

## 4. The situation in Angola

### **Deliberations of 18 January 2000 (4090th meeting)**

At the 4090th meeting, on 18 January 2000, the President (United States) drew the attention of the Security Council to the report of the Secretary-General dated 14 January 2000 on the United Nations Office in Angola.<sup>1</sup> In the report, the Secretary-General provided an update on the political, military, humanitarian, human rights and socio-economic developments in Angola. Regarding the political and military aspects, he stated that the situation had seen a major change following the successful military campaign undertaken by the Government, resulting in the re-establishment of State authority in the vast territory previously occupied by the União Nacional para a Independência Total de Angola (UNITA), as well as the improvement of the security conditions in the north-eastern region of the country. He added that the Government did not consider the head of the group, Jonas Savimbi, a credible partner for dialogue due to his record of not implementing previous agreements, although they still considered the Lusaka Protocol<sup>2</sup> as a valid basis for the peace process. The humanitarian and human rights aspects were some of the major challenges, according to the Secretary-General; adding that there had been reports of abuses but, since the United Nations did not have access to most parts of Angola, little information was available. Regarding the socio-economic aspects of the conflict, he informed Council members about the deterioration of all key economic indicators, which was exacerbated by the fact that different United Nations programmes and agencies had had to scale down its operational activities because of the conflict. Finally, he concluded that the conflict risked spilling over to the neighbouring countries, that UNITA bore the primary responsibility for the state of affairs, and that only a political solution could help to restore durable peace and security in Angola.

At the meeting, the Council heard briefings by the Under-Secretary-General for Political Affairs and the Chairman of the Committee established pursuant to resolution 864 (1993) concerning the situation in Angola, following which statements were made by

most members of the Council and the representative of Angola.<sup>3</sup>

In his statement, the Under-Secretary-General recalled the origins of the current situation in Angola. He made reference to the withdrawal of the Cuban forces in 1988 which the United Nations had been asked to monitor; the first democratic election in the country in 1992, which had been rejected by UNITA resulting in resumption of the civil war; the comprehensive peace treaty, the Lusaka Protocol, that had been signed in November 1994, again followed by the failure of UNITA to demobilize its forces, the resumption of fighting and the termination of the United Nations Observer Mission in Angola the previous February. He pointed out, inter alia, that the Government had considered the Lusaka accord as still valid, while UNITA (after some major military setbacks) had claimed to be ready to resume the peace process. He also made reference to the issues of the humanitarian crisis and the lack of security, as well as the need to improve the human rights situation in the country. He commented that the new United Nations Office in Angola would continue to assist the Government and civic organizations in the areas of capacity-building, humanitarian assistance and the promotion of human rights.<sup>4</sup>

In his briefing, the Chairman of the Committee established pursuant to resolution 864 (1993) (Canada) presented a report on his visit to Angola from 8 to 16 January 2000. He explained that the three objectives of the visit were to consult with the Government of Angola on developments regarding the application worldwide of sanctions against UNITA; to visit the areas and see the military equipment captured from UNITA; and to meet with UNITA people who had defected from UNITA or been captured in recent fighting. He had been able to gather testimonies about

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<sup>1</sup> S/2000/23, submitted pursuant to paragraph 7 of resolution 1268 (1999).

<sup>2</sup> S/1994/1441, annex.

<sup>3</sup> The Russian Federation spoke on behalf of the troika of observer States of the Angolan peace process (Portugal, United States, Russian Federation). The representatives of the United States and Canada did not make statements at the meeting, but the representative of the United States submitted a statement for the public record. Angola was represented by its Vice-Minister for External Relations. The representatives of France, the Netherlands, Ukraine and the United Kingdom aligned themselves with the statement of the troika.

<sup>4</sup> S/PV.4090, pp. 3-4.

the violations and violators of the United Nations sanctions, as well as the conditions in which UNITA was operating, including its financial, military and infrastructure positions. He concluded that the sanctions were having a real impact on the capacity of UNITA to pursue its military objectives, including by impairing UNITA's ability to transport the weapons system and fuel it needed. He then showed a video of his trip, including excerpts from the interviews.<sup>5</sup>

The representative of Angola expressed, *inter alia*, his concern over the fact that, despite the existence of several resolutions that imposed sanctions against UNITA, many countries and organizations were determined to continue to break them, while his Government remained committed to a democratic and reconciled Angola through the Lusaka Protocol.<sup>6</sup>

Most representatives reiterated that UNITA had the primary responsibility for the continuation of the conflict; that a political solution and, particularly, the Lusaka Protocol remained the foundation for achieving peace in Angola. They expressed concern over the humanitarian situation and underlined that the repercussions of the conflict on the security in the region had to be tackled. Finally, they emphasized that the sanctions against UNITA should be supported.

The representative of the United Kingdom added that the Government of Angola itself had some responsibility and some things it needed to do better. He also stated that his government was looking forward to the report of the expert panel, which it hoped would contain firm recommendations on strengthening the sanctions, as he hoped that the international community would be able to name and shame individuals, companies and, if necessary, Governments, involved in sanctions-busting.<sup>7</sup>

The representative of Namibia stated that the actions of UNITA had "threatened the very foundation of the existence of the Republic of Angola, its unity, sovereignty and territorial integrity. The Government of Angola had no other option but to apply the necessary decisive military force against the rebel movement UNITA in order to defend its people and territory."<sup>8</sup>

The representative of the Netherlands noted that what was needed was a recognition that, despite Mr. Savimbi's lamentable role, UNITA as such continued to be a factor in Angolan society, entirely in accordance with the original intention of the Lusaka Protocol. He underlined that all parties now needed to work for an all-inclusive solution through dialogue.<sup>9</sup>

#### **Deliberations of 15 March 2000 (4113th meeting)**

At its 4113th meeting, on 15 March 2000, the Council included in its agenda a letter dated 10 March 2000 from the Chairman of the Committee established pursuant to resolution 864 (1993) addressed to the President of the Security Council,<sup>10</sup> transmitting the final report of the Panel of Experts established pursuant to resolution 1237 (1993) to investigate violations of Security Council sanctions against UNITA. The Panel informed Council members about the way UNITA had acquired and maintained its arms and military equipment, including through diamond sales, and the way UNITA handled its relations abroad. It also referred to the people and countries that allegedly supported those activities since 1993, *inter alia*, South African individuals, who had provided military equipment, facilitated transactions, and provided non-military equipment for UNITA; the former Zaire (Democratic Republic of the Congo), whose territory had been used to facilitate the passage of arms and military equipment; Burkina Faso, which had been used as a transit point for arms originating in Eastern Europe and other military equipment for UNITA; Congo-Brazzaville and its Government, where UNITA had moved military equipment following the signature of the Lusaka Protocol; Rwanda, which had been cooperating with UNITA in different military operations and in contacts with arms brokers; Togo, whose territory was being used to facilitate the passage of arms and military equipment; Ukrainian nationals, who supported the flights bringing in arms and other military materiel for UNITA; Bulgaria, which was the source of origin for the majority of the arms purchased by UNITA and where some UNITA personnel had been trained; Zambia, where contacts at the highest level had been made by Savimbi in order to facilitate fuel procurement operations and whose border had been used to smuggle fuel; Namibia, whose territory had

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<sup>5</sup> *Ibid.*, pp. 4-10.

<sup>6</sup> *Ibid.*, pp. 11-12.

<sup>7</sup> *Ibid.*, p. 14.

<sup>8</sup> *Ibid.*, p. 21.

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<sup>9</sup> *Ibid.*, p. 24.

<sup>10</sup> S/2000/203.

been used to smuggle significant quantities of diamonds belonging to UNITA; Uganda, whose territory had been used to refuel aircrafts from Eastern Europe on route to Andulo; Belgium, where illegal diamonds had been sold in its major diamond market (Antwerp); and Côte d'Ivoire, where protected diamond deals had taken place. The Panel made a number of recommendations to control the violations of the sanctions and to improve the control of arms and fuel supply, as well as the diamond trade, the financial activities and the links abroad of UNITA.

At the meeting, the President (Bangladesh) drew the attention of the members of the Council to a letter from Uganda, transmitting the record of a meeting of the Panel of Experts established by resolution 1237 (1999) and representatives of the Government of Uganda concerning alleged violations by Uganda of sanctions imposed against UNITA.<sup>11</sup> The Council heard a briefing by the Chairman of the Committee established pursuant to resolution 864 (1993), following which statements were made by most members of the Council,<sup>12</sup> as well as the representatives of Angola, Burkina Faso, Togo, Rwanda, South Africa, Bulgaria, Zambia, Morocco, Belarus, Belgium and Uganda.

In his statement, the Chairman of the Committee referred to the report of the Panel of Experts and stressed that Security Council sanctions against UNITA had not worked well, although they were beginning to be taken more seriously and were starting to become effective. He went over in detail the main recommendations of the report, and he stressed that now that the sanctions were beginning to have real impact that they should not make the mistake of letting up the pressure on UNITA.<sup>13</sup>

During the debate, numerous speakers welcomed the report and its recommendations, and considered that the document had shown that, in spite of the fact that the sanctions regime was already bearing, there were still many flaws and the Council needed to

consider the desirability of strengthening the sanctions, particularly in the areas of diamond sales, arms purchases and foreign travel, as well as establishing more effective monitoring mechanisms for sanctions regimes. A number of representatives noted the links between different crises in Africa, which required the Council to deal with them in a comprehensive. A number also noted the links being the illegal exploitation of resources and the continuation of conflicts.

The representative of the United Kingdom noted that the report highlighted the porous and haphazard nature of the enforcement of sanctions against UNITA, in addition to exposing the hypocrisy of those countries, and sometimes leaders, that condemned UNITA while some of their citizens and companies supplied Jonas Savimbi with the arms, munitions, fuel and assistance without which "25 years of murderous activities would have ended long ago". Regarding the reference made in the report to African government ministers and public officials, arms dealers from Eastern Europe, and air companies and fuel suppliers, he described them as "merchants of death". He called upon all the Governments of the world to act against them, and the Security Council to take decisive action by, *inter alia*, implementing the report's key recommendations in a series of mandatory United Nations resolutions. The private sector had a major role to play too, he acknowledged, as well as the Government of Angola, which needed to ensure full transparency and accountability.<sup>14</sup>

The representative of Malaysia regarded the report to be in depth and comprehensive, as well as bold and candid. He stressed that all the people and countries named in the report should have the right to respond to the allegations and to clarify their own roles in the alleged sanctions-busting activities, but if these explanations were not plausible and could not be borne out by facts, the Security Council would have to take appropriate actions.<sup>15</sup>

The representative of the Netherlands noted that exchange of information and transparency in relations to arms trafficking was essential, and in this respect the role for regional organizations was particularly important. He concluded that the most important thing was to make sure that the Panel exercise would get the

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<sup>11</sup> S/2000/200.

<sup>12</sup> The United States spoke on behalf of the troika of observer States of the Angolan peace process. The representatives of Bangladesh, Canada, Portugal, the Russian Federation and the United States did not make statements. The United Kingdom was represented by its Minister of State for Foreign and Commonwealth Affairs.

<sup>13</sup> S/PV.4113, pp. 2-7.

<sup>14</sup> *Ibid.*, pp. 7-9.

<sup>15</sup> *Ibid.*, pp. 12-14.

best possible follow-up to avoid a return to business as usual and to the culture of impunity.<sup>16</sup>

The representative of Jamaica noted that the Panel's existence and presence had already had the important effect of stimulating Governments and others to focus on what each of them could do to improve the implementation and enforcement of sanctions and to curtail existing violations. She commented that the report left no doubt that there had been serious violations of the sanctions regimes by individuals, companies and Government officials, who shared the responsibility for the conflict and, with UNITA, were equally culpable; that the Governments of the countries whose nationals were engaged in the sanctions-busting had an obligation to investigate and take actions against those who were responsible.<sup>17</sup>

The representative of Namibia considered it imperative that the Council applied sanctions to those leaders and Governments that had sustained UNITA's political and war machinery, in violation of Council resolutions. She concurred with the evidentiary standard employed by the Panel, but regarded that important links might have been omitted and, thus, ongoing investigations would help during the monitoring process.<sup>18</sup>

The representative of China underlined that the sanctions against UNITA were far from being effective; thus, he appealed to all countries to genuinely abide by the relevant resolutions of the Security Council, by putting an end to the supply of arms or any other forms of support to UNITA and by taking other effective measures to prevent violations by their own nationals. The signal sent by the report was that measures had to be taken to strengthen the sanctions regime, even though it was itself just a tool to create the necessary conditions for a final political solution to the conflict.<sup>19</sup>

The representative of Angola pointed out that the rearming of the military wing of UNITA had only been possible because of the connivance of some Governments, political individuals and businessmen in violating the sanctions, thus becoming co-perpetrators of crimes against humanity and interfering in the internal affairs of other States. He fully supported the recommendations contained in the report and he trusted

that they would be included in the upcoming resolution on Angola. Additionally, he stressed that in view of the irrefutable evidence contained in the report, the Council had to consider taking measures against those implicated.<sup>20</sup>

The representative of South Africa stated that they would be studying the report with great care, and looked forward to receiving more evidence on the allegations in the report. However, he acknowledged that some South African citizens had been involved in efforts to undermine sanctions, and they would take firm action against those involved.<sup>21</sup>

The representative of Morocco referred to the mention in the report of money placed by the representative of UNITA in Morocco. He explained that those funds were completely exhausted before the imposition of the sanctions and that the representative of UNITA had left Morocco a long time ago.<sup>22</sup>

The representative of France expressed a number of concerns over the report; inter alia, that some dates were imprecise; that there was lack of clarity as to the sources of the information; that it was not clear if some of the people regarded as being linked to UNITA were on the list of the sanctions Committee; and that the report did not provide an estimate of the revenue of UNITA. He stressed that on all of those points it would be necessary to get explanations from the countries mentioned in the report. He suggested that the sanctions Committee could question the Chairman of the Panel in greater detail and also receive communications from States cited in the report, and then transmit its own conclusions to the Council. Finally, he noted some of the recommendations were general in nature, and should be dealt with in the competent forum. Others related to new sanctions on third States, which could result in numerous problems and went beyond the framework of sanctions against UNITA.<sup>23</sup>

The representative of Tunisia drew the attention of the Council to the sensitivity of some of the information, conclusions and recommendations of the report. He said that he would have preferred the report to avoid citing certain parties, at least at that stage, so as to first be certain of its absolute veracity. It would

<sup>16</sup> *Ibid.*, pp. 16-17.

<sup>17</sup> *Ibid.*, pp. 17-18.

<sup>18</sup> *Ibid.*, pp. 18-21.

<sup>19</sup> *Ibid.*, pp. 21-22.

<sup>20</sup> *Ibid.*, pp. 23-25.

<sup>21</sup> S/PV.4113 (Resumption 1), pp. 8-10.

<sup>22</sup> *Ibid.*, pp. 10-11.

<sup>23</sup> S/PV.4113, pp. 10-12.

have been better to have proceeded by first engaging the attention of the States and parties concerned before making suggestions or deciding on appropriate steps, which would have given the necessary credibility to the investigations of the sanctions Committee.<sup>24</sup>

The representative of Burkina Faso objected to the conclusions of the report and particularly to those that accused their head of state by name. He complained about a number of aspects of the report and the way it was prepared. First, he stated that his delegation had not received it early enough in order to study it and respond and that there had been broad coverage in the media before its official publication. Commenting on the substance of the report, he maintained that the mission of the Panel of Experts to Burkina Faso was “quite clearly botched” and that it had given a false impression that the authorities of Burkina Faso had not wanted to cooperate. He went on to argue that it was difficult to consider the work done by the Panel as particularly meticulous, as the thrust of the report was based on allegations made by UNITA defectors, “whose judgement, necessarily coloured by rancour and perhaps by the spirit of vengeance, cannot help but be biased and partial”. Noting that the report seemed to be built on allusions rather than on certainties, he added that most facts lacked dates, concordance and consistency and that it did not comply with the rigorous scientific requirements of an investigation based on rigorous, fair and reliable foundation. Finally, he opined that it left a sense of a certain degree of partiality, based on the presumption of the guilt of some countries and leaders and of the innocence of others.<sup>25</sup>

The representative of Togo also criticized some aspects of the report, particularly the “flimsy and selective” nature of the accusations, based on declarations made by deserters and defectors from UNITA; and the working methods followed, which he considered to be just compiling rumours, hearsay and gossip and the “absolute lack of rigour in the approach”. He strenuously denied that Togo had violated existing sanctions, noting that the lack of dates given for the supposed meetings made it impossible to tell whether they happened before or after sanctions had been imposed. He also commented that while Togo had hosted the family of Mr. Savimbi, including his

children, they were not on the list drawn up by the sanctions Committee, and if they were added they would be immediately expelled. He complained that leaks had been cunningly orchestrated to make the report available to the media and there was an impression of collusion between the interests of a country that had an official mandate and the implementation of sanctions against UNITA.<sup>26</sup>

The representative of Rwanda stressed that the allegations about the cooperation of Rwanda with UNITA had no foundation and were merely hearsay from quarters that distorted facts for reasons known only to themselves. He complained about the fact that the information and explanations given by Rwanda to the Panel had not been mentioned. He denied that there had been any cooperation or contacts with UNITA, and challenged the Panel to produce concrete evidence of the “unfounded and uncalled-for allegations”.<sup>27</sup>

The representative of Bulgaria expressed the frustration of his Government with the violation of the established procedure requiring all countries concerned to be acquainted first with the report, before it was given to the mass media. He highlighted that the report did not, and could not, contain concrete evidence linking Bulgaria with any violation of resolution 864 (1993) or of the internationally recognized standards and norms of arms control regimes. He referred to some of the accusations related to arms transactions, explained the facts surrounding them, and rejected the accusations.<sup>28</sup>

The representative of Belgium regretted the omission of some important information from the report, as well as the inclusion of some unfounded references. He recalled the efforts of its Government to control the diamonds trade which, he said, were not fully reflected in the report, even though that information had been conveyed in due time. He denied the accusation that a large number of diamond dealers in Antwerp operated in a so-called “grey” market, and considered that the complex problem of identifying the origin of diamonds was insufficiently elaborated and clearly underestimated in the report.<sup>29</sup>

The representative of Uganda welcomed the report but regretted that, in spite of extensive

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<sup>24</sup> Ibid., pp. 22-23.

<sup>25</sup> S/PV.4113 (Resumption 1), pp. 2-4.

<sup>26</sup> Ibid., pp. 4-7.

<sup>27</sup> Ibid., pp. 7-8.

<sup>28</sup> Ibid., pp. 8-10.

<sup>29</sup> Ibid., pp. 11-13.

discussions which the Panel of Experts held with Ugandan officials the previous month, all the information that was exchanged and provided was ignored. He stressed that Uganda had never supplied arms to UNITA, either directly or indirectly and that Uganda had neither imported nor re-exported diamonds, and rejected all the other allegations dealing with contacts between UNITA and Uganda. He added that while the Government of Uganda was cooperating with the Mouvement de libération du Congo of Jean-Pierre Bemba, it was not the policy of the Government of Uganda to dictate whom its partners cooperated with. Therefore, the Government of Uganda could not be responsible for the arms which the rebel groups have in their possession.<sup>30</sup>

Finally, the Chairman of the Committee established pursuant to resolution 864 (1993) rejected any suggestion that Canada was somehow biased in its administration of Security Council sanctions, or that any Canadian participated in the leaking, of any documents to the press relating to the Panel's report. He noted that the Panel had used a higher standard for the rules of evidence than would apply in a court of law in most countries in a bribery case; faced with convincing evidence of high-level complicity; the Panel had no option but to report it. He stressed that the Panel took into consideration the dates when the different sanctions had been in effect and they were reflected in the findings, conclusions and recommendations of the Panel. In addition, he pointed out that countries and Governments more specifically accused of sanctions-busting had been consulted in advance.<sup>31</sup>

**Decision of 13 April 2000 (4126th meeting):  
resolution 1294 (2000)**

At its 4126th meeting, on 13 April 2000, the Council included in its agenda the report of the Secretary-General on the United Nations Office in Angola dated 11 April 2000.<sup>32</sup> In his report, the Secretary-General stated that, after the issuance of the report of the Panel of Experts regarding the violations of the sanctions, a number of Governments and corporations had announced that they would be taking measures in compliance with the sanctions, while

UNITA had dismissed the allegations contained in the report arguing that they were based on statements by defectors. He also explained the latest developments in the military situation, and the human rights and humanitarian situations. He stressed that, although the Government had continued to be effective in further reducing the conventional war capacity of UNITA, while the humanitarian, the security and the socio-economic situation had deteriorated. The war still risked spilling over into the neighbouring countries, which remained a major cause of concern. The Government had also announced plans to re-establish political and military stability, as well as to step up efforts to institute monetary stability, further economic development and carry out programmes for the provision of humanitarian assistance and social services to the civilian population. He encouraged the international community to support the Government in its efforts to provide basic services to the areas formerly occupied by UNITA.

At the same meeting, to which the representative of Angola was invited, the President (Canada) drew the attention of the Council to a draft resolution;<sup>33</sup> it was put to the vote and adopted unanimously as resolution 1294 (2000), by which the Council, *inter alia*:

Endorsed the decision contained in paragraph 51 of the report of the Secretary-General of 11 April 2000 (S/2000/304) to extend the mandate of the United Nations Office in Angola for a period of six months until 15 October 2000;

Requested the Secretary-General to continue his efforts to implement the tasks of the office as outlined in resolution 1268 (1999);

Requested the Secretary-General to provide every three months a report on developments in Angola, including his recommendations about additional measures the Council might consider to promote the peace process in Angola.

**Decision of 18 April 2000 (4129th meeting):  
resolution 1295 (2000)**

At its 4129th meeting, on 18 April 2000, the Council again included in its agenda the letter dated 10 March 2000 from the Chairman of the Committee established pursuant to resolution 864 (1993).<sup>34</sup> Statements were made by the Chairman of the Committee and the members of the Council, including

<sup>30</sup> *Ibid.*, pp. 13-15.

<sup>31</sup> *Ibid.*, pp. 15-17.

<sup>32</sup> S/2000/304 and Corr.1, submitted pursuant to para. 7 of resolution 1268 (1999).

<sup>33</sup> S/2000/307.

<sup>34</sup> S/2000/203, transmitting the final report of the Panel of Experts.

the representative of Portugal on behalf of the European Union,<sup>35</sup> as well as the representatives of Angola, Belgium, Brazil, Bulgaria, Burkina Faso, Gabon, Mozambique, New Zealand, Portugal, Rwanda, Spain, Togo, the United Republic of Tanzania and Zimbabwe.

At the same meeting, the President (Canada) drew the attention of the Council to letters from the representatives of Belgium, Burkina Faso, Gabon, Portugal, Rwanda, Togo and Uganda, as well as a note verbale from Bulgaria.<sup>36</sup> By those communications, those countries, *inter alia*, commented on the report of the Panel of Experts established pursuant to resolution 1237 (1999); expressed concerns over some of the information provided; requested detailed verification of some of the facts contained in it; provided clarifications on points that touched on their respective countries; or informed the Council of follow-up activities being taken by their Governments in response to the report.

In his statement, the Chairman explained that the fact that the draft resolution did not name names or take action against alleged sanctions-busters did not exonerate any State but, instead, provided the opportunity to answer the allegations, end sanctions violations, and bring their actions into conformity with the clearly articulated will of the international community. Moreover, he stated, the draft resolution before the Council made clear the Council's willingness to adopt measures if necessary.<sup>37</sup>

Most of the speakers welcomed the report, underlined the importance of the draft resolution, and reiterated that the responsibility for the continuation of the conflict lied within the leadership of UNITA. They added that the draft resolution would contribute to improving the effectiveness of control over the sanctions against UNITA by establishing machinery for monitoring sanctions, as well as close off the channels used by the leadership of that organization to preserve their ability to continue the war.

The representative of the United Kingdom stressed that the new resolution would require a new level of cooperation among Member States, and between Governments and the private sector; besides technical expertise and political will. In addition, as he remarked, this would place a particular burden on States neighbouring Angola.<sup>38</sup>

The representative of France welcomed the fact that, barely a month after the report was issued, the Council would adopt a draft resolution taking on board more than three quarters of the recommendations. These were directed first and foremost to Member States, but also to international and regional organizations, enterprises, professional organizations and experts. Highlighting the constructive approach of the resolution, he underlined that it did not appear that the creation of new sanctions against countries that had allegedly violated the old sanctions would provide a real solution, and the exponential growth in the number of existing sanctions regimes would likely create management problems at the very moment when the Council was already having enough trouble enforcing the nine embargoes in place.<sup>39</sup>

The representative of the Netherlands explained that the draft resolution would put in place a new monitoring mechanism that would be effective as long as it was allowed to collect, analyse and submit information independently.<sup>40</sup>

The representative of Argentina remarked that the submission of the report had already had an impact in mobilizing States mentioned in the report and creating awareness within the international community.<sup>41</sup>

The representative of Malaysia considered the draft resolution to be a very important one, particularly with regards to the trade of arms and diamonds. However, he stated that his delegation would have preferred the inclusion in the draft resolution of language regarding exploring the lawful seizure of the rough diamonds in question as well as any collateral assets used in the transport of such goods and would also express support for a call on States to make dealing in illegal rough diamonds a criminal offence. He added that, while he supported the draft resolution, he wanted to reiterate that any further steps or

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<sup>35</sup> Bulgaria, Cyprus, the Czech Republic, Estonia, Hungary, Iceland, Latvia, Liechtenstein, Lithuania, Malta, the Netherlands, Poland, Romania, Slovakia, Slovenia, Spain and Turkey aligned themselves with the statement.

<sup>36</sup> S/2000/225 (Gabon), S/2000/228 (Belgium), S/2000/230 (Portugal), S/2000/240, 267 and 315 (Bulgaria), S/2000/249 (Burkina Faso), S/2000/252 (Uganda), S/2000/256 and 326 (Togo) and S/2000/283 (Rwanda).

<sup>37</sup> S/PV.4129, pp. 2-3.

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<sup>38</sup> *Ibid.*, p. 3.

<sup>39</sup> *Ibid.*, pp. 4-5.

<sup>40</sup> *Ibid.*, pp. 7-8.

<sup>41</sup> *Ibid.*, pp. 8-9.

measures to be meted out to sanctions-busters should be considered very carefully and should be weighed against the seriousness of an alleged breach and that the Council should act only when it had conclusive evidence of breaches.<sup>42</sup>

The representative of Jamaica stressed that those who aided and abetted UNITA in violating sanctions were equally culpable for the humanitarian tragedy in Angola.<sup>43</sup>

The representative of Ukraine stressed that a differentiation could be made between groups of countries bearing special responsibility for specific areas, and that the Council should attempt to make very distinct recommendations to those States.<sup>44</sup>

The representative of Canada observed that, while the Panel's work underscored the complexity of imposing and enforcing targeted sanctions, if successful, the measures could serve as a template for focused actions against belligerents in other conflicts. Additionally, he mentioned how the Panel's efforts had highlighted the reality and the impact of the new war economies, since "in a growing number of conflict situations, economic agendas coexist with political and military goals in the perpetuation of violence and the victimization of people"; the large and growing importance of non-State actors in conflicts; and the reality that, while the Council's decisions reflected the will of the international community, their implementation depended on the action of individual members.<sup>45</sup>

The representative of Angola stated that it found it difficult to understand the reason why, despite the evidence that the sanctions were being violated, the United Nations had only recently decided to investigate the extent of these violations and identify the main perpetrators. Regarding the report, he considered that the overwhelming support it had received from the international community had dispelled any doubt as to its objectivity and transparency. Finally, he stressed that the action of the Council should include prohibition of the use of the territory of any State to carry out political activities or propaganda campaigns and the bringing to justice of all individuals or

companies whose practices were in conflict with Security Council resolutions on Angola.<sup>46</sup>

The representative of Burkina Faso reiterated the repudiation and rejection by his Government to the conclusions of the report that had named Burkina Faso and its President. However, he provided information on the measures taken by his Government in order to follow up on the implementation of the sanctions.<sup>47</sup>

The representative of Belgium recalled the numerous measures taken by his Government in order to ensure the application of the sanctions, particularly in the area of diamonds trade, which, he regretted, had not been mentioned in the report.<sup>48</sup>

The representative of Bulgaria reiterated the serious doubts that his Government and other delegations had raised about the working methods and credibility of sources used by the Panel, as well as its objectivity and ability to substantiate its findings by concrete evidence. In spite of this, he claimed that his Government had given serious consideration to the Panel's report. He also pointed out the lessons learned from the Panel's report, which should be taken into account in the activities of the new monitoring mechanism: its work should combine transparency with confidentiality, using only trustworthy and verified information from reliable sources; it should pursue its mandate in close cooperation and consultation with the Governments concerned; and the established procedure should be strictly observed so as not to allow a "linkage" to the media.<sup>49</sup>

The representative of Gabon regretted some actions from the Panel of Experts who, according to the speaker, had failed to provide evidence on its accusations against the Gabon, had not replied to its communication, and had not even visited the country.<sup>50</sup>

The representative of Togo decried the fact that the report had been released first to the media, "the frivolous and entirely unprofessional method followed by the Experts, as well as the lack of consistency of the allegations raised against Togo". He pointed out that his delegation hoped that the observations and comments made during the examination of the report

<sup>42</sup> Ibid., pp. 10-11.

<sup>43</sup> Ibid., pp. 12-13.

<sup>44</sup> S/PV.4129 (Resumption 1), pp. 3-4.

<sup>45</sup> Ibid., pp. 4-6.

<sup>46</sup> Ibid., p. 6.

<sup>47</sup> Ibid., p. 7.

<sup>48</sup> Ibid., pp. 9-11.

<sup>49</sup> Ibid., pp. 11-12.

<sup>50</sup> Ibid., p. 16.

would be taken into consideration, particularly those regarding the working methods followed by the Panel of Experts. He also underscored the steps taken by its Government in order to follow up and monitor the implementation of the sanctions against UNITA.<sup>51</sup>

The representative of Zimbabwe stressed that the report correctly identified greed, and not grievance, as the rationale for the declared war of UNITA; “furthermore, in the process of establishing the symbiotic nature of the relations of UNITA with Rwanda and Uganda and their surrogates in the Democratic Republic of the Congo, the report also situates the pursuit of economic goals by UNITA, Rwanda, Uganda, the Rassemblement congolais pour la démocratie and the Mouvement de libération du Congo as the motivation for what we all along regarded as being senseless civil war”. He added that, as long as Rwanda continued to occupy Congolese territory, UNITA would have a lifeline, since that territory provided the conduit for its arms and diamonds trade.<sup>52</sup>

The representative of Rwanda reiterated his comments about the report and claimed that the allegations were false. He pointed out the investigations made by his Government, and expressed that his delegation had no problem with the establishment of a new team of experts, even though he wished to see a team that was more independent, more representative and professionally unquestionable.<sup>53</sup>

At the same meeting, the President drew the attention of the Council to a draft resolution;<sup>54</sup> it was put to the vote and adopted unanimously as resolution 1295 (2000), by which the Council, *inter alia*:

Requested the Secretary-General to establish a monitoring mechanism composed of up to five experts, for a period of six months from its effective entry into operation, to collect additional relevant information and investigate relevant leads relating to any allegations of violations of the measures contained in resolutions 864 (1993), 1127 (1997) and 1173 (1998);

Further undertook to consider, by 18 November 2000, the application of additional measures against UNITA under Article 41 of the Charter of the United Nations;

Encouraged all States to exercise all due diligence, in order to prevent the diversion or trans-shipment of weapons to

unauthorized end-users or unauthorized destinations where such diversion or trans-shipment risked resulting in the violation of the measures contained in resolution 864 (1993);

Encouraged the convening of a conference of experts to devise a regime for curbing the illegal supply of petroleum and petroleum products into UNITA-controlled areas;

Called upon the Government of Angola to implement additional internal controls and inspection procedures with respect to the distribution of petroleum and petroleum products for the purpose of enhancing the effectiveness of the measures contained in resolution 864 (1993);

Called upon States that have issued passports to UNITA officials and adult members of their families designated by the Committee pursuant to resolution 1127 (1997) to cancel those passports in conformity with paragraph 4 (b) of that resolution and to report to the Committee on the status of their efforts in this regard;

Further urged all States, including those geographically close to Angola, to take immediate steps to enforce, strengthen or enact legislation making it a criminal offence under domestic law for their nationals or other individuals operating on their territory to violate the measures imposed by the Council against UNITA.

#### **Deliberations of 27 July 2000 (4178th meeting)**

At its 4178th meeting, on 27 July 2000, the Council included in its agenda the report of the Secretary-General on the United Nations Office in Angola dated 12 July 2000.<sup>55</sup> In his report, the Secretary-General stated that, in relation to the political developments, the absence of dialogue had continued to create an unstable political and military situation, despite the efforts of the Government to consolidate its authority throughout the country. UNITA had continued its guerrilla activities, while there had been an influx of refugees into neighbouring countries. Additionally, the conflict had increased tensions between Angola and Zambia. Efforts to promote a dialogue for peace continued, mainly by the Angolan opposition political parties, the Chairman of the Southern African Development Community (SADC) and the Angolan Church. Regarding the military situation, he said that the Government forces had continued to be effective in further reducing the conventional war capacity of UNITA, and the observance of human rights by the police had improved, even though the hostilities had had a negative impact on law and order throughout the

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<sup>51</sup> *Ibid.*, p. 19.

<sup>52</sup> *Ibid.*, pp. 19-21.

<sup>53</sup> *Ibid.*, pp. 21-22.

<sup>54</sup> S/2000/323.

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<sup>55</sup> S/2000/678, submitted pursuant to para. 3 of resolution 1294 (2000).

country. On the subject of human rights, he highlighted that although the overall situation remained grave, there were indications that the Government was prepared to recognize the existence of abuses and to develop regular procedures to redress them with the support of the international community and Angolan civil society. Likewise, the humanitarian situation remained precarious, particularly in relation to food distribution and the situation of the displaced population, with important initiatives being carried out by the World Food Programme. In the same line, the socio-economic situation had been affected by the conflict, and thus the United Nations Development Programme and the World Bank, *inter alia*, had carried out work in order to assist the Government in poverty reduction strategies and initiative to tackle the macroeconomic instability.

Statements were made by the members of the Council, including the United States on behalf of the troika of observer States of the Angolan peace process, Portugal, the United States and the Russian Federation;<sup>56</sup> and France on behalf of the European Union,<sup>57</sup> as well as the representatives of Angola, Brazil, Japan, Lesotho, Mozambique and Norway.<sup>58</sup> The Council also heard a briefing by the Under-Secretary-General and Special Adviser on Africa.

In his statement, the Under-Secretary-General and Special Adviser on Africa referred to the main concerns in Angola, mainly the situation of refugees, displaced persons and the problem of landmines. On the economic aspect, he stressed that, even though the Government had made commendable efforts to improve its management and performance, these efforts tended to be offset by the continuation of hostilities. Finally, with respect to democratization, he mentioned the announcement made by the Government regarding its intention to hold national elections. He stated that, in the effort to make Angola a prosperous country again, it was necessary to help bring the war to an end,

for which it had to be acknowledge that military force in itself was not sufficient. Finally, he held that the Secretary-General, the Secretariat, United Nations agencies and the international community should redouble their efforts, first to tighten the sanctions against UNITA; second, to complement those of the Government of Angola to respond more fully to the needs of the large percentage of Angolans; and third, to support civil society, the Government and all those who were promoting a political settlement of the conflict in Angola.<sup>59</sup>

Most representatives agreed that the primary responsibility for the humanitarian situation in Angola lay with UNITA and noted the efforts of the Government to consolidate its authority throughout the territory. They observed that there were signs that the efforts of the international community to put pressure on UNITA were beginning to have the desired effect. However, they expressed concerns over the political, security, economic and humanitarian situation in Angola, which risked spilling over into neighbouring countries. They emphasized that military force was not the way forward, but that only a political solution under the Lusaka Protocol could contribute to the restoration of lasting peace and security in Angola; and that the consistent implementation and enhancement of the effectiveness of the sanctions against UNITA was an important element of international efforts to end the conflict in Angola. A number of representatives stressed that the responsibility for the breakdown in the Lusaka Protocol rested primarily with UNITA leader Jonas Savimbi.

The representative of Angola stated that the measures taken by his Government to create a climate of relative tranquillity in a large proportion of the country. However, a definitive end had not yet been put to the war, as small pockets of UNITA resistance still existed to carry out terrorist activities. He stressed that the lasting solution to Angola's problem still lay in the complete implementation of the Lusaka Protocol. He also recalled the efforts of his Government, together with several United Nations agencies and programmes, to address the issues of poverty, displaced population, access and security, as well as humanitarian assistance and services.<sup>60</sup>

<sup>56</sup> The representatives of Ukraine and the Russian Federation aligned themselves with the statement of the troika of observer States of the Angolan peace process.

<sup>57</sup> The representatives of the Netherlands and the United Kingdom aligned themselves with the statement of the European Union, as did Bulgaria, Cyprus, the Czech Republic, Estonia, Hungary, Iceland, Latvia, Liechtenstein, Lithuania, Malta, Poland, Romania, Slovakia, Slovenia and Turkey.

<sup>58</sup> Angola was represented by its Minister for Social Affairs.

<sup>59</sup> S/PV.4178, pp. 2-5.

<sup>60</sup> *Ibid.*, pp. 5-7.

The representative of the United States stressed that it was necessary to establish dialogue between all sectors of society in Angola under the principles of the Lusaka Protocol, and Mr. Savimbi's participation could only be considered after he had taken irreversible steps to implement the Protocol.<sup>61</sup>

**Decision of 23 January 2001 (4263rd meeting):  
resolution 1336 (2001)**

At its 4263rd meeting, on 23 January 2001, the Council included in its agenda a note by the President of the Security Council.<sup>62</sup> In his note, the President of the Security Council enclosed a letter dated 21 December 2000 from the Chairman of the Committee established pursuant to resolution 864 (1993), transmitting the final report of the Monitoring Mechanism on Sanctions against UNITA established by resolution 1295 (2000).

In its report, the mechanism informed the Council about the issues related to the import and export of military equipment and arms; petroleum and petroleum products; UNITA representation and travel abroad; the role of transportation; and diamond trading and financial assets. It provided updates on what actions had been taken by a number of countries in improving enforcement of the sanctions, as well as what areas had not seen improvement.

At the meeting, the President (Singapore) drew the attention of the Council to a draft resolution;<sup>63</sup> it was put to the vote and adopted unanimously as resolution 1336 (2001), by which the Council, *inter alia*:

Decided to extend the mandate of the monitoring mechanism as set out in resolution 1295 (2000) for a period of three months;

Requested the Secretary-General, upon adoption of this resolution and acting in consultation with the Committee, to reappoint up to five of the experts appointed by him pursuant to resolution 1295 (2000) to serve on the monitoring mechanism, and further requested the Secretary-General to make the necessary financial arrangements to support the work of the monitoring mechanism.

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<sup>61</sup> *Ibid.*, p. 11.

<sup>62</sup> S/2000/1225 and Corr.1 and 2.

<sup>63</sup> S/2001/69.

**Deliberations of 22 February 2001  
(4283rd meeting)**

At its 4283rd meeting, on 22 February 2001, the Council again included in its agenda the note by the President of the Security Council transmitting the report of the Monitoring Mechanism.<sup>64</sup> Statements were made by most members of the Council, including Portugal on behalf of the troika of observer States and Sweden on behalf of the European Union,<sup>65</sup> as well as the representatives of Angola, Argentina, Brazil, Bulgaria, Burkina Faso, Canada, Mozambique, Namibia, Portugal, Romania, Rwanda, Swaziland, Sweden, Togo and Zimbabwe. The Council also heard a briefing by the Chairman of the Committee established pursuant to resolution 864 (1993).

In his briefing, the Chairman remarked that the Mechanism had employed only the strictest evidentiary standards in its investigations, besides allowing the right to reply to all those against whom allegations concerning sanctions violations had been made. He explained that the work of the Mechanism had focused on four main areas, mainly arms and military equipment; representation, travel and residence outside Angola; the role of transport in the violation of the sanctions; and diamond trading and financial assets. Based on this, the Mechanism had made a series of recommendations. One important aspect of the work of the Mechanism was that, according to the Chairman, there was clear evidence of the involvement of the same people, as well as the same organizations and corporations, in at least two of the major conflicts in Africa. He also pointed out that the sanctions regime, in spite of its problems, was working, but he expressed concern over the fact that the United Nations lacked, at that moment, the necessary permanent capacity for following up the findings of the reports of the Panel of Experts and the Monitoring Mechanism.<sup>66</sup>

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<sup>64</sup> S/2000/1225 and Corr.1 and 2.

<sup>65</sup> The representatives of the Russian Federation and the United States aligned themselves with the statement of the troika. The representatives of France, Ireland, Romania and the United Kingdom aligned themselves with the statement of the European Union, as did Bulgaria, Cyprus, the Czech Republic, Estonia, Hungary, Iceland, Latvia, Liechtenstein, Lithuania, Malta, Poland, Romania, Slovakia, Slovenia and Turkey. The representative of Ireland did not make a statement.

<sup>66</sup> S/PV.4283, pp. 3-4.

Most representatives welcomed the report, particularly its methodology, its respect to the right of response, and its attempt to describe problems linked to organized crime networks comprehensively and in all their complexity. They stressed the need for continued sanctions and for improved implementation of the sanctions regime. Some of them highlighted the fact that the actors violating the sanctions were, to a large extent, the same as in the conflict of Sierra Leone, which showed that the situations could not be seen in isolation. They also welcomed the recommendations, specifically the establishment of a system for the certification of diamonds from Angola and the concept of a global certification scheme for rough diamonds; the development of a continuous system of sanctions monitoring; the updating of the list of UNITA leaders and their family members to whom States should refuse entry in their territory; the establishment of effective controls by arms-exporting countries on their exports to conflict areas; and that national standards should be developed to impose sanctions on aircraft operators and pilots linked to the illicit transport of arms.

The representative of France, echoed by the representative of Colombia, stressed that imposing secondary sanctions against countries that were believed to have violated sanctions was the wrong response to a genuine problem, stressing that rather than doling out punishment, States, regional organizations and other actors involved should be assisted in order to implement the measures and to ensure compliance. He added that sanctions, in order to remain relevant and credible and retain their political force, should be used in a limited manner, for cases where there was a threat to the peace, a breach of the peace or an act of aggression. Finally, he put forward two proposals: to launch a plan to create a permanent mechanism for monitoring sanctions and illicit traffic in valuable raw materials involved in conflicts: and to ask States to undertake inquiries, as well as administrative and judicial measures, against the activities of “merchants of war”.<sup>67</sup>

The representative of Colombia commented that the suggestion made by the Mechanism regarding the possibility of imposing sanctions on Governments that violated the sanctions would run the risk of proliferating such measures, operating selectively and

politicizing the sanctions regime. On the technical knowledge required to improve the monitoring of sanctions against UNITA and, more specifically, the need to commission an investigation of the financial assets of UNITA, he expressed concern over the fact that such a study would run the risk of leading the Council to gradually depend on outside bodies to monitor the sanctions regime; and that it might reduce State’s responsibility to carry out its own financial investigations and apply penal or administrative sanctions.<sup>68</sup>

The representative of Mali considered that secondary sanctions against States that violated measures adopted against UNITA should be imposed once other recourses and means had been exhausted.<sup>69</sup> The representative of Norway, on the topic of secondary sanctions, maintained that caution would be exerted since these could only be imposed pursuant to Chapter VII on the grounds that non-compliance with the sanctions regime constituted a threat to international peace and security.<sup>70</sup>

The representative of Mozambique particularly welcomed the Mechanism’s recommendation by which the Security Council should consider applying sanctions against Governments violating the sanctions.<sup>71</sup> The representatives of Mauritius and Argentina commented that the Council should go beyond the “naming and shaming” system to impose appropriate sanctions or other specific measures against those found guilty of complicity in sanctions-busting.<sup>72</sup>

The representative of Canada highlighted the quality of the work “despite the often frustrating disregard for their work by the apparently paralyzed United Nations bureaucracy”, and stressed that the findings of the Monitoring Mechanism were entirely consistent with of the report of the Panel of Experts on Angola. The purpose of sanctions enforcement monitoring was not to punish, he reminded, but rather to ensure that the sanctions were being applied, that behaviour was being changed and that loopholes were being closed; in that respect it was of particular concern that one Member State was cited by both

<sup>67</sup> Ibid., p. 6.

<sup>68</sup> Ibid., pp. 10-12.

<sup>69</sup> Ibid., p. 14.

<sup>70</sup> Ibid., pp. 14-15.

<sup>71</sup> Ibid., pp. 38 and 39.

<sup>72</sup> Ibid., pp. 19-20 (Mauritius); and p. 31 (Argentina).

monitoring bodies, as well as by the Panel of Experts on Sierra Leone. He mention that, in this context, the imposition of secondary sanctions was an entirely appropriate option to consider, even though there were also other options, like requiring States deemed to be in violations of the sanctions to report regularly to the Council on steps taken to comply with them.<sup>73</sup>

The representative of Burkina Faso emphasized the close cooperation his country had provided to the Panel of Experts and the concrete measures taken by his Government. However, he stressed that the suggestion that certain UNITA officials were still in Burkina Faso, remained “in the realm of hypothesis”. He then recalled other measures by his Government to comply with the sanctions against UNITA, and stated that instead of continuing to accuse certain Member States, the Security Council should organize better monitoring of the traffic of diamonds, arms and related materials. Thus, he argued that even though he was not against extending the mandate of the Monitoring Mechanism, other investigations were pointless as long as a permanent international mechanism that could guarantee continuous monitoring for follow-up of sanctions was not set up.<sup>74</sup>

The representative of Togo underlined the actions taken by his Government and questioned some aspects of the report related to Togo, mainly in the points of the representation abroad of UNITA and diamond trade. He emphasized that it was through substantive dialogue and seeking ongoing cooperation with all States that the United Nations would be able to achieve effective implementation of the sanctions imposed by the Council.<sup>75</sup>

The representative of Rwanda commented on the references to Rwanda in the report, asserting that there was only one tangible and verifiable fact, and the rest were partially or fully speculative. He added some specific critiques, such as the reference to the use of the territory of Angola to withdraw troops which, he explained, had been done with the permission of the authorities of Angola. In spite of this, he accepted, supported and endorsed the conclusions and recommendations of the report, and reaffirmed the commitment of Rwanda vis-à-vis the implementation of the sanctions. In particular, he stated that his

Government had taken the decision not to cooperate with anyone believed or found to be a friend of UNITA.<sup>76</sup>

The representative of Angola remarked that sanctions against UNITA had proved to be a fundamental tool to persuade the members of that organization to abandon war, while his Government continued on the path of political and economic reform. He also expressed concern over the involvement of the networks of organized crime operating in direct support of rebels in Angola, stressing that the sanctions should be strengthened and measures against countries that facilitated propaganda in favour of UNITA should be considered. Specifically, he asserted that the Council should contemplate secondary measures against countries or entities that continued to violate the sanctions. He referred to the statement given by the representative of Rwanda, and denied that it was true that there had been any consultation between their two Governments at the time of the transit of the troops of Rwanda through the territory of Angola.<sup>77</sup>

**Decision of 19 April 2001 (4311th meeting):  
resolution 1348 (2001)**

At its 4311th meeting, on 19 April 2001, the Council included in its agenda a note by the President of the Security Council, transmitting an addendum to the final report of the Monitoring Mechanism on Sanctions against UNITA.<sup>78</sup>

In the addendum to the final report, the Mechanism informed Council members that the situation along the border of Angola with Namibia and Zambia remained militarized and unstable; thus, those countries had reached a tripartite agreement aimed at preventing the illegal circulation of people and goods, as well as illegal diamonds, ivory and arms. The Government of Angola had reported that there had been a positive response to the amnesty law of 2000, with many UNITA combatants reportedly taking advantage of the offer. However, the Mechanism noted that UNITA very probably still had vast quantities of arms hidden in the ground all over Angola, enough for it to pursue guerrilla warfare for a long time, a

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<sup>73</sup> Ibid., pp. 23-26.

<sup>74</sup> Ibid., pp. 22-23.

<sup>75</sup> Ibid., pp. 32-34.

<sup>76</sup> Ibid., pp. 42-43.

<sup>77</sup> Ibid., pp. 21, 22 and 43.

<sup>78</sup> S/2001/363; the addendum was submitted in accordance with resolution 1336 (2001).

situation that indicated the need to strengthen the implementation of the sanctions. The report then provided updates on the main issues of arms brokering companies, UNITA representation and travel abroad, the diamond trade and other issues related to sanctions. Regarding the issue of arms brokering companies, the mechanism concluded that the *modus operandi* used by those companies had introduced an element of diversion in order to make it difficult to establish a direct link between suppliers and UNITA. Therefore, it considered that there was an urgent need to tighten the regulations governing the activities and operations of arms-brokering companies, as well as to establish an international register of the dubious companies involved in sanctions-busting. On the subject of diamond trading, the mechanism pointed out that illicit diamonds from Angola were reaching diamond markets regardless of the certificate of origin system, making the tracing of UNITA smuggling more problematic, although some measures had been taken. Many countries had not passed national laws enacting the implementation of resolution 1173 (1998), while others claimed that existing national laws were sufficient for this purpose. Nevertheless, the Mechanism considered that this was patently not the case, although the problem might be more related to local controls than to the laws themselves. Furthermore, for those countries which both enacted laws and strengthened diamond-trading controls, illicit diamonds were still reaching the market due to the clear and major weaknesses in systems for controlling diamond trading. In spite of these difficulties, the Mechanism maintained that the sanctions had driven UNITA diamond trading deeper underground, had made UNITA seek new routes for diamond trading, and had brought about reform of official Angolan diamond trading structures, producing a novel approach to resolving problems on the ground, which should be considered as an option for application in other African diamond mining countries. Finally, the mechanism stated that the United Nations sanctions had provided the impetus for worldwide controls on diamonds — the certificate of origin scheme.

At the same meeting, the representative of Ireland made a statement, during which he read out revisions to the text of the draft resolution before the Council.<sup>79</sup>

<sup>79</sup> S/PV.4311, p. 2.

The President (United Kingdom) drew the attention of the Council to the draft resolution;<sup>80</sup> it was put to the vote and adopted unanimously as resolution 1348 (2001), by which the Council, *inter alia*:

Decided to extend the mandate of the monitoring mechanism for a further period of six months, ending on 19 October 2001;

Requested the monitoring mechanism to report periodically to the Committee established pursuant to resolution 864 (1993), and to provide a supplementary report by 19 October 2001;

Requested the Secretary-General, upon adoption of the resolution and acting in consultation with the Committee, to appoint up to five experts to serve on the monitoring mechanism, and to make the necessary financial arrangements to support the work of the monitoring mechanism;

Requested the Chairman of the Committee established pursuant to resolution 864 (1993) to submit the supplementary report to the Council by 19 October 2001.

**Decision of 20 September 2001 (4377th meeting): statement by the President**

At the 4377th meeting,<sup>81</sup> on 20 September 2001, the President (France) made a statement on behalf of the Council,<sup>82</sup> by which the Council, *inter alia*:

Stated that it remained concerned at the continuing conflict in Angola;

Condemned in the strongest terms the terrorist attacks by UNITA forces on the civilian population of Angola;

Stated that it was determined to keep sanctions in place until it was convinced that the conditions set out in its relevant resolutions were met;

Reiterated its call upon all States to implement strictly the sanctions regime against UNITA and urged them to strengthen, where appropriate, their internal legislation related to application of sanctions measures imposed by the Council;

Supported the intention of the Government of Angola to hold elections as a part of the ongoing democratization process in Angola in conformity with the universally accepted democratic principles and standards;

Stressed the need to create the necessary conditions for elections to be free and fair;

<sup>80</sup> S/2001/379; presidential text proposed by Ireland.

<sup>81</sup> At its 4376th meeting, held in private on 20 September 2001, the Council held a constructive discussion on the item entitled "The situation in Angola", with the participation of the Minister of the Interior of Angola.

<sup>82</sup> S/PRST/2001/24.

Expressed its serious concern about the plight of the Angolan population, particularly the internally displaced persons and, in order to alleviate its suffering, called again upon all parties concerned to facilitate the delivery of emergency relief assistance.

**Decision of 19 October 2001 (4393rd meeting):  
resolution 1374 (2001)**

At its 4393rd meeting, on 19 October 2001, the Council included in its agenda a letter dated 12 October 2001 from the Chairman of the Committee established pursuant to resolution 864 (1993) addressed to the President of the Security Council,<sup>83</sup> transmitting the supplementary report of the Monitoring Mechanism on Sanctions against UNITA, in which the Mechanism, *inter alia*, referred to the military actions undertaken by UNITA, stating that the organization had increased its terrorist attacks on innocent civilians, even though deliveries of arms and ammunition had drastically decreased. Notwithstanding this achievement, cross-border supplies still reached UNITA from the Democratic Republic of the Congo, and there were repeated allegations that that country remained a major transit country for UNITA diamonds. Regarding the issue of UNITA diamonds, the Mechanism established that resolution 1173 (1998) continued to be violated. It expressed concern over the fact that, to that date, not a single parcel of illicit gems from Angola had been intercepted anywhere, even though the primary responsibility for intercepting diamonds mined in defiance of the embargo lied with States. The Mechanism suggested general measures to improve the effectiveness of the sanctions, like the establishment of a permanent capability of the Security Council to ensure ongoing monitoring of targeted sanctions and illicit trafficking in high-value commodities in armed conflicts.

At the meeting, the President (Ireland) drew the attention of the Council to a draft resolution;<sup>84</sup> it was put to the vote and adopted unanimously as resolution 1374 (2001), by which the Council, *inter alia*:

Decided to extend the mandate of the monitoring mechanism for a further period of six months, ending on 19 April 2002;

Requested the monitoring mechanism to report periodically to the Committee established pursuant to resolution

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<sup>83</sup> S/2001/966; the report was submitted in accordance with para. 6 of resolution 1348 (2001).

<sup>84</sup> S/2001/985.

864 (1993), and to provide an additional report by 19 April 2002;

Requested the Secretary-General to appoint four experts to serve on the monitoring mechanism and to make the necessary financial arrangements to support the work of the monitoring mechanism;

Requested the Chairman of the Committee established pursuant to resolution 864 (1993) to submit the additional report to the Council by 19 April 2002.

**Deliberations of 15 November 2001  
(4418th meeting)**

At the 4418th meeting, on 15 November 2001, statements were made by most members of the Council, including the Russian Federation on behalf of the troika of observer States and Belgium on behalf of the European Union,<sup>85</sup> as well as the representatives of Angola, Belgium, Brazil, Canada, Cape Verde, Malawi, Namibia and Zimbabwe. The Council also heard a briefing by the Under-Secretary-General and Special Adviser of the Secretary-General on Africa.

In his briefing, the Under-Secretary-General and Special Adviser on Africa updated the Council on the situation, noting that continued guerrilla attacks by UNITA and counteroffensives by Government troops continued to aggravate the already dire humanitarian situation in Angola. On the status of the peace process, he stated that the Government of Angola had recently reaffirmed its commitment to the Lusaka Protocol, while UNITA requested the Church to continue its search for peace and national reconciliation, and reiterated its interpretation of the Lusaka Protocol, even though he underlined that many of the specific proposals emanating from the communications of UNITA appeared to lie outside the framework of that Protocol. He also called attention to the situation along the Angola-Zambia border area, which remained unstable.<sup>86</sup>

Most representatives held UNITA and Jonas Savimbi primarily responsible for the failure to implement the Lusaka Protocol and the continued fighting in Angola; reaffirmed that the Lusaka Protocol

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<sup>85</sup> Bulgaria, Cyprus, the Czech Republic, Estonia, Hungary, Iceland, Latvia, Lithuania, Malta, Poland, Romania, Slovakia, Slovenia and Turkey aligned themselves with the statement. The representative of the United States did not make a statement. Angola was represented by its Minister for Foreign Affairs.

<sup>86</sup> S/PV.4418, pp. 2-3.

remained the only viable basis for a lasting peaceful political settlement of the conflict; and considered that there was no military solution to the conflict. Likewise, most representatives supported the measures taken by the Government of Angola regarding elections, an amnesty law, the creation of a peace fund, and the efforts of the civil society and the churches to alleviate humanitarian situation and facilitate national reconciliation. They also stated that the sanctions regime should be maintained, that efforts should be made to improve its effectiveness, and the recommendations made in the Monitoring Mechanism report should be urgently considered by the Council.

The representative of Angola informed Council members of the recent efforts made by his Government to restore peace and stability to Angola through, inter alia, engaging in dialogue with civil society and churches, as well as forceful measures to disarm UNITA and extend Government authority throughout Angola. He also noted the effectiveness of sanctions, but regretted that some Member States were not fully complying with the sanctions resolutions, highlighting that the obligations resulting from the Security Council resolutions prevailed over any other obligation to which the Member States might be subject by virtue of any treaty or international agreement.<sup>87</sup>

The representative of Ireland suggested that the Government of Angola should remain open to the possibility that UNITA could change course, in spite of which he maintained that the obligation and responsibility to take a new course lay entirely in the hands of UNITA.<sup>88</sup> However, the representative of Ukraine underlined that the resumption of dialogue with UNITA should not mean a renegotiation of the Lusaka Protocol.<sup>89</sup>

The representative of Singapore stressed that it was necessary to look at how they could combine the pressure of sanctions with other approaches to bring about national reconciliation and peace in Angola. He considered that the most important reconciliation that had to take place was that between the two major antagonists, who had not engaged in direct dialogue.<sup>90</sup>

The representative of Malawi said that he shared the growing disillusionment with the apparent

inadequacy so far of any measures by the Security Council to rein in UNITA. He stated that UNITA's attacks against unarmed civilian population were also proof that the sanctions regime against UNITA at that time was seriously ineffectual. There was still a need, he added, for an urgent shift towards criminalization of the atrocities of UNITA, within the context of the existing international legal regime for crimes against humanity.<sup>91</sup> Similarly, the representative of Mauritius deemed that it was time for the Council to declare the head of UNITA, Mr. Savimbi, a war criminal. He also stated that he did not share the view that resolution 1127 (1997) was incompatible with some regional treaties and called on the concerned countries to take the necessary steps to ensure its effective implementation.<sup>92</sup>

The representatives of Namibia and Zimbabwe expressed support for a further strengthening of sanctions, particularly through measures in the telecommunications area, since UNITA conducted its propaganda using electronic technology.<sup>93</sup> The representative of Canada stated that his country was encouraged by the fact that more Member States were providing assistance to the Mechanism. In particular, he encouraged the States that hosted bank accounts, residential property and business of the high authorities of UNITA to cooperate with the Mechanism and freeze their assets.<sup>94</sup>

**Decision of 15 November 2001 (4419th meeting): statement by the President**

At the 4419th meeting, on 15 November 2001, the President (Jamaica) made a statement on behalf of the Council,<sup>95</sup> by which the Council, inter alia:

Remained deeply concerned about the ongoing conflict in Angola;

Held Mr. Jonas Savimbi and the armed faction of UNITA primarily responsible for the failure to implement the Lusaka Protocol;

Reaffirmed that the Lusaka Protocol remained the only viable basis for a political settlement of the conflict in Angola; reiterated its call on Member States to comply fully with the implementation of the sanctions regime against UNITA;

<sup>87</sup> Ibid., pp. 4-5.

<sup>88</sup> Ibid., p. 6.

<sup>89</sup> Ibid., p. 9.

<sup>90</sup> Ibid., p. 19.

<sup>91</sup> Ibid., p. 21.

<sup>92</sup> Ibid., p. 12.

<sup>93</sup> Ibid., pp. 22-24 (Namibia); and pp. 28-30 (Zimbabwe).

<sup>94</sup> Ibid., pp. 27-28.

<sup>95</sup> S/PRST/2001/36.

Supported the Government of Angola in its efforts to implement the Lusaka Protocol including through the Fund for Peace and National Reconciliation;

Supported the intention of the Government to hold free and fair elections when appropriate conditions were in place.

**Deliberations of 21 December 2001  
(4444th meeting)**

At its 4444th meeting, on 21 December 2001, the Council heard a briefing by the Under-Secretary-General and Special Adviser on Africa, following which statements were made by all members of the Council.

In his briefing, the Under-Secretary-General and Special Adviser on Africa informed the Council on his visit to Angola where he met with, *inter alia*, the Government, political parties, and national and international non-governmental organizations, on ways to accelerate the peace process in Angola within the framework of the Lusaka Protocol, as well as to improve the humanitarian situation. He asserted that progress was being made on all fronts, and reiterated that following the fundamentals of United Nations policy in Angola, there could be no military solution to the conflict. He underlined that sanctions against UNITA were an important instrument for bringing pressure on them to embrace the political process. He also reiterated that support for the participation of the civil society in the peace process was essential and that the Government should be encouraged to implement programmes of political and economic reforms. He commented, in particular, on the progress towards the national elections and the humanitarian situation. Regarding the peace process, he informed the Council that there was a convergence of opinion among the people consulted that the United Nations should play a more proactive role in the peace process. He also noted the belief of the Government that the military capacity of UNITA had been almost totally destroyed, even though it was still capable of conducting attacks of terror. In the meantime, UNITA parliamentarians reiterated the organization's commitment to peace within the Lusaka Protocol, which, they believed, should be implemented with the necessary adjustments in accordance with the 12-point peace plan that UNITA had communicated to the United Nations. They had also emphasized that the final decision in this matter still lay with UNITA leadership headed by Mr. Savimbi. Finally, on the topic of the collection and destruction of weapons, he reported to the Council that

the Government had indicated that the United Nations should assume responsibility for this task, but he noted that this would require an adjustment to the mandate and capacity of the United Nations Office in Angola.<sup>96</sup>

Most representatives expressed satisfaction over the strengthening of relations between the United Nations and the Government of Angola, and the invitation to the United Nations to become more involved in the peace process, as well as the growing participation of the civil society in the peace process and the efforts of the Government in relation to the humanitarian assistance of the population. However, on the last issue, most of the representatives expressed that the overall humanitarian situation was still a concern. Speakers also commented that the peace process could not progress unless there was real dialogue between the parties, under the Lusaka Protocol and United Nations resolutions.

The representative of the United States maintained that UNITA lacked the political will to begin a serious political dialogue. Until that will was shown, the Council should focus on the steps that the United Nations could take to improve the lives of the people in Angola.<sup>97</sup>

**Deliberations of 13 February 2002  
(4472nd meeting)**

At the 4472nd meeting, on 13 February 2002, most members of the Council made statements, as did the representative of Angola and the representative of Portugal on behalf of the troika of observer States of the Angolan peace process. The Council heard a briefing by the Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator, and the Humanitarian Coordinator for Angola.<sup>98</sup>

In his briefing, the Under-Secretary-General gave the Council an account of the humanitarian situation in Angola which, he said, had its roots in the war and remained among the worst in the world in relation, *inter alia*, to the situation of children and displaced population. Moreover, UNITA had continued activities that destabilized large parts of the countryside and

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<sup>96</sup> S/PV.4444, pp. 2-5.

<sup>97</sup> *Ibid.*, p. 15.

<sup>98</sup> The representatives of China, the Russian Federation and the United States did not make statements. Angola was represented by its Vice-Minister for External Relations.

disrupted normal economic and social activities. He explained that humanitarian coverage was limited by a number of factors, including insecurity, mine infestation, poor infrastructure, lack of capacity, and lack of funding. However, he noted, the Government of Angola had taken several steps to increase its involvement in the provision of humanitarian assistance; was the leading country in incorporating the Guiding Principles on Internal Displacement; and had increased its cooperation with the humanitarian community. Finally, he remarked that the real solution to the humanitarian crisis in Angola was the end of the war.<sup>99</sup>

Most representatives expressed concern over the humanitarian situation in Angola, particularly since the situation had deteriorated during 2001. They emphasized that the responsibility for this rested with UNITA, and that the situation required the concentrated attention of both the international community and the Government of Angola. However, they acknowledged the important efforts carried out by the Government.

The representative of Angola recognized the seriousness of the humanitarian situation in the country, and outlined the points the Government believed were essential for the achievement of peace, namely the unilateral and unconditional cessation of hostilities by UNITA and its complete disarmament; the resolution of the internal problems of UNITA by the group itself; the complete implementation of the Lusaka Protocol and the holding of general elections. Noting that UNITA had failed to respond to the calls of the Government for a resolution to the conflict by means of dialogue, he stressed that the Government had been forced to implement its peace agenda, which provided for political, economic, social and military actions. Turning to the humanitarian situation in the country, he focused the attention of the Council on the major constraints facing the Government and its partners, while also outlining the measures taken by the Government to improve the quality and quantity of humanitarian assistance throughout the country.<sup>100</sup>

The representative of Norway stressed that it was necessary that the Government elaborated an agreed

monitoring mechanism for the implementation of priority actions set out by the Government.<sup>101</sup>

The representative of Colombia pointed out that the tools available to the Security Council to respond to the humanitarian situation in Angola (in the medium and long term) were to focus attention on the situation with urgency; to continue supporting the initiatives of the Secretary-General and the Under-Secretary-General and Special Adviser on Africa aimed at facilitating a solution to the armed conflict; and to continue supporting the international sanctions regime against UNITA until its fighting capability had been curbed and eliminated.<sup>102</sup>

The representative of Portugal stated that the Government of Angola could do more to help its own citizens who were displaced, and encouraged it to take a more active stance in the provision of direct assistance and to fully cooperate in the efforts of the international community to alleviate the suffering of those who were not receiving the necessary assistance.<sup>103</sup>

**Decision of 28 March 2002 (4499th meeting):  
statement by the President**

At the 4499th meeting, on 28 March 2002, the President (Norway) made a statement on behalf of the Council,<sup>104</sup> by which the Council, *inter alia*:

Urged UNITA to recognize the historic nature of this opportunity to end the conflict with dignity, to give a clear, positive response to the Government's offer of peace, to implement fully the Lusaka Protocol, including by disavowing the use of arms and demilitarizing completely, and to re-enter political life to pursue its ideals as an important contributor to the process of national reconciliation towards a fully democratic Angola;

Recognized the positive initiatives of the Government of Angola in this process;

Also recognized the vital role to be played by a peaceful UNITA and stressed the importance of the role of other political parties and civil society;

Called on the Government of Angola to ensure further the transparency and credibility of the peace process;

Stressed the active role that the United Nations was expected to play in the implementation of the Lusaka Protocol;

<sup>99</sup> S/PV.4472, pp. 2-4.

<sup>100</sup> *Ibid.*, pp. 5-7.

<sup>101</sup> *Ibid.*, p. 11.

<sup>102</sup> *Ibid.*, p. 12.

<sup>103</sup> *Ibid.*, p. 19.

<sup>104</sup> S/PRST/2002/7.

Declared its support for the full implementation of the Lusaka Protocol, and its willingness to work with all parties in this endeavour, and stressed the importance of the re-commencement of the Joint Commission as soon as UNITA was ready to name its members;

Underlined that the legitimacy of the peace process depended upon a genuine role for, and full participation of, political parties and civil society without interference.

**Decision of 18 April 2002 (4514th meeting):  
resolution 1404 (2002)**

At the 4514th meeting, on 18 April 2002, the President (Russian Federation) drew the attention of the Council to a draft resolution;<sup>105</sup> it was put to the vote and adopted unanimously as resolution 1404 (2002), by which the Council, *inter alia*:

Decided to extend the mandate of the monitoring mechanism for a further period of six months, ending on 19 October 2002;

Requested the monitoring mechanism to provide the Committee established pursuant to resolution 864 (1993) within 30 days of the adoption of the resolution with a detailed action plan for its future work, in particular, but not exclusively, on the financial measures and on the measures concerning the trade in diamonds and the trade in arms against UNITA;

Requested the monitoring mechanism to report periodically to the Committee and to provide a further additional report to the Committee by 15 October 2002;

Requested the Secretary-General, upon adoption of the resolution and acting in consultation with the Committee, to appoint four experts to serve on the monitoring mechanism, and further requested the Secretary-General to make the necessary financial arrangements to support the work of the monitoring mechanism;

Requested the Chairman of the Committee to submit the additional report to the Council by 19 October 2002;

Decided to remain actively seized of the matter.

**Deliberations of 23 April 2002 (4517th meeting)**

At its 4517th meeting, on 23 April 2002, the Council heard a briefing by the Under-Secretary-General and Special Adviser for Special Assignments in Africa and a statement made by the representative of Angola.

In his briefing, the Under-Secretary-General referred to meetings he had in Luanda with, *inter alia*, members of the Government of Angola, including the

President, as well as political parties and civil society. He informed the members of the Council about the signing of the Memorandum of Understanding in Luanda, which formally brought a halt to the hostilities in Angola: it detailed the responsibilities of the armed forces of Angola and those of UNITA for the observation of a ceasefire, for quartering UNITA soldiers and their families, and for the collection and destruction of weapons. In addition, it granted a blanket amnesty for all crimes committed during the conflict. He had pledged the support of the United Nations in the entire peace process, according to his statement, even though in signing the Memorandum of Understanding on behalf of the United Nations as witness, he had expressed a reservation concerning the non-recognition by the United Nations of any general amnesty that included genocide, crimes against humanity and war crimes. That had created some apprehension in UNITA, some people in the armed forces of Angola, and some segments of civil society who felt that the position might undermine the peace process by negating the provision of the amnesty law. Concerning the stability of the peace agreement, he asserted that the people with whom he had had consultations believed that the chances of returning to war in Angola were very negligible, given the military debility of UNITA; the effectiveness of United Nations sanctions, which had been recognized by the Secretary-General of UNITA; the war fatigue on both sides of the conflict and in the general population; the adherence of all UNITA regional military commanders to the Memorandum of Understanding; and the physical presence in Luanda of UNITA senior military officers. However, the irreversibility of the peace process, would depend on a number of elements, such as the adequate quartering of UNITA soldiers; the attention to the humanitarian needs of their families; the promotion of national reconciliation and national reconstruction; the emergence of UNITA as a united political party and as a credible interlocutor in the peace process and democratization in Angola. Regarding the role of the United Nations within the peace process, which was organized in two phases (the implementation of the Memorandum of Understanding, and the Lusaka Protocol), the organization was expected to participate in the first one as observer, to provide technical assistance in the quartering areas, to assist the armed forces of Angola in managing these areas, and to provide humanitarian assistance to the families of UNITA military forces and to the internally displaced persons. The Government had agreed in principle that the mandate of the United Nations Office in Angola

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<sup>105</sup> S/2002/437.

needed adjustment in order to allow it to support the peace plan. On the issue of sanctions, he declared that there was an apparent consensus within the country that, while the suspension of the travel ban on UNITA officials would be in order, it was premature at that point to talk about the lifting of other sanctions. The Government of Angola accepted in principle the lifting of the travel ban against UNITA officials, but had expressed the view that great caution was needed in implementing it and that, in this regard, a case-by-case approach was to be preferred.<sup>106</sup>

The representative of Angola informed Council members that, at that moment, there had been no violations of the ceasefire. He elaborated on the different phases of the implementation of the Memorandum of Understanding, the first of which comprised the quartering, disarmament, integration and demobilizations of UNITA combatants and their families. In phase two, the joint commissions to oversee the implementation of the Lusaka Protocol would be reinstated, enabling the process of national reconciliation and leading to national elections.<sup>107</sup>

**Decision of 17 May 2002 (4536th meeting):  
resolution 1412 (2002)**

At the 4536th meeting, on 17 May 2002, the President (Singapore) drew the attention of the Council to a letter dated 26 April 2002 from the representatives of Portugal, the Russian Federation and the United States transmitting a joint statement of the observer countries of the Angolan peace process.<sup>108</sup> By the statement, the troika praised the courage of all parties for reaching the ceasefire agreement, and welcomed the intention of the Government to provide conditions which would permit UNITA to resolve its problems, internally and freely.

At the same meeting the President drew the attention of the Council to a draft resolution;<sup>109</sup> it was put to the vote and adopted unanimously as resolution 1412 (2002), by which the Council, inter alia:

Decided that the measures imposed by paragraphs 4 (a) and 6 (b) of Council resolution 1127 (1997) were suspended for 90 days;

<sup>106</sup> S/PV.4517, pp. 2-5.

<sup>107</sup> Ibid., pp. 5-7.

<sup>108</sup> S/2002/535.

<sup>109</sup> S/2002/546, submitted by Portugal, the Russian Federation and the United States.

Decided that prior to the end of that period the Council would decide whether to extend the suspension of those measures, taking into account all available information on the continuing progress of national reconciliation in Angola.

**Deliberations of 17 July 2002 (4575th meeting)**

At its 4575th meeting, on 17 July 2002, the Council heard a briefing by the Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator on the humanitarian situation in Angola. Most members of the Council, as well as the representative of Angola, made statements.<sup>110</sup>

In his briefing, the Under-Secretary-General stated that the Government of Angola, as well as the United Nations and its partners, had a unique opportunity to create a new partnership to address humanitarian needs, reconstruction and development issues. He also commented that the Government was working hard to make the agreement set out in the Memorandum of Understanding hold. He made a call to the humanitarian community which, would have to continue with massive lifesaving interventions for the short term because, even though there had been improvements in humanitarian access to many locations in the interior, the humanitarian situation in many parts of the country continued to be dire. In this respect, he also mentioned that there were a number of steps the Government could take on its own to facilitate the ongoing humanitarian activities, adding that improving coordination with the Government was a problem that needed to be addressed.<sup>111</sup>

Most representatives commended the Government of Angola for having taken positive steps to meet the humanitarian needs of the country; however, they underlined that more had to be done, particularly in the issues of mine clearance and attention to the displaced population. The speakers emphasized that special support was needed from the international community.

The representative of Angola referred to the issue of burden sharing, which had been raised by Council members who had noted the large oil revenues that Angola had. He recalled that that the Government of Angola had increased the share of the budget allocated for spending on social programmes during the past two

<sup>110</sup> The representatives of Guinea, the Russian Federation and Singapore did not make statements.

<sup>111</sup> S/PV.4575, pp. 2-5.

years, even though he acknowledged that that trend should be reinforced.<sup>112</sup>

**Decision of 15 August 2002 (4603rd meeting):  
resolution 1432 (2002)**

At the 4603rd meeting,<sup>113</sup> on 15 August 2002, the President (United States) drew the attention of the Council to a draft resolution;<sup>114</sup> it was then to the vote and adopted unanimously as resolution 1432 (2002), by which the Council, *inter alia*:

Decided to suspend the measures imposed by paragraphs 4 (a) and (b) of resolution 1127 (1997) for an additional period of 90 days from the date of adoption of the resolution, with a view to encouraging further the peace process and national reconciliation in Angola;

Decided that, prior to the end of the period, the Security Council might consider reviewing the measures referred to in paragraph 1, taking into account all available information, including from the Government of Angola, on the implementation of the peace accords;

Decided to remain actively seized of the matter.

**Decision of 15 August 2002 (4604th meeting):  
resolution 1433 (2002)**

At its 4604th meeting, on 15 August 2002, the Council included in its agenda the report of the Secretary-General on Angola dated 26 July 2002.<sup>115</sup> In his report, the Secretary-General provided an overview of the developments leading to the signing of the Memorandum of Understanding. He recalled that in December 2002 the Government of Angola had asked the United Nations to resume its role as mediator and to re-establish contact with UNITA in support of efforts to find a political settlement to the conflict. Contacts with UNITA leaders outside the country had resulted in expressions of commitment to the Lusaka Protocol. Then, on 22 February, Jonas Savimbi was killed in combat, and the Angolan armed forces quickly established contacts with their counterparts in UNITA with a view to achieving a cessation of hostilities. The

first official contact between commanders of UNITA and the Angolan armed forces had taken place on 15 March 2002 and on 4 April they had signed a Memorandum of Understanding on the cessation of hostilities. He explained that the Memorandum of Understanding was intended to replace the Lusaka Protocol with regard to its military aspects, while the Joint Military Commission was reinstated as the main body supervising the implementation of the Memorandum of Understanding, supported by a Technical Group composed of members of the Angolan armed forces and UNITA forces, as well as observers from the United Nations and the troika. The second phase of the peace process would include the re-establishment of the Joint Commission, to be chaired by the United Nations, in order to implement the outstanding political issues in the Lusaka Protocol. He also informed the Council that, since the signing of the Memorandum of Understanding, fighting had stopped in the entire country and no violations of the ceasefire had been reported, and numerous members of UNITA military personnel and their families had arrived in quartering areas. The Secretary-General underlined the challenges for the consolidation of peace in Angola, in its political-security aspects and with regard to human rights, protection and rehabilitation of children, and humanitarian affairs. As for the role of the United Nations in supporting the consolidation of peace, the promotion of national reconciliation and a transition to normalcy in Angola, he said that the Organization would enhance its presence and step up its operations throughout the country in a comprehensive manner by phases: the initial focus would be on the continuing delivery of urgently needed humanitarian assistance throughout the country, and the long-term aim would be to assist the process of reconciliation and economic recovery through peacebuilding. To implement this plan, a new mission would need to be established to succeed the United Nations Office in Angola with an expanded mandate that would include liaising with the parties through the Joint Military Commission and the Technical Group, providing advice on the quartering, demobilization and reintegration process, if requested by the Government, chairing the Joint Commission, assisting in the development of strategies to consolidate peace and providing assistance for the building of institutions in support of the rule of law and to assist in the promotion of human rights.

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<sup>112</sup> *Ibid.*, pp. 5-7.

<sup>113</sup> At its 4595th meeting, held in private on 7 August 2002, the Council heard briefings by the Vice-Minister for External Relations of Angola and the Under-Secretary-General and Special Adviser for Special Assignments in Africa.

<sup>114</sup> S/2002/934.

<sup>115</sup> S/2002/834, submitted pursuant to resolution 1294 (2000).

At the same meeting, the President (United States) drew the attention of the Council to a draft resolution;<sup>116</sup> it was put to the vote and adopted unanimously as resolution 1433 (2002), by which the Council, *inter alia*:

Authorized the establishment of, as a follow-on mission to the United Nations Office in Angola, the United Nations Mission in Angola for a period of six months until 15 February 2003, to pursue the objectives and perform the tasks recommended by the Secretary-General in his report and reflected in paragraph 3 of the resolution, and expressed its intention, in determining whether to extend, adjust or curtail the mission, to take into account the recommendations of the Secretary-General based on his Special Representative's assessment of progress in completing the Lusaka Protocol;

Endorsed the staffing of the Mission as appropriate and as recommended by the Secretary-General in his report, including the recommendation for a Child Protection Adviser, with the following mandate: to assist the parties in concluding the Lusaka Protocol; to assist the Government of Angola in undertaking tasks;

Requested the Secretary-General to report to the Security Council when his Special Representative confirmed that the Joint Commission had determined that all remaining tasks under the Lusaka Protocols had been completed; and decided to remain actively seized of the matter.

**Decision of 18 October 2002 (4628th meeting):  
resolution 1439 (2002)**

At the 4628th meeting, on 18 October 2002, the President (Cameroon) drew the attention of the members of the Council to a letter dated 14 October 2002 from the Chairman of the Committee established pursuant to resolution 864 (1993),<sup>117</sup> transmitting the additional report of the Monitoring Mechanism on Sanctions against UNITA.

In its report, the Monitoring Mechanism stated that the pattern of widespread and flagrant violations had changed given that a number of individuals, as well as industry and government officials who aided and abetted UNITA, were no longer active. In spite of these improvements, and even though the military wing of UNITA had turned over huge quantities of weapons to the Government during the demilitarization process, considerable amounts of arms remained unaccounted for. On top of this, UNITA was still believed to be in possession of stashes of illicit diamonds that had been

neither located nor accounted for, and a significant number of UNITA members who played vital roles in the illicit procurement of arms, smuggling of diamonds and propaganda had not yet explicitly indicated their intention to join the peace process. The report of the Mechanism also included a brief summary of the data on arms surrendered by UNITA during the demobilization. From this information, it concluded that during the past two years there had been a clear disruption in the ability of UNITA to purchase weapons and it had experienced severe shortages of supplies. Nonetheless, the Mechanism considered that the problem of cross-border illicit circulation of firearms between the Democratic Republic of the Congo, Namibia and Zambia constituted a threat, and therefore post-conflict programmes should include specific measures aimed at properly dealing with that phenomenon. Regarding the diamond component of the sanctions regime, the Mechanism, *inter alia*, asserted that the lack of transparency in any centre, except Belgium, and the legal requirements of commercial confidentiality in diamond centres had made the task of gathering evidence, and substantiating the often detailed information available, "close to impossible". On the remaining capacity of UNITA to violate the diamond embargo, the Mechanism indicated that UNITA had continued to mine until the effective end of the war in 2002 and that there was evidence that suggested that its troops had carried out mining-related activities.

At the same meeting, the President drew the attention of the Council to a draft resolution submitted by Bulgaria, France, Ireland, Norway, the United Kingdom and the United States;<sup>118</sup> it was put to the vote and adopted unanimously as resolution 1439 (2002), by which the Council, *inter alia*:

Decided to extend the mandate of the monitoring mechanism for a further period of two months, ending on 19 December 2002, subject to review by the Council;

Requested the monitoring mechanism to provide the Committee established pursuant to resolution 864 (1993) within 10 days of the date of adoption of the resolution with an action plan for its future work;

Requested the Secretary-General, upon adoption of the resolution and acting in consultation with the Committee to appoint two experts to serve on the monitoring mechanism, and further requested the Secretary-General to make the necessary

<sup>116</sup> S/2002/936.

<sup>117</sup> S/2002/1119; the report was submitted pursuant to paragraph 5 of resolution 1404 (2002).

<sup>118</sup> S/2002/1168.

financial arrangements to support the work of the monitoring mechanism;

Decided that the provisions of paragraph 4 (a) and 4 (b) of resolution 1127 (1997) should cease to have effect from 00:01 Eastern Standard Time on 14 November 2002, following the expiration of the suspension of the measures as set out in paragraph 1 of resolution 1432 (2002);

Decided to review, with a view to the possible lifting of, all the measures in resolutions 864 (1993), 1127 (1997) and 1173 (1998) by 19 November 2002, including from the Government of Angola and all other parties involved, on the implementation of the peace accords.

**Decision of 9 December 2002 (4657th meeting):  
resolution 1448 (2002)**

At the 4657th meeting, on 9 December 2002, the President (Colombia) drew the attention of the Council to the draft resolution;<sup>119</sup> it was put to the vote and adopted unanimously as resolution 1448 (2002), by which the Council, *inter alia*:

Decided that the measures imposed by Council resolutions 864 (1993), 1127 (1997) and 1173 (1998) should cease to have effect from the date of adoption of the resolution;

Decided further to dissolve the Committee established by paragraph 22 of resolution 864 (1993) with immediate effect;

Decided to request that the Secretary-General close the United Nations Trust Fund established by resolution 1237 (1999) and to make the necessary arrangements to reimburse Member States that had provided voluntary contributions.

**Deliberations of 17 December 2002  
(4671st meeting)**

At its 4671st meeting, on 17 December 2002, the Council included in its agenda the interim report of the Secretary-General dated 12 December 2002 on the United Nations Mission in Angola.<sup>120</sup> The Special Representative of the Secretary-General for Angola and Head of the Mission briefed the Council.

In his interim report, the Secretary-General informed Council members of the latest developments in Angola since the end of the armed conflict, including the signing of the Memorandum of Commitment, the efforts of UNITA to unite and transform itself into a political party, and the completion of the work of the Joint Commission. In conclusion, the Secretary-General stated that, after 27 years of war, there were at last real prospects for lasting peace in Angola. The challenges were still considerable, however, and the support of the United Nations and the international community needed to be accompanied by the strong will of the Government of Angola to establish transparent and accountable governmental institutions across the board. He underlined that, while significant progress had been made on the political track, the major remaining challenges were in the humanitarian and development sectors.

In his briefing, the Special Representative indicated that it had successfully initiated activities in nearly all the areas mandated to it. In the effort to establish the United Nations Mission in Angola as an integrated and coordinated mission, numerous initiatives were promoted, which had provided an integrated strategy for United Nations activities in Angola. On the issue of the sanctions, he reported that the decision taken by the Council to lift them had been welcomed by both UNITA and the Government. Regarding the humanitarian situation, on the other hand, he asserted that it remained extremely difficult, with a need to concentrate on the process of resettlement of ex-combatants and their families, as well as internally displaced persons and refugees from neighbouring countries. However, some progress had been made and since 2002 the humanitarian operation had doubled in size.<sup>121</sup>

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<sup>121</sup> S/PV.4671, pp. 2-5.

<sup>119</sup> S/2002/1331.

<sup>120</sup> S/2002/1353, submitted pursuant to resolution 1433 (2002).