all the participants in the debate on the issue now before us. In addition Canada has, outside this Chamber, sought and received information on the incident from both parties. As a result, Canada has reached certain conclusions that must affect our consideration of the draft resolution that was placed before the Council earlier this afternoon.

Canada does not support the draft resolution and will vote against it. While Canada favours the call on all parties to exercise restraint in the aftermath of the incident of 4 January and to resolve their problems by peaceful means, we have accepted the United States explanation for its actions during the incident. Therefore, we cannot associate ourselves with a draft resolution that contains a one-sided treatment of the incident.

The incident over the Mediterranean took place at a time when tensions throughout the world have been generally decreasing, and after a year in which the Security Council, and the United Nations more broadly, has been able to register concrete progress on many of the most troublesome issues before it. It is my sincere hope, and the sincere hope of the Canadian delegation, that, following the conclusion of our deliberations today, we will be able to put this incident behind us and resume our work on the pressing agenda of issues affecting international peace and security on which the Council has been seeking to reach consensus.





Security Council

Distr.
GENERAL

S/20465
15 February 1989

ORIGINAL: ENGLISH

IMPLEMENTATION OF THE ACCORDS ON THE SETTLEMENT
OF THE SITUATION RELATING TO AFGHANISTAN

REPORT OF THE UNITED NATIONS GOOD OFFICES MISSION
IN AFGHANISTAN AND PAKISTAN

Note by the Secretary-General

1. The attached report of the United Nations Good Offices Mission in Afghanistan and Pakistan (UNGOMAP) is being submitted in pursuance of Security Council resolution 622 (1988) of 31 October 1988 to provide an account of the implementation to date of the Accords on the settlement of the situation relating to Afghanistan. 1/
2. I and my Representative on the Settlement of the Situation relating to Afghanistan are deeply gratified that UNGOMAP has been able to report its satisfaction that the withdrawal of foreign troops from Afghanistan has been completed in compliance with the fourth instrument of the Geneva Accords.
3. It is now imperative to seize the momentum created by the completion of the implementation of this important aspect of the Geneva Accords and to move forward to ensure the full and faithful implementation of all the obligations under those Accords, all the provisions of which were to be implemented in an integrated manner. UNGOMAP will continue to discharge its mandate to this end.
4. To bring about the conditions which would allow the Afghan people fully to exercise their right of self-determination has been a consistent concern of the international community and constitutes the essential purpose of the Geneva Accords. The external aspects of the situation relating to Afghanistan need to be fully resolved and conditions established, in conformity with the spirit and letter of the Accords, to enable the Afghans to decide their own future and to achieve peace and stability in their homeland. At this juncture I therefore feel that the next steps to be taken in this context, and the measures which are now required, must be decided upon by the Afghans themselves, and by them alone. The attention of the world community will increasingly focus therefore on the efforts of the Afghans towards the establishment of a broad-based government. This will, in turn,

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English
Page 2

open the way for a vast and effective process of reconstruction and development. I am confident that all Governments will lend their support to such endeavours.

Notes

1/ See S/19835, annex 1.

Annex

Implementation of the Accords on the Settlement
of the Situation Relating to Afghanistan

Report of the United Nations Good Offices Mission
in Afghanistan and Pakistan

1. The United Nations Good Offices Mission in Afghanistan and Pakistan (UNGOMAP), in accordance with its mandate under the Geneva Accords, has, since 15 May 1988, been monitoring the implementation of the Accords on the settlement of the situation relating to Afghanistan, signed at Geneva on 14 April 1988. On 15 August 1988, upon the completion of the first phase of the withdrawal of foreign troops, UNGOMAP submitted to the Parties and to the States-Guarantors a report on the implementation of the Accords up to that time. On 16 August 1988, the Secretary-General issued a public statement expressing his and his Representative's satisfaction that the withdrawal of foreign troops had been proceeding in compliance with the Geneva Accords.
2. In the light of the Secretary-General's intention to make available, in pursuance of resolution 622 (1988), this report to the members of the Security Council, it contains a recapitulation of the implementation process since the Accords entered into force. It should be read in conjunction with the report of the Secretary-General a/ to the General Assembly on the situation in Afghanistan and its implications for international peace and security, dated 14 October 1988, which contains, inter alia, a review of the arrangements made to establish and to set in motion the work of UNGOMAP.
3. At the time of entry into force of the Geneva Accords on 15 May 1988, UNGOMAP was provided by representatives of the Union of Soviet Socialist Republics in Afghanistan with all the necessary information on the plan and schedule for the withdrawal of the troops from Afghanistan. The military representatives stated that the number of foreign troops stationed in Afghanistan on 14 May 1988 was 100,300, about two thirds of whom were combat troops. They further stated that some garrisons that had been under the control of foreign troops had already been handed over to the armed forces of Afghanistan before 15 May 1988. On that date, there were 18 main garrisons under the control of foreign troops, as follows: Bagram, Baraki, Carikar, Daulatabad, Faizabad, Gardez, Gazni, Herat, Jabalassaraj, Jalalabad, Kabul, Kandahar, Kunduz, Lashkargah, Pulixumri, Ruha, Shindand and Tashqurghan. On 15 May 1988 foreign troops were present in 17 of the 30 provinces of Afghanistan as follows: Badakshan, Baghlan, Farah, Gazni, Helmand, Herat, Kabul, Kandahar, Kunar, Kunduz, Logar, Nangarhar, Paktiya, Parwan, Samangan, Takhar and Zabul.
4. At that time, the Soviet military representatives also gave assurances that UNGOMAP teams were welcome to visit any garrison wherever located and at any time, either before, during or after the withdrawal of foreign troops from the garrisons concerned. The teams were welcome to accompany the columns of withdrawing troops to the Afghan-Soviet border and they were invited to visit any airport, where they could observe the withdrawal of foreign troops by air.

5. The withdrawal of troops by land would be through three towns on the Afghan-Soviet border: Hayratan, Torghundi and Shirhan. UNGOMAP was subsequently informed that the initial plan to use Shirhan as one of the border-crossing points had been abandoned.
6. The Soviet military representatives provided UNGOMAP with a map, indicating the location of the main garrisons, the routes to be used by the withdrawing troops, and the towns on the Afghan-Soviet border through which the foreign troops would withdraw. The Soviet military representatives assured UNGOMAP of their full co-operation in the fulfilment of its mandate under the fourth instrument of the Geneva Accords.
7. Starting on 14 May 1988, UNGOMAP has regularly met with the Afghan and Soviet military representatives. At these meetings, UNGOMAP received information on the ongoing withdrawal of foreign troops as well as on any changes made in the original plan and schedule for the withdrawal of foreign troops from a particular garrison.
8. UNGOMAP established three permanent outposts on the Afghanistan side: at Hayratan on 18 May 1988 and at Torghundi on 31 July 1988 - the two border-crossing points - and at the Shindand air base on 5 August 1988. Each has normally been manned by a team of two officers for the purpose of monitoring the withdrawal of foreign troops.
9. The military representatives of the Soviet Union indicated on 15 August 1988 that, during the first phase of the withdrawal, the following 10 main garrisons previously under the control of foreign troops had been evacuated and handed over to the armed forces of Afghanistan: Baraki, Daulatabad, Faizabad, Gardez, Gazni, Jalalabad, Kandahar, Kunduz, Lashkargah and Ruha. As a result of that evacuation, there were no longer any main garrisons under the control of foreign troops in the border provinces in the east, north-east, south-east, south and south-west of Afghanistan.
10. After the evacuation of the 10 main garrisons mentioned above, the following 8 main garrisons remained under the control of foreign troops as of 15 August 1988: Bagram, Carikar, Herat, Jabalassaraj, Kabul, Pulixumri, Shindand and Tashqurghan, situated in the following five provinces: Baghlan, Herat, Kabul, Parwan and Samangan. In addition, in the Balx province there were some foreign troops around Hayratan. Thus, the eight main garrisons remaining under the control of foreign troops after 15 August 1988 were those in Kabul and to the north of Kabul, and in the north-west of Afghanistan.
11. The military representatives of the Soviet Union informed UNGOMAP on 15 August 1988 that, during the first phase of the withdrawal between 15 May and 15 August 1988, the number of foreign troops withdrawn was 50,183, consisting of 20,200 who had left by land and 29,983 by air. They further informed UNGOMAP that 219 airplanes and helicopters had been withdrawn and returned to the Soviet Union from airports at Faizabad, Gardez, Gazni, Jalalabad, Kandahar, Kunduz and Lashkargah. Furthermore, the number of vehicles withdrawn was 5,672.
12. During the first phase of the withdrawal, UNGOMAP teams were present during or immediately after the evacuation of the following garrisons: Gardez, Jalalabad,

Kandahar and Kunduz. In addition, a team was again present in Kunduz, observing the withdrawal of foreign troops, both by air and by land, that had been evacuated from the garrison at Faizabad.

13. Although the military representatives of Afghanistan and the Soviet Union had expressed their readiness to assist UNGOMAP teams in visiting the other garrisons being evacuated, it was not possible for them to be present there owing to the uncertain security situation in those areas. It would be noted, however, that the troops departing from those garrisons were observed by UNGOMAP teams either at the airports of Kabul, Shindand and Kunduz or at the Torghundi and Hayratan border-crossing points.

14. On many occasions UNGOMAP has expressed its concern about the need to clear mines and minefields in order to ensure the safety of all concerned. The military representatives of Afghanistan and the Soviet Union have repeatedly stated that they shared this concern. They have kept UNGOMAP regularly informed about the number of remaining minefields and those already cleared. On 10 August 1988, the military representatives of the Soviet Union informed UNGOMAP that, by 15 August 1988, the number of minefields would have been reduced to 613, from the 2,131 established since the arrival of foreign troops in Afghanistan. Of the remaining 613 minefields, the control of 314 had been handed over, with detailed maps, to the armed forces of Afghanistan. The remaining minefields would also be handed over to the armed forces of Afghanistan as foreign troops withdrew. The military representatives of the Soviet Union reiterated that the remaining minefields were those which were considered to be vital for the protection of essential installations and services (see para. 7 above). UNGOMAP has consistently requested the military representatives of Afghanistan and the Soviet Union to make public which areas have been cleared of mines and other explosive devices.

15. On 14 May 1988, the military representatives of the Soviet Union in Afghanistan had informed UNGOMAP that, after the completion of the first phase of the withdrawal of foreign troops (15 May-15 August 1988), there would be a three-month pause devoted to preparations for the withdrawal of the remaining troops by 15 February 1989. The military representatives further confirmed to UNGOMAP representatives on 21 September 1988 that the troop withdrawal would be resumed on 15 November 1988. Shortly before that date, the military representatives of the Soviet Union announced that the resumption of the withdrawal was being postponed in the light of prevailing conditions. They reaffirmed that the withdrawal would be completed in accordance with the Geneva Accords. Between 15 August 1988 and 1 January 1989, UNGOMAP did not observe any significant withdrawal of foreign troops.

16. In December 1988, UNGOMAP informed the military representatives of the Soviet Union in Afghanistan that, in addition to the three permanent outposts (see para. 8), it wished also to observe the withdrawal of the foreign troops at Herat in the north-west of Afghanistan and at Kabul, Bagram, Carikar, Jabalassaraj, Pulixumri and Tashqurghan in the central sector and in the north of the country. However, owing to security conditions, it was not possible to deploy UNGOMAP teams to all of these garrisons.

17. The military representatives of the Soviet Union, on 25 January 1989, informed UNGOMAP that the foreign troops would be withdrawn in the following manner: in the north-west of Afghanistan the garrison at Shindand would be withdrawn before that at Herat; in Kabul and north of Kabul the garrisons would be withdrawn in the following order: Kabul, Bagram, Carikar, Jabalassaraj, Pulixumri and Tashqurghan. The withdrawal of the garrisons from Kabul and north of Kabul and the north-west of Afghanistan would take place simultaneously and over a short period of days in the first half of February 1989. The foreign troops withdrawing by land would move in grouped convoys from Shindand to Torghundi and from Kabul to Hayratan respectively, whence they would cross the border into the Soviet Union. The majority of the foreign troops would withdraw by air from the airports at Bagram, Kabul and Shindand.

18. On 9 February 1989, the military representatives of the Soviet Union in Afghanistan informed UNGOMAP that the following seven main garrisons, previously under the control of foreign troops, had been evacuated and handed over to the armed forces of Afghanistan, namely, Bagram, Carikar, Herat, Jabalassaraj, Kabul, Pulixumri and Shindand, and that the remaining main garrison, Tashqurghan, was to be evacuated before 15 February 1989. A UNGOMAP team visited Tashqurghan on 14 February and confirmed that the garrison had been evacuated on 12 February.

19. The military representatives of the Soviet Union informed UNGOMAP that, between 15 August 1988 and 15 February 1989, the number of foreign troops withdrawn was 50,100, consisting of 20,100 withdrawn by land and 30,000 by air.

20. The military representatives of the Soviet Union further informed the Mission that, with the withdrawal of 50,100 troops between 15 August 1988 and 15 February 1989, the withdrawal of all foreign troops had been completed in accordance with the Geneva Accords. (During the first phase of the withdrawal, the total number of the foreign troops withdrawn was 50,183 (see para. 11).)

21. While the prior notification provided to UNGOMAP regarding the withdrawal of foreign troops as well as the capacity of its teams to move freely have, chiefly for security reasons, not been as prompt and extensive as in the first phase, UNGOMAP, on the basis of information available and its own observation, is satisfied that the withdrawal of foreign troops has been completed in compliance with the fourth instrument of the Geneva Accords.

22. UNGOMAP wishes to express satisfaction at the scrupulous manner in which the time-frame for the withdrawal of foreign troops from Afghanistan has been observed. It wishes to express sincere appreciation to the Government of the Union of Soviet Socialist Republics, and to its civilian and military representatives, for the assistance and co-operation provided to UNGOMAP in the discharge of its mandate during the withdrawal of foreign troops from Afghanistan.

23. UNGOMAP will continue, until the completion of its mandate, to promote and monitor the implementation of the Geneva Accords in all aspects.

24. During the initial period of its operation, UNGOMAP encountered a number of difficulties in connection with the arrangements for monitoring the implementation

of the non-interference and non-intervention obligations set out in the first instrument of the Geneva Accords. Some of these difficulties, particularly those of a logistical character, were resolved consequent upon the review of the work of UNGOMAP carried out by the Representative of the Secretary-General when he visited the area in July 1988. At that time the Parties also reaffirmed their determination to implement the Geneva Accords fully and to ensure faithful compliance with all the obligations prescribed therein.

25. A large number of complaints of alleged violations has, however, continued to be exchanged during the period of implementation. To date, Afghanistan has submitted a total of 215 notes verbales containing 2,132 specific complaints. These complaints have included allegations of border crossings of men and matériel from Pakistan to Afghanistan, cross-border firings, continued presence in Pakistan of training camps and arms depots for Afghan opposition groups, restrictions placed on refugees who wished to return, political activities hostile to the Government of Afghanistan taking place in Pakistan and violations of its airspace by Pakistani aircraft. Pakistan has submitted a total of 89 notes verbales containing 877 specific complaints. They have included allegations of violations of its territory and airspace, aerial bombing incidents, acts of sabotage and political activities by Afghanistan hostile to Pakistan.

26. UNGOMAP has made every effort to investigate all alleged violations of the non-interference and non-intervention obligations and to work out with both sides measures to ensure compliance. Two permanent outposts were established on the Pakistan side - one in Peshawar and one in Quetta, on 1 and 28 November 1988 respectively - to enhance the capacity of UNGOMAP to carry out the investigations in a more timely manner. Further, UNGOMAP has endeavoured to obtain the agreement of the Parties regarding their meetings, as envisaged in the Geneva Accords, to consider alleged violations and reports of their investigation. UNGOMAP has also pointed out to both Parties that most of these allegations of violations have not been accompanied by sufficient information to permit a practical and effective investigation. Difficulties have also been encountered owing to the extremely rough terrain, time lapsed from the alleged incidents and security conditions prevailing in the area of investigation.

27. Non-interference and non-intervention are well established principles of international relations which acquire particular importance if a measure of order and stability is progressively to follow a serious conflict. That was undoubtedly the rationale of the set of specific obligations laid down in the first instrument of the Geneva Accords. At this juncture, when significant steps have been taken to implement the Accords, and to give practical meaning to their stated objectives, it is imperative, to facilitate steady progress towards peace in Afghanistan, that all concerned adhere strictly to the commitments that they have made. It is only thus that they may effectively contribute to the creation of a regional environment which would ultimately ensure the protection of the rights and serve the interests of all.

28. In connection with the implementation of the third instrument of the Geneva Accords, namely the Bilateral Agreement between Afghanistan and Pakistan on the Voluntary Return of Refugees, UNGOMAP reached an understanding with the United

Nations High Commissioner for Refugees (UNHCR) shortly before the entry into force of the Accords, concerning the functions that devolve upon each of them in connection with the relevant provisions of the Accords. UNGOMAP stands ready, in particular, to monitor and inform the UNHCR of the conditions of safety, which are essential for the return and resettlement of the refugees.

29. A very limited number of refugees has so far returned to Afghanistan and reports were also received in January 1989 of new Afghan refugees crossing the border into Pakistan. UNGOMAP has been informed that UNHCR has established a field monitoring network composed of 11 new international field officers. These officials are in permanent contact with refugee leaders in all camps in Baluchistan and the North-West Frontier Province of Pakistan. Together with the World Food Programme (WFP), UNHCR has proceeded with the pre-positioning of relief items including, food, blankets, tents, seeds, rural tools, etc. The joint UNHCR/WFP logistical unit, UNILOG is almost ready to start work in order to ensure the transportation of all relief items into Afghanistan. UNHCR has just prepared a set of maps indicating, inter alia, areas of origin of refugees, routes taken by refugees on their way out from Afghanistan and possible routes for their return, as well as best possible routes for relief operations and sites for operational bases.

30. Both the strength and deployment of UNGOMAP staff will be kept under review in order to ensure consistently that it can fulfil its mandate under the Accords.

31. UNGOMAP wishes to remind all concerned that it can function effectively only with the support and co-operation of all concerned. As implementation of the Accords proceeds, UNGOMAP therefore expects that such support and co-operation will continue to be forthcoming.

Notes

a/ A/43/720-S/20230.



Security Council

Distr.
GENERAL

S/RES/625 (1988)
15 December 1988

RESOLUTION 625 (1988)

Adopted by the Security Council at its 2833rd meeting,
on 15 December 1988

The Security Council,

Noting the report of the Secretary-General on the United Nations operation in Cyprus of 30 November 1988 (S/20310 and Add.1),

Noting also the recommendation by the Secretary-General that the Security Council extend the stationing of the United Nations Peace-keeping Force in Cyprus for a further period of six months,

Noting further that the Government of Cyprus has agreed that in view of the prevailing conditions in the island it is necessary to keep the Force in Cyprus beyond 15 December 1988,

Reaffirming the provisions of resolution 186 (1964) of 4 March 1964 and other relevant resolutions,

1. Extends once more the stationing in Cyprus of the United Nations Peace-keeping Force established under resolution 186 (1964) for a further period ending on 15 June 1989;
2. Requests the Secretary-General to continue his mission of good offices, to keep the Security Council informed of the progress made and to submit a report on the implementation of the present resolution by 31 May 1989;
3. Calls upon all the parties concerned to continue to co-operate with the Force on the basis of the present mandate.



Security Council

Distr.
GENERAL

S/RES/627 (1989)
9 January 1989

RESOLUTION 627 (1989)

Adopted by the Security Council at its 2838th meeting
on 9 January 1989

The Security Council,

Noting with regret the death of Judge Nagendra Singh on 11 December 1988,

Noting further that a vacancy in the International Court of Justice for the remainder of the term of office of the deceased judge has thus occurred and must be filled in accordance with the terms of the Statute of the Court,

Noting that, in accordance with Article 14 of the Statute, the date of the election to fill the vacancy shall be fixed by the Security Council,

Decides that the election to fill the vacancy shall take place on 18 April 1989 at a meeting of the Security Council and at a meeting of the forty-third session of the General Assembly.



Security Council

Distr.
GENERAL

S/RES/631 (1989)
8 February 1989

RESOLUTION 631 (1989)

Adopted by the Security Council at its 2844th meeting,
on 8 February 1989

The Security Council,

Recalling its resolutions 598 (1987) of 20 July 1987 and 619 (1988) of 9 August 1988,

Having considered the report of the Secretary-General on the United Nations Iran-Iraq Military Observer Group of 2 February 1989, 1/ and taking note of the observations expressed therein,

Decides:

(a) To call upon the parties concerned to implement immediately Security Council resolution 598 (1987);

(b) To renew the mandate of the United Nations Iran-Iraq Military Observer Group for a period of seven months and twenty-two days, that is, until 30 September 1989;

(c) To request the Secretary-General to submit, at the end of this period, a report on the developments in the situation and the measures taken to implement Security Council resolution 598 (1987).

1/ S/20442.




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Dept. of External Affairs
Min. des Affaires extérieures
OTTAWA

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