

The representative of Egypt stated that since the adoption of resolution 1054 (1996) in April, and despite the fact that it imposed limited diplomatic measures to compel the Sudan to comply with the demands of the international community, the Sudan had persisted in its attempts to avoid complying with the Security Council's requests. He informed the Council that at the time of the meeting of the Presidents of Egypt and the Sudan at the Arab summit, Egypt had thought that the Sudan had the political will expected of it by the international community and had accepted the request of the Sudan to open a channel of communication between the countries' security authorities. Unfortunately they had later realized that the Sudan's aim was not to enter into a dialogue, but rather to try to take advantage of Egypt's assent to starting that dialogue to give the false impression to the international community that the Sudan was doing

what was expected of it. He stated that resolution 1070 (1996) was a "mere wake-up call" addressed to the Sudan, which said that it must cooperate with the Council and with the concerned countries in order to comply with the requests of the Council. He reiterated that Egypt found it unacceptable to be behind anything that affected the interests of the Sudanese people, added to their economic suffering in their daily life or harmed the Sudan's territorial integrity. He called on the Sudan to take advantage of the grace period given it by the Council until the middle of November 1996, to translate "sweet talk into proper action". He expressed his hope that the coming period would witness positive developments, in terms of the extradition of the suspects, the provision of any information the Sudan had about them and the severance of all ties with terrorist organizations so that the interests of the people of the Sudan would not suffer.<sup>61</sup>

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<sup>61</sup> Ibid., pp. 14-15.

## 10. The situation in the Great Lakes region

### Initial proceedings

#### **Decision of 1 November 1996 (3708th meeting): statement by the President**

By letters dated 14 October and 24 October 1996, respectively, addressed to the President of the Security Council,<sup>1</sup> the Secretary-General informed the Council of the outbreak of hostilities and worsening situation in eastern Zaire. In South Kivu, hostilities had broken out in the region of the Banyamulenge, who spoke the language of Rwanda and included both Hutus and Tutsis, though the majority were Tutsis. They were already settled in this area when Zaire became independent in 1960. In 1972, like all persons living within Zaire's borders, they were granted Zairian nationality. However, a nationality law of 1981 subsequently withdrew this status from them but the law had not been enforced until the early months of 1996. Pressure on the Banyamulenge to leave Zaire and move to Rwanda had resulted in escalating hostilities between the Zairian armed forces and Tutsi groups, attacks on refugee camps and escalating tensions between Rwanda and Zaire, including cross-border

exchanges of heavy weapons fire and mutual accusations between the two Governments. The result was that the humanitarian situation had further worsened. An estimated 300,000 people were on the move in the Uvira and Bukavu regions of Zaire, bordering Rwanda and Burundi, in the face of intensified fighting. Those on the move included the 220,000 refugees — 143,000 from Burundi and 75,000 from Rwanda — who had fled camps over the weekend of 19-20 October 1996. He had come to the conclusion that the deteriorating situation required him to offer his good offices to assist the Government of Zaire in addressing the political and security aspects of the problems in the eastern part of the country because of the threat they presented to peace and the security in the region and also because it could have a negative impact on the efforts already launched by the United Nations, at that Government's request, to provide assistance to the elections planned for 1997. He stated that once again the failure to address the root causes of the conflicts in the region of the Great Lakes, in political and economic as well as security terms, had

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<sup>1</sup> S/1996/875 and S/1996/878, respectively.

unleashed a spiral of violence and human suffering that might spin out of control unless urgent measures were taken immediately to contain the situation.

At its 3708th meeting, held on 1 November 1996 in accordance with the understanding reached in its prior consultations, the Security Council included in its agenda the letters from the Secretary-General and the item entitled "The situation in the Great Lakes region". The President (Indonesia) then invited the representative of Zaire at his request, to participate in the discussion without the right to vote.

At the same meeting the President called the attention of the members of the Council to a letter dated 23 October 1996 from the representative of Rwanda addressed to the President of the Security Council, transmitting a short synopsis of the historical background of the Banyamulenge people in Zaire and the current events which had led to the crisis in eastern Zaire,<sup>2</sup> and a letter dated 25 October 1996 from the representative of Ireland addressed to the president of the Security Council, transmitting a declaration which was issued by the European Union on the situation in South Kivu.<sup>3</sup> The President also called attention to his letter dated 25 October 1996 addressed to the Secretary-General,<sup>4</sup> informing him that the situation in Zaire had been brought to the attention of the Security Council and that they supported the sending of a good offices mission to Zaire.

At the same meeting, the President made the following statement on behalf of the Council:<sup>5</sup>

The Security Council is gravely concerned at the deteriorating situation in the Great Lakes region, in particular eastern Zaire, and at the effect of the continued fighting on the inhabitants of the region, and it condemns all acts of violence. It underlines the urgent need for a comprehensive and coordinated response by the international community to prevent any further escalation of the crisis there.

The Council calls for an immediate ceasefire and a complete cessation of all fighting in the region. The Council calls upon all States to respect the sovereignty and territorial integrity of neighbouring States in accordance with their obligations under the Charter of the United Nations. In this connection, it urges all parties to refrain from the use of force as

well as cross-border incursions and to engage in a process of negotiation.

The Council, in the light of the letters from the Secretary-General to the President of the Council and the information received from the United Nations High Commissioner for Refugees and the Assistant Secretary-General for Human Rights regarding the situation in eastern Zaire, is particularly concerned at the humanitarian situation and the resulting large-scale movements of refugees and displaced persons. It fully supports the efforts of the High Commissioner and humanitarian agencies to alleviate the suffering. It calls upon all parties in the region to allow humanitarian agencies and non-governmental organizations to deliver humanitarian assistance to those in need and to ensure the safety of all refugees as well as the security and freedom of movement of all international humanitarian personnel. It underlines the urgent need for the orderly voluntary repatriation and resettlement of refugees and the return of displaced persons, which are crucial elements for the stability of the region.

The Council agrees with the Secretary-General that the situation in eastern Zaire constitutes a serious threat to the stability of the Great Lakes region. It is convinced that the complex problems at issue can only be resolved through early and substantive dialogue. The Council urges the Governments of the region to pursue such a dialogue without further delay in order to defuse the tension. The Council calls upon all States in the region to create the conditions necessary for the speedy and peaceful resolution of the conflict and to desist from any acts that may further exacerbate the situation. In this context, the Council welcomes all regional efforts aimed at defusing tension in the region, in particular the announcement of the meeting of regional leaders scheduled for 5 November 1996 in Nairobi.

The Council fully supports the initiative of the Secretary-General to dispatch to the Great Lakes region a Special Envoy to consult with all concerned in order to establish the facts relating to the present conflict, to develop as a matter of urgency a plan to defuse tension and establish a ceasefire, to promote a process of negotiation, and to submit advice on the mandate to be given to a United Nations political presence which, in consultation with the Governments and parties concerned, will be established in the Great Lakes region. The Council also considers that the Special Envoy should be provided with adequate staff and logistic resources in order to carry out his mission. The Council also expressed the hope that the mediation efforts of the Organization of African Unity and the European Union will complement those of the Special Envoy of the Secretary-General. The Council calls upon all Governments and parties concerned to cooperate fully with the mission of the Special Envoy and to contribute to the search for a comprehensive solution to the problems facing the people of the Great Lakes region. Given the urgency of the situation, the Council expressed the hope that the Special Envoy will travel as soon as possible to the region and provide early information on the situation there.

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<sup>2</sup> S/1996/869.

<sup>3</sup> S/1996/886.

<sup>4</sup> S/1996/876.

<sup>5</sup> S/PRST/1996/44.

The Council reiterates that the present situation in eastern Zaire underlines the need to organize a conference for peace, security and development in the Great Lakes region under the auspices of the United Nations and the Organization of African Unity. To this end, it calls upon the Secretary-General to ask his Special Envoy to promote the convening and to encourage the adequate preparation of such a conference on an urgent basis.

The Council will remain seized of the matter.

**Decision of 9 November 1996 (3710th meeting):  
resolution 1078 (1996)**

By a letter dated 7 November 1996 addressed to the President of the Security Council,<sup>6</sup> the Secretary-General informed the Council of the continuing dramatic deterioration of the situation in eastern Zaire. More than 1.2 million Burundian and Rwandan refugees and tens of thousands of Zairians had been displaced by the fighting and the international community now faced a situation in which a million or more people were scattered in eastern Zaire beyond the reach of humanitarian agencies. The events of recent weeks had also proved that peace and security would not be restored in the Great Lakes region unless the refugee problems created by the internal conflicts in Burundi and Rwanda were resolved. Therefore, the immediate requirement was to stabilize the situation and to create secure conditions for the delivery of humanitarian assistance to the refugees and displaced persons. However, the international community's response to this humanitarian crisis must also mark the beginning of a programme of repatriation. He maintained that it was clear that in the prevailing conditions in eastern Zaire, those objectives could not be achieved without the deployment of an international military force whose mandate would be to ensure the minimum security necessary to permit stabilization of the situation and enable civilian agencies to bring relief to the refugees and start preparing for their repatriation. He gave several options for the deployment of such a force and recommended that a group of Member States with the necessary capacity establish a multinational force in consultation with the Secretary-General of the OAU and the regional States concerned.

At its 3710th meeting, held on 9 November 1996 in accordance with the understanding reached in its prior consultations, the Security Council included the

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<sup>6</sup> S/1996/916.

letter from the Secretary-General in its agenda. At the same meeting, the President, with the consent of the Council, invited the representatives of Burundi, Rwanda and Zaire, at their request, to participate in the discussion without the right to vote.

At the same meeting, the President drew the attention of the Council to a draft resolution prepared in the course of the Council's prior consultations.<sup>7</sup> The President further drew the attention of the Council to a letter dated 23 October 1996 from the representative of Rwanda addressed to the President of the Security Council<sup>8</sup> and to a letter dated 31 October 1996 from the representative of Zaire addressed to the President of the Security Council<sup>9</sup>, transmitting a note giving a chronological account of the aggression against the eastern part of Zaire and the historical background to the situation, including an explanation of why the "Banyamulenge" were not Zairian citizens, and stating that the weight of the United Nations was being put behind "historical errors" thus misleading the international community and exacerbating the conflict between the indigenous population and the immigrants.

The President further drew the attention of the Council to a letter dated 4 November 1996 from the representative of Uganda addressed to the President of the Security Council,<sup>10</sup> transmitting a statement denying allegations that Uganda was involved in the fighting in Zaire; a letter dated 4 November 1996 from the representative of Italy addressed to the Secretary-General,<sup>11</sup> transmitting a press statement issued by Italy concerning the situation in eastern Zaire; and a letter dated 6 November 1996 from the representative of Kenya addressed to the Secretary-General,<sup>12</sup> transmitting the text of the communiqué of the Regional Summit on the Crisis in Eastern Zaire.

The attention of the Council was also drawn to the following documents: a letter dated 8 November 1996 from the representative of the Congo addressed to the Secretary-General,<sup>13</sup> transmitting a statement on the situation in eastern Zaire made by the President of

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<sup>7</sup> S/1996/921.

<sup>8</sup> S/1996/869.

<sup>9</sup> S/1996/895 and Corr.1.

<sup>10</sup> S/1996/904.

<sup>11</sup> S/1996/905.

<sup>12</sup> S/1996/914.

<sup>13</sup> S/1996/918.

the Republic of the Congo, President of the Economic Community of Central African States and Chairman of the United Nations Standing Advisory Committee on Security Questions in Central Africa, appealing to the parties to the conflict to bring the hostilities to an end; a letter dated 8 November 1996 from the representative of Rwanda addressed to the President of the Security Council,<sup>14</sup> informing the Council of their public appeal for all Rwandan refugees to return home; and a letter dated 8 November 1996 from the representative of Zaire addressed to the President of the Security Council,<sup>15</sup> agreeing to the deployment of a multinational force pursuant to Chapter VII of the Charter, giving the conditions for deployment and calling on the United Nations to order Rwanda and Burundi to withdraw their troops from occupied Zairian territory, in accordance with the relevant provisions of the Charter of the United Nations and the Charter of the Organization of African Unity, and to strongly condemn the murderers of soldiers from the Zairian security contingent in the camps under United Nations mandate and the massacre of innocent civilians.

At the same meeting, the draft resolution was put to the vote, and adopted unanimously as resolution 1078 (1996), which reads:

*The Security Council,*

*Gravely concerned* at the deteriorating situation in the Great Lakes region, in particular eastern Zaire, and at the effect of the continued fighting on the inhabitants of the region,

*Recalling* the statement by the President of the Security Council on the situation in the Great Lakes region of 1 November 1996 and the letters dated 14 and 24 October 1996 from the Secretary-General to the President of the Council,

*Particularly concerned* at the humanitarian situation and the large-scale movements of refugees and internally displaced persons,

*Deeply concerned* at the obstacles to the efforts of all international humanitarian agencies to provide relief and assistance to those in need,

*Stressing* the need to address, as a matter of urgency, the humanitarian situation, and in this context underlining the necessity to adopt, in consultation with the States concerned, measures necessary to enable the return to the region of

humanitarian agencies and to secure the prompt and safe delivery of humanitarian assistance to those in need,

*Having considered* the letter dated 7 November 1996 from the Secretary-General to the President of the Security Council,

*Welcoming* the regional efforts which are aimed at reducing tension in the region, in particular the contribution made by the regional leaders at their summit meeting in Nairobi on 5 November 1996,

*Taking note* of the letter dated 6 November 1996 from the Permanent Representative of Kenya to the United Nations addressed to the Secretary-General, which contains the communiqué of the Nairobi regional summit on the crisis in eastern Zaire,

*Taking note also* of the request addressed to the Council by the regional leaders at their meeting in Nairobi on 5 November 1996 to take urgent measures to ensure the establishment of safe corridors and temporary sanctuaries by deploying a neutral force,

*Noting* that the regional leaders called for an intensification of efforts towards the voluntary repatriation of refugees to Rwanda,

*Expressing its intention* to respond positively on an urgent basis to those requests,

*Bearing in mind* the reaffirmation by the Nairobi regional summit of its commitment to the territorial integrity of Zaire, and stressing the need for all States to respect the sovereignty and territorial integrity of the States in the region in accordance with their obligations under the Charter of the United Nations,

*Underlining* the urgent need for the orderly and voluntary repatriation and resettlement of refugees and the return of internally displaced persons, which are crucial elements for the stability of the region,

*Reiterating its support* for the Special Envoy of the Secretary-General, and underlining the need for all Governments in the region and parties concerned to cooperate fully with the mission of the Special Envoy,

*Welcoming* the efforts of the mediators and representatives of the Organization of African Unity, the European Union and the States concerned, and encouraging them to coordinate closely their efforts with those of the Special Envoy,

*Underlining* the urgent need for an international conference on peace, security and development in the Great Lakes region under the auspices of the United Nations and the Organization of African Unity to address the problems of the region in a comprehensive way,

*Taking note* of the letter dated 8 November 1996 from the Chargé d'affaires of the Permanent Mission of Zaire to the United Nations addressed to the President of the Security Council,

<sup>14</sup> S/1996/919.

<sup>15</sup> S/1996/920.

*Determining* that the magnitude of the present humanitarian crisis in eastern Zaire constitutes a threat to peace and security in the region,

A

1. *Condemns* all acts of violence, and calls for an immediate ceasefire and a complete cessation of all hostilities in the region;

2. *Calls upon* all States in the region to create the conditions necessary for the speedy and peaceful resolution of the crisis and to desist from any act that may further exacerbate the situation, and urges all parties to engage in a process of political dialogue and negotiation without delay;

3. *Reaffirms its commitment* to the establishment of conditions conducive to the voluntary repatriation of refugees to their country of origin as a crucial element for the stability of the region;

4. *Calls upon* all States to respect the sovereignty and territorial integrity of the States in the region in accordance with their obligations under the Charter of the United Nations;

5. *Calls upon* all those concerned in the region to create favourable and safe conditions to facilitate the delivery of international humanitarian assistance to those in need and to ensure the safety of all refugees as well as the security and freedom of movement of all international humanitarian personnel;

B

6. *Welcomes* the letter dated 7 November 1996 from the Secretary-General, including in particular his proposal that a multinational force be set up for humanitarian purposes in eastern Zaire;

7. *Strongly urges* Member States, on an urgent and temporary basis and in cooperation with the Secretary-General and the Organization of African Unity, to prepare the necessary arrangements, in consultation with the States concerned, to allow the immediate return of humanitarian organizations and the safe delivery of humanitarian aid to displaced persons, refugees and civilians at risk in eastern Zaire, and to help to create the necessary conditions for the voluntary, orderly and secure repatriation of refugees;

8. *Requests* the Member States concerned to report on those arrangements as soon as possible to the Council, through the Secretary-General, to enable the Council to authorize the deployment of the multinational force referred to in paragraph 6 above upon receipt of the report, which, inter alia, will reflect the results of the consultations with the States concerned in the region and bear in mind the need to ensure the security and freedom of movement of the personnel of the multinational force;

9. *Decides* that the cost of implementing such an operation will be borne by the participating Member States and

by other voluntary contributions, and encourages all Member States to contribute to the operation in any way possible;

C

10. *Requests* the Secretary-General, in consultation with his Special Envoy and the coordinator of humanitarian affairs, the United Nations High Commissioner for Refugees, the Organization of African Unity, the Special Envoy of the European Union and the States concerned:

(a) To draw up a concept of operations and framework for a humanitarian task force, with military assistance if necessary, drawing initially on immediately available contributions from Member States, with the objectives of:

- Delivering short-term humanitarian assistance and shelter to refugees and displaced persons in eastern Zaire;
- Assisting the United Nations High Commissioner for Refugees with the protection and voluntary repatriation of refugees and displaced persons;
- Establishing humanitarian corridors for the delivery of humanitarian assistance and to assist the voluntary repatriation of refugees after carefully ascertaining their effective will to repatriate;

(b) To seek the cooperation of the Government of Rwanda in, and to ensure international support for, further measures, including the deployment of additional international monitors, as appropriate, to build confidence and ensure a safe return of refugees;

(c) To report to the Council with recommendations no later than 20 November 1996;

11. *Calls upon* the Organization of African Unity, the States of the region and other international organizations to examine ways in which to contribute to and to complement efforts undertaken by the United Nations to defuse tension in the region, in particular in eastern Zaire;

12. *Expresses its readiness* to examine without delay the recommendations that the Secretary-General might submit in this regard;

D

13. *Invites* the Secretary-General, on an urgent basis and in close consultation with the Secretary-General of the Organization of African Unity, and with the States concerned, and in the light of the recommendations of his Special Envoy, to determine the modalities for convening an international conference for peace, security and development in the Great Lakes region and to make all necessary arrangements to convene such a conference;

14. *Decides* to remain actively seized of the matter.

**Decision of 15 November 1996 (3713th meeting): resolution 1080 (1996)**

By a letter dated 14 November 1996 addressed to the President of the Security Council,<sup>16</sup> the Secretary-General transmitted a letter from the representative of Canada stating his Government's intention to take the lead in organizing and commanding a temporary multinational operation consistent with the objectives outlined in resolution 1078; envisaging a resolution under Chapter VII of the Charter providing for a mandate to act; and encouraging the Council to authorize a follow-on operation on the basis of the recommendations of the Secretary-General to succeed the temporary multinational force.

At its 3713th meeting, held on 15 November 1996 in accordance with the understanding reached in its prior consultations, the Security Council included the letter in its agenda. Following the adoption of the agenda, the President, with the consent of the Council, invited the representatives of Argentina, Austria, Belgium, Burundi, Cameroon, Canada, the Congo, Denmark, Finland, Gabon, Ireland, Israel, Luxembourg, Mali, the Netherlands, Norway, Portugal, Rwanda, Spain, Sweden and Zaire, at their own request, to participate in the discussion without the right to vote.

At the same meeting, the President drew the attention of the Council to a draft resolution submitted by Argentina, Belgium, Botswana, Canada, Chile, Denmark, Egypt, France, Gabon, Germany, Guinea-Bissau, Honduras, Indonesia, Ireland, Italy, Mali, the Netherlands, Norway, Poland, Portugal, the Republic of Korea, Spain, the United Kingdom of Great Britain and Northern Ireland, the United States of America and Zaire, and co-sponsored by Austria, Brazil, Cameroon, the Congo, Finland, Israel, Luxembourg and Sweden.<sup>17</sup>

At the same meeting the President also drew the attention of the Council to a letter dated 11 November 1996 from the Organization of African Unity (OAU) addressed to the Secretary-General, transmitting the text of the communiqué of the Fourth Extraordinary Session of the Central Organ of the OAU Mechanism

for Conflict Prevention, Management and Resolution;<sup>18</sup> a letter dated 15 November 1996 from the representative of Zaire addressed to the President of the Security Council, transmitting the text of the position of the Government of Zaire, on the deployment of an international force in Eastern Zaire;<sup>19</sup> and to a letter dated 15 November 1996 from the representative of Eritrea addressed to the President of the Security Council, transmitting a press statement concerning the situation in eastern Zaire.<sup>20</sup>

At the same meeting the President also drew the attention of the Council to a letter dated 15 November 1996 from the representative of Rwanda addressed to the President of the Security Council, informing the Council that thousands of Rwandan refugees were returning to Rwanda.<sup>21</sup>

At the same meeting the representative of Zaire expressed his sincere thanks to the Secretary-General of the United Nations for his initiative in submitting the matter of the prevailing situation in eastern Zaire to the Security Council. He stated that his country was the victim of obvious aggression and that the key to the situation was the "problem of refugees, be they from Rwanda or Burundi". He called on the international community to intervene and exert pressure, particularly on Kigali. He expressed his belief that once the refugee problem had been solved calm would return to the region. He suggested that the cause of the refugee problem was the Government of Rwanda forcing a portion of its population out of the country after the 1994 tragedy. He recalled that Zaire was the sole country to agree to the Secretary-General's proposal to convene a regional conference in the region while Rwanda had rejected that initiative, called for the departure of the United Nations Assistance Mission for Rwanda, reduced the number of United Nations staff to a level at which they could not work effectively and minimized the number of non-governmental organizations that were permitted to work there. He reminded the Council that Zaire had made a proposal to the Security Council for its help in separating armed elements from civilian refugees which was turned down due to the cost. He wondered how much the current operation would cost and suggested that it was

<sup>16</sup> S/1996/941.

<sup>17</sup> S/1996/943.

<sup>18</sup> S/1996/922.

<sup>19</sup> S/1996/942.

<sup>20</sup> S/1996/944.

<sup>21</sup> S/1996/945.

the reluctance of the Council to act then that had brought them to the situation in which they found themselves. He recalled the efforts of Zaire in combating Iraqi aggression against Kuwait in 1990 and questioned the “timidity with which the Security Council is dealing with the aggression” against Zaire. Finally, he expressed his gratitude for the draft resolution that would enable the deployment of the multinational force to eastern Zaire and allow for the possibility of an extended mandate for the force under United Nations auspices.<sup>22</sup>

The representative from Rwanda stated that his Government had been registering a hundred refugees per minute crossing the border from Zaire. He expected that the bulk of Rwandan refugees would have returned to the country by the following week and that he believed conditions were in place for the orderly return of many more. He maintained that local and Government machinery had been mobilized throughout the country to prepare the welcome centres for the refugees. He stated further that in the light of these developments it was the view of the Government of Rwanda that the proposed multinational force was no longer relevant, at least as far as rescuing the Rwandan refugees in eastern Zaire and that the multinational force needed to be smaller, the location of its troops reconsidered and a new, three-month mandate, to disarm the former Rwandan Government soldiers and militia, sought. He also expressed his view that the international community should help by making adequate resources available to facilitate the rehabilitation and integration of the returning refugees. He urged the Council not to hurry into the adoption of a resolution before they had the full facts about the changing circumstances on the ground. He also denied the allegations put forward by the delegation of Zaire. He called attention to a document,<sup>23</sup> which gave the historical background to the situation, and suggested that the root cause of the crisis in Zaire was its “denationalization” of its own citizens.<sup>24</sup>

The representative of Burundi stated that while the principal cause of the current situation was the large number of refugees who fled after the Rwandan genocide, the greatest blame had to be borne by the former Rwandan Army and its militias. He stated that

Burundi, Rwanda and Zaire, being aware of the risk inherent in the presence of large numbers of refugees along their shared borders and backed by UNHCR, had continually requested the assistance of the international community for a triple operation: the repatriation of the refugees to their countries; the disarmament of some 40,000 runaway Rwandan soldiers and militia; and encampment in an area far from the frontiers for refugees who opted to remain abroad. He maintained that it was the failure of the Security Council to neutralize the former Rwandan troops that had led to the present disaster and that the primary purpose of the multinational force should be to disarm these troops and quarter them in areas remote from the countries’ borders. He proposed an international conference on finding ways to bring about a return of refugees to their respective homelands that would be entrusted to the United Nations and OAU in close cooperation with the rest of the international community. He also stated that the four-month-old total economic blockade of Burundi, continued despite the fact that the new regime had abided by all the conditions imposed for two months, contravened the norms of international law and the charters of both the United Nations and OAU. He maintained that the embargo made it extremely difficult to deal with the Burundian refugees returning from Zaire and wondered how long the embargo would be maintained. He concluded by warning that failing to disarm the Rwandan soldiers could mean repetition of the error committed in 1994 when the United Nations Assistance Mission for Rwanda (UNAMIR) stood by passively and then fled at the height of the genocide.<sup>25</sup>

The representative of Canada recalled that the Council in resolution 1078 (1996) had stated that while the countries of the region had a responsibility to create the conditions necessary for the resolution of the crisis, the international community also needed to act. Therefore, Canada had decided to take a substantial role in mounting a multinational humanitarian intervention force to make possible the safe delivery of humanitarian aid and to facilitate the voluntary repatriation of refugees. He informed the Council that over 20 countries had committed over 10,000 troops, with the main body from Canada, France, the United Kingdom and the United States, and that they had firm offers from many other countries and regions. While efforts to find donors to contribute to the United

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<sup>22</sup> S/PV.3713 and Corr.1, p. 4-5.

<sup>23</sup> S/1996/869.

<sup>24</sup> S/PV.3713 and Corr.1, p. 5-6.

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<sup>25</sup> *Ibid.*, p. 6-8.

Nations trust fund to support the participation of African countries were progressing, more help was urgently required. He noted that African participation in the multinational force was of vital importance to its legitimacy and expressed his gratitude for the firm offers of battalions from Ethiopia, Malawi and Senegal, and welcomed the vital involvement of regional leaders and the OAU. He urged as many countries as possible to assist African countries to bear the costs of participation and to provide strategic transport and medical support. He stated that the force, as noted in paragraph 3 of the draft resolution, would facilitate the immediate return of humanitarian organizations, the effective delivery of humanitarian aid by civilian relief organizations for displaced persons, refugees and civilians at risk and the voluntary, orderly repatriation of refugees by UNHCR. Therefore, Canada did not envisage disarmament or interposition as elements of the force's mandate. The force would be deployed for four months alongside a civil component which included direct United Nations involvement. He stated that the transition from the force to a longer-term United Nations operation that would focus primarily on civilian peacekeeping, political reconciliation and reinforcement of the institutions of civil society needed to be carefully thought out. He concluded by urging the Security Council to authorize the operation without delay.<sup>26</sup>

Speaking before the vote, the representative of France stated that his delegation would vote in favour of the draft resolution, but emphasized that the force had a strictly humanitarian mandate. He underlined the importance of convening of an international conference and noted that the proposal had been formally endorsed by the Organization of African Unity. He praised Canada for agreeing to lead the force and stated that the force should be followed by a United Nations operation to continue its work.<sup>27</sup>

The representative of the United Kingdom, while maintaining his support for the resolution, emphasized the need for a properly balanced force, of a size adequate to the task and with a clear and achievable mandate. Due to the temporary nature of the operation, he stressed the importance of the United Nations immediately beginning preparations on the follow-on

operation. He cautioned that the mission must not freeze the present situation as it would result in the re-establishment of camps in which armed elements would be allowed to operate. He hoped that African States would play an important role in the multinational force and the follow up and stressed the importance of them participating actively in the planning of both. He encouraged States that were not providing troops to contribute to the voluntary trust fund.<sup>28</sup>

The representative of China expressed his concern over the renewed fighting and the displacement of refugees. He stated that the international community, including the Security Council, was duty-bound under Article 24 to settle the present crisis in the Great Lakes Region. Therefore, the Chinese delegation would support the resolution. Believing that the international military intervention in eastern Zaire involved many complicated and sensitive questions, he underlined the following principles to be observed in carrying out such an intervention: first, the sovereignty and territorial integrity of the countries concerned, particularly Zaire, had to be respected and there could be no interference in the internal affairs of these countries. Second, before initiating the action, there needed to be full consultations with the States concerned and their consent obtained. Third, the action needed to be strictly confined to humanitarian purposes. Fourth, since the Security Council had authorized the intervention, its political guidance had to be accepted. Fifth, there needed to be a clear time-frame and terms of reference. He also expressed his reservations about invoking Chapter VII of the Charter since the action mandated by the draft resolution was strictly confined to humanitarian purposes.<sup>29</sup>

The representative of the Russian Federation expressed his deep concern with the humanitarian tragedy unfolding in eastern Zaire and which threatened to grow into a regional military conflict. He called upon all of the belligerent parties to cease hostilities immediately, enter into political dialogue and refrain from any actions that could exacerbate the crisis. He hoped that the multinational force would act impartially and in cooperation with the Secretary-General, the United Nations Coordinator for

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<sup>26</sup> Ibid., pp. 8-10.

<sup>27</sup> Ibid., pp. 10-11.

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<sup>28</sup> Ibid., pp. 11-12.

<sup>29</sup> Ibid., pp. 12-13.



humanitarian assistance and the relevant humanitarian organizations and that it would regularly inform the Security Council of the course of the operation. He underlined the significance of the draft resolution's emphasis of the need for an international conference under the auspices of the United Nations and OAU to ensure a comprehensive political solution to the problems of the region. Finally, he stated that the delegation of the Russian Federation would support the draft resolution on the basis of the understanding that the Security Council would authorize the establishment of a follow-on operation as stated in paragraph 12 of the draft resolution.<sup>30</sup>

The representative of the United States noted that the complexities of the situation in eastern Zaire, with multiple armed groups and a fragile political environment, required prudent preparation and expressed their strong support for the initiative of the Government of Canada to lead a multinational force. She welcomed the offers of nations around the world to participate in the multinational force that the Security Council would be authorizing with the draft resolution. She stated that the long-term solution to the problem was the voluntary repatriation of the refugees and that the Government of Rwanda had taken credible steps in this regard. The United States was working closely with other Governments, the United Nations agencies and the humanitarian community to determine the precise humanitarian requirements and how it might most usefully participate in these efforts and facilitate the orderly and successful repatriation of the refugees. She praised the efforts of the Secretary-General's Special Envoy, OAU, regional leaders, the European Union and other mediators to resolve the underlying problems. She urged all the parties in the region to cease hostilities directed at one another, cooperate with the mediation efforts, permit the flow of humanitarian assistance, support the secure repatriation of refugees and cooperate with the International Criminal Tribunal for Rwanda, which was authorized to deal with those persons responsible for the 1994 genocide.<sup>31</sup>

Several other speakers also expressed their support for the resolution. While some emphasized the importance of the humanitarian mission and others the need for the voluntary repatriation of refugees,

everyone recognized that both were critical aspects of the mission. Several members underlined the importance of participation by OAU and the African nations and the need for countries to donate to the trust fund to support that participation. A number of countries expressed their gratitude to Canada for leading the multinational force. The importance of the regional conference, of the follow-on United Nations mission and of the voluntary nature of repatriation of refugees was also stressed.<sup>32</sup>

At the same meeting the draft resolution was put to the vote and adopted unanimously as resolution 1080 (1996), which reads:

*The Security Council,*

*Reaffirming* its resolution 1078 (1996) of 9 November 1996,

*Gravely concerned* at the continuing deteriorating situation in the Great Lakes region, in particular eastern Zaire,

*Taking note* of the communiqué issued at the fourth extraordinary session of the Central Organ of the Mechanism for Conflict Prevention, Management and Resolution of the Organization of African Unity, held at the ministerial level in Addis Ababa on 11 November 1996, as well as a communication dated 13 November 1996 from the Permanent Observer Mission of the Organization of African Unity to the United Nations,

*Stressing* the need for all States to respect the sovereignty and territorial integrity of the States in the region in accordance with their obligations under the Charter of the United Nations,

*Underlining* the obligation of all concerned strictly to respect the relevant provisions of international humanitarian law,

*Having considered* the letter dated 14 November 1996 from the Secretary-General to the President of the Security Council,

*Reiterating its support* for the Special Envoy of the Secretary-General, and underlining the need for all Governments in the region and parties concerned to cooperate fully with the mission of the Special Envoy,

*Welcoming* the efforts of the mediators and representatives of the Organization of African Unity, the European Union and the States concerned, and encouraging them to coordinate closely their efforts with those of the Special Envoy,

<sup>30</sup> Ibid., p. 24.

<sup>31</sup> Ibid., p. 24-25.

<sup>32</sup> Ibid., p. 15 (Germany); p. 16 (Egypt); pp. 17-20 (Guinea-Bissau); p. 20 (Poland); pp. 20-21 (Honduras); pp. 21-22 (Italy); pp. 22-23 (Chile); and pp. 25-26 (Indonesia).

*Recognizing* that the current situation in eastern Zaire demands an urgent response by the international community,

*Reiterating* the urgent need for an international conference on peace, security and development in the Great Lakes region under the auspices of the United Nations and the Organization of African Unity to address the problems of the region in a comprehensive way,

*Determining* that the present situation in eastern Zaire constitutes a threat to international peace and security in the region,

*Bearing in mind* the humanitarian purposes of the multinational force as specified below,

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

1. *Reiterates its condemnation* of all acts of violence and its call for an immediate ceasefire and a complete cessation of all hostilities in the region;

2. *Welcomes* the letter from the Secretary-General dated 14 November 1996;

3. *Welcomes* the offers made by Member States, in consultation with the States concerned in the region, concerning the establishment for humanitarian purposes of a temporary multinational force to facilitate the immediate return of humanitarian organizations and the effective delivery by civilian relief organizations of humanitarian aid to alleviate the immediate suffering of displaced persons, refugees and civilians at risk in eastern Zaire, and to facilitate the voluntary, orderly repatriation of refugees by the United Nations High Commissioner for Refugees as well as the voluntary return of displaced persons, and invites other interested States to offer to participate in these efforts;

4. *Welcomes also* the offer by a Member State to take the lead in organizing and commanding this temporary multinational force;

5. *Authorizes* the Member States cooperating with the Secretary-General to conduct the operation referred to in paragraph 3 above to achieve, by using all necessary means, the humanitarian objectives set out therein;

6. *Calls upon* all concerned in the region to cooperate fully with the multinational force and humanitarian agencies and to ensure the security and freedom of movement of their personnel;

7. *Calls upon* the Member States participating in the multinational force to cooperate with the Secretary-General and to coordinate closely with the United Nations coordinator of humanitarian assistance for eastern Zaire and the relevant humanitarian relief operations;

8. *Decides* that the operation shall terminate on 31 March 1997, unless the Council, on the basis of a report of the Secretary-General, determines that the objectives of the operation were fulfilled earlier;

9. *Decides* that the cost of implementing this temporary operation will be borne by the participating Member States and by other voluntary contributions, and welcomes the establishment by the Secretary-General of a voluntary trust fund with the purpose of supporting African participation in the multinational force;

10. *Encourages* Member States to contribute urgently to this fund or otherwise to give support to enable African States to participate in this force, and requests the Secretary-General to report within twenty-one days of the adoption of the present resolution to enable the Council to consider the adequacy of these arrangements;

11. *Requests* the Member States participating in the multinational force to provide periodic reports at least twice monthly to the Council, through the Secretary-General, the first such report to be made no later than twenty-one days after the adoption of the present resolution;

12. *Expresses its intention* to authorize the establishment of a follow-on operation which would succeed the multinational force, and requests the Secretary-General to submit for its consideration a report, no later than 1 January 1997, containing his recommendations regarding the possible concept, mandate, structure, size and duration of such an operation, as well as its estimated costs;

13. *Requests* the Secretary-General to initiate detailed planning and to determine the willingness of Member States to contribute troops for the anticipated follow-on operation;

14. *Decides* to remain actively seized of the matter.

**Decision of 7 February 1997 (3738th meeting):  
statement by the President**

At the 3738th meeting of the Security Council, held on 7 February 1997 in accordance with the understanding reached in its prior consultations, the President (Kenya), with the consent of the Council, invited the representative of Zaire, at his request, to participate in the discussion without the right to vote.

At the same meeting the President called the attention of the Council to letters dated 6 January and 1 February, respectively, from the representative of Zaire addressed to the President of the Security Council,<sup>33</sup> transmitting the position of the Government of Zaire on the non-implementation of Security Council resolution 1080 (1996), informing the Security Council of armed aggression against Zaire by Burundi, Rwanda and Uganda, and requesting the Council to recognize and condemn it and adopt such measures as

<sup>33</sup> S/1997/13 and S/1997/98.

are required to put a stop to it. The President also drew the attention of the Council to a letter dated 29 January 1999 from the representative of Kenya addressed to the President of the Security Council,<sup>34</sup> transmitting the text of the communiqué issued at the end of the meeting of Cameroon, the Congo, Kenya, South Africa, the United Republic of Tanzania and Zimbabwe on the current situation in the Great Lakes region, and to letters dated 30 January and 4 February 1997, respectively, addressed to the President of the Security Council from the representatives of Uganda and Rwanda,<sup>35</sup> denying the allegations of aggressions by Zaire.

At the same meeting, the President made the following statement on behalf of the Council:<sup>36</sup>

The Security Council expresses its grave concern at the deteriorating situation in the Great Lakes region, in particular in eastern Zaire, and at its humanitarian consequences on the refugees and inhabitants of the region. It calls for an end to the hostilities and the, withdrawal of all external forces, including mercenaries.

The Council also expresses its deep concern over the humanitarian crisis in the region and urges all parties to allow humanitarian agencies and organizations access to deliver humanitarian assistance to those in need. It also demands that the parties ensure the safety of all refugees and displaced persons as well as the security and freedom of movement of all United Nations and humanitarian personnel. It underlines the obligation of all concerned to respect the relevant provisions of international humanitarian law.

The Council reaffirms its commitment to the sovereignty and territorial integrity of Zaire and other States in the Great Lakes region, and to the principle of the inviolability of borders. In this connection, the Council calls upon all the States in the region to refrain, in accordance with their obligations under the Charter of the United Nations and the Charter of the Organization of African Unity, from any act, including cross-border incursions, which would threaten the sovereignty and territorial integrity of any State and exacerbate the situation in the region, including endangering the refugees and displaced persons. It also calls upon those States to create the conditions necessary for the speedy and peaceful resolution of the crisis.

The Council expresses its full support for the joint United Nations/Organization of African Unity Special Representative for the Great Lakes region, Mr. Mohammed Sahnoun, in the fulfilment of his mandate as set out in the letter from the Secretary-General to the President of the Security Council dated

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<sup>34</sup> S/1997/94.

<sup>35</sup> S/1997/97 (Uganda) and S/1997/109 (Rwanda).

<sup>36</sup> S/PRST/1997/5.

22 January 1997. It urges all parties in the region to cooperate fully with the mission of the Special Representative in the search for a peaceful settlement of the crisis and calls upon Member States to provide the Special Representative with all necessary support, including logistical support. It also encourages other facilitators and representatives of the regional organizations, including the European Union, and the States concerned to coordinate closely their efforts with those of the Special Representative.

The Council reaffirms the importance of holding an international conference on peace, security and development in the Great Lakes region under the auspices of the United Nations and the Organization of African Unity.

The Council welcomes all efforts, including those of the organizations and States of the region, aimed at resolving the crisis and, in particular, the initiative of President Daniel arap Moi of Kenya, and other heads of States and encourages them to continue their efforts.

The Council will remain seized of the matter.

**Decision of 18 February 1997 (3741st meeting):  
resolution 1097 (1997)**

By a letter dated 18 February 1997 addressed to the President of the Security Council,<sup>37</sup> the Secretary-General informed the Council of the mission of the mission of the joint United Nations/Organization of African Unity Special Representative for the Great Lakes region, who was at that time in Kinshasa working on a five-point peace plan which was based on the statement by the President of the Security Council of 7 February 1997,<sup>38</sup> and which he hoped would be accepted by all parties. The Secretary-General stated that it would greatly assist the Special Representative's efforts if consideration were to be given by the Security Council, on an urgent basis, to an appropriate acknowledgement and support of his initiative. He also informed the Council of other initiatives to restore peace in eastern Zaire and that the Foreign Ministers of Cameroon, the Congo, Kenya, South Africa, the United Republic of Tanzania and Zimbabwe and the Secretary-General of OAU were in Kinshasa.

At its 3741st meeting, held on 18 February 1997 in accordance with the understanding reached in prior consultations, the Security Council included the item in its agenda. Following the adoption of the agenda, the President invited the representative of Zaire, at his

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<sup>37</sup> S/1997/136.

<sup>38</sup> S/PRST/1997/5.

request, to participate in the discussion without the right to vote.

At the same meeting the President also drew the attention of the Council to a draft resolution prepared in the course of the Council's prior consultations.<sup>39</sup>

The President further drew the attention of the Council to a letter dated 16 February 1997 from the representative of Zaire addressed to the President of the Security Council,<sup>40</sup> transmitting the text of a communiqué from the Government of Zaire which requested the Security Council to meet urgently in order to consider Zaire's complaint against Uganda and Rwanda, issue a strong condemnation of that aggression, order the withdrawal of foreign troops and establish monitoring mechanisms for that purpose, take measures to put an end to the extermination of Hutu refugees and remove all the Rwandan refugees in Zairian territory.

At the same meeting the draft resolution was put to the vote and adopted unanimously as resolution 1097 (1997), which reads:

*The Security Council,*

*Gravely concerned* at the deteriorating situation in the Great Lakes region, in particular eastern Zaire, and expressing serious concern over the safety of refugees and displaced persons whose lives are in danger,

*Welcoming* the letter dated 18 February 1997 from the Secretary-General to the President of the Security Council regarding progress in the efforts to resolve the crisis in the Great Lakes region,

*Reaffirming* the Statement by the President of the Security Council of 7 February 1997,

*Reaffirming also* the obligation to respect national sovereignty and territorial integrity of the States of the Great Lakes region and the need for the States of the region to refrain from any interference in each other's internal affairs,

*Underlining* the obligation of all concerned to respect strictly the relevant provisions of international humanitarian law,

*Reiterating* its support for the joint United Nations/Organization of African Unity Special Representative for the Great Lakes region in the fulfilment of his mandate, and underlining the need for all Governments in the region and the

parties concerned to cooperate fully with the mission of the Special Representative,

1. *Endorses* the following five-point peace plan for eastern Zaire, as set out in the letter from the Secretary-General of 18 February 1997:

(a) Immediate cessation of hostilities;

(b) Withdrawal of all external forces, including mercenaries;

(c) Reaffirmation of respect for the national sovereignty and the territorial integrity of Zaire and other States of the Great Lakes region;

(d) Protection and security for all refugees and displaced persons and facilitation of access to humanitarian assistance;

(e) Rapid and peaceful settlement of the crisis through dialogue, the electoral process and the convening of an international conference on peace, security and development in the Great Lakes region;

2. *Calls upon* all Governments and parties concerned to cooperate with the joint United Nations/Organization of African Unity Special Representative for the Great Lakes region to achieve lasting peace in the region;

3. *Decides* to remain actively seized of the matter.

#### **Decision of 7 March 1997 (3748th meeting): statement by the President**

At the 3748th meeting of the Security Council, held on 7 March 1997 in accordance with the understanding reached in prior consultations, the President (Poland), with the consent of the Council, invited the representative of Zaire, at his request, to participate in the discussion without the right to vote. The President then drew the attention of the Council to a letter dated 5 March 1997 from the Secretary-General addressed to the President of the Security Council, transmitting a copy of a statement by Zaire formally declaring its acceptance of the United Nations peace plan set out in resolution 1097 (1997).<sup>41</sup>

At the same meeting, the President made the following statement on behalf of the Council:<sup>42</sup>

The Security Council expresses its grave concern at the deteriorating situation in the Great Lakes region, in particular in eastern Zaire. It underlines the urgent need for a comprehensive and coordinated response by the international community in

<sup>39</sup> S/1997/137.

<sup>40</sup> S/1997/138.

<sup>41</sup> S/1997/197.

<sup>42</sup> S/PRST/1997/11.

support of the efforts of the joint United Nations/Organization of African Unity Special Representative for the Great Lakes region to prevent any further escalation of the crisis there.

The Council reiterates, in that respect, its full support for the five-point peace plan for eastern Zaire contained in its resolution 1097 (1997) of 18 February 1997 and welcomes the endorsement of that plan by the Organization of African Unity at its sixty-fifth ordinary session of the Council of Ministers held in Tripoli from 24 to 28 February 1997.

The Council welcomes the declaration of the Government of Zaire of 5 March 1997 regarding its acceptance of the United Nations peace plan endorsed by the Security Council in its resolution 1097 (1997).

The Council calls upon the Alliance of Democratic Forces for the Liberation of Congo/Zaire to declare publicly its acceptance of resolution 1097 (1997) in all its provisions, in particular an immediate cessation of hostilities, and calls upon all parties to implement the provisions of the resolution without delay.

The Council is concerned about the effect that the continued fighting is having on the refugees and inhabitants of the region and calls upon all parties to allow access by the United Nations High Commissioner for Refugees and humanitarian agencies to refugees and displaced persons and to guarantee the safety of refugees and displaced persons as well as United Nations and other humanitarian aid workers. It also takes note with concern of allegations of violations of international humanitarian law in the conflict zone and welcomes the sending of a United Nations fact-finding mission to the area.

The Council reiterates its full support for the joint United Nations/Organization of African Unity Special Representative for the Great Lakes region and urges all Governments in the region and all the parties concerned to cooperate with him fully. It also urges the parties to the conflict to begin a dialogue, under his auspices, in order to achieve a lasting political settlement.

The Council welcomes all efforts, including those of the organizations and States of the region, aimed at resolving the crisis, inter alia, the initiative of President Daniel arap Moi of Kenya to convene another regional meeting in Nairobi on 19 March 1997 and the initiative of the Organization of African Unity to organize a summit of the members of the Central Organ of its Mechanism for Conflict Prevention, Management and Resolution on the Great Lakes region in Lomé before the end of March 11 1997. The Council encourages other facilitators and representatives of the regional organizations, including the European Union, and the States concerned to coordinate closely their efforts with those of the Special Representative.

The Council reaffirms the importance of holding an international conference on peace, security and development in the Great Lakes region under the auspices of the United Nations and the Organization of African Unity.

The Council expresses its gratitude to the Secretary-General for keeping it informed of developments in the Great Lakes region and requests him to continue to do so on a regular basis.

The Council will remain actively seized of the matter.

**Decision of 4 April 1997 (3762nd meeting):  
statement by the President**

At the 3762nd meeting of the Security Council, held on 4 April 1997 in accordance with the understanding reached in its prior consultations, the President (Portugal) drew the attention of the Council to a letter from the representative of Togo addressed to the Secretary-General, transmitting the text of the statement adopted at the conclusion of the first special session of the Conference of Heads of State and Government of the Central Organ of the Organization of African Unity (OAU) Mechanism for Conflict Prevention, Management and Resolution, which was devoted to the situation in eastern Zaire.<sup>43</sup>

At the same meeting, the President made the following statement on behalf of the Council:<sup>44</sup>

The Security Council reiterates its deep concern about the alarming situation of refugees and displaced persons in eastern Zaire.

The Council underlines the obligation of all concerned to respect the relevant provisions of international humanitarian law.

The Council, while noting that some cooperation has recently been extended to humanitarian relief agencies by the Alliance of Democratic Forces for the Liberation of Congo/Zaire, strongly urges the parties, and in particular the Alliance of Democratic Forces, to ensure unrestricted and safe access by United Nations agencies and other humanitarian organizations to guarantee the provision of humanitarian assistance to, and the safety of, all refugees, displaced persons and other affected civilian inhabitants.

The Council also urges the Alliance of Democratic Forces for the Liberation of Congo/Zaire to cooperate fully with the United Nations in the implementation of the repatriation plan for eastern Zaire of the Office of the United Nations High Commissioner for Refugees. In this context, it calls on the Government of Rwanda to facilitate the implementation of this plan.

The Security Council will remain actively seized of the matter.

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<sup>43</sup> S/1997/269.

<sup>44</sup> S/PRST/1997/19.

**Decision of 24 April 1997 (3771st meeting): statement by the President**

At the 3771st meeting of the Security Council, held on 24 April 1997 in accordance with the understanding reached in its prior consultations, the President (Portugal) made the following statement on behalf of the Council:<sup>45</sup>

The Security Council is increasingly alarmed at the deterioration of the situation in Zaire and at the humanitarian consequences on the refugees, displaced persons and other affected civilian inhabitants. It expresses its deep concern at the lack of progress in efforts to bring about a peaceful and negotiated settlement of the conflict in Zaire.

The Council once again underlines the obligation of all concerned to respect the relevant rules of international law, including those of international humanitarian law.

The Council is dismayed by the continued lack of access being afforded by the Alliance of Democratic Forces for the Liberation of Congo/Zaire to United Nations and other humanitarian relief agencies and by the recent acts of violence which have hampered the delivery of humanitarian assistance. It reiterates the statement by its President of 4 April 1997 and, in particular, calls in the strongest terms upon the Alliance of Democratic Forces to ensure unrestricted and safe access by all humanitarian relief agencies so as to allow the immediate provision of humanitarian aid to those affected and to guarantee the safety of humanitarian relief workers, refugees, displaced persons and other affected civilian inhabitants in the areas which the Alliance of Democratic Forces controls.

The Council also expresses its concern at the obstruction of the repatriation plan for eastern Zaire of the Office of the United Nations High Commissioner for Refugees. It calls upon the Alliance of Democratic Forces for the Liberation of Congo/Zaire and the Government of Rwanda to cooperate fully and without delay with the Office of the High Commissioner to enable the early implementation of the plan.

The Council is particularly alarmed by reports of massacres and other serious violations of human rights in eastern Zaire. In this context, it calls upon the Alliance of Democratic Forces for the Liberation of Congo/Zaire and others concerned in the region to cooperate fully with the recently established United Nations investigative mission by ensuring unimpeded access to all areas and sites under investigation, as well as the security of the members of the mission.

The Council reiterates its full support for the United Nations five-point peace plan, endorsed by its resolution 1097 (1997) of 18 February 1997. It calls for an immediate cessation of hostilities and calls upon the Government of Zaire and the Alliance of Democratic Forces for

the Liberation of Congo/Zaire to engage seriously and fully in the search for a speedy political solution to the problems in Zaire, including transitional arrangements leading to the holding of democratic and free elections with the participation of all parties. In this context, it calls upon the President of Zaire and the leader of the Alliance of Democratic Forces to meet as soon as possible.

The Council warmly commends the efforts of the joint United Nations/Organization of African Unity Special Representative for the Great Lakes region. It calls upon all States, in particular those in the region, to support these efforts and to refrain from any action that would further exacerbate the situation in Zaire.

The Council reaffirms once again the importance of holding an international conference on peace, security and development in the Great Lakes region under the auspices of the United Nations and the Organization of African unity.

The Council expresses its gratitude to the Secretary-General for keeping it informed of developments in the Great Lakes region and requests him to continue to do so on a regular basis.

The Council will remain seized of the matter.

**Decision of 30 April 1997 (3773rd meeting): statement by the President**

At the 3773rd meeting of the Security Council, held on 30 April 1997 in accordance with the understanding reached in its prior consultations, the President (Portugal) made the following statement on behalf of the Council:<sup>46</sup>

The Security Council reaffirms the statement by its President of 24 April 1997 and welcomes the recent agreement by the President of Zaire and the leader of the Alliance of Democratic Forces for the Liberation of Congo/Zaire on a time and venue for a meeting to discuss a peaceful and negotiated settlement of the conflict in Zaire. It reiterates its full support for the United Nations five-point peace plan, endorsed by its resolution 1097 (1997) of 18 February 1997, calls for an immediate cessation of hostilities, and especially calls for both parties to reach a rapid agreement on peaceful transitional arrangements leading to the holding of democratic and free elections with the participation of all parties.

The Council notes the commitment by the leader of the Alliance of Democratic Forces for the Liberation of Congo/Zaire to allow United Nations and other humanitarian agencies access to refugees in eastern Zaire in order to provide humanitarian assistance and to implement the repatriation plan of the Office

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<sup>45</sup> S/PRST/1997/22.

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<sup>46</sup> S/PRST/1997/24.

of the United Nations High Commissioner for Refugees, including the use of both airports in Kisangani. It also notes his commitment to be flexible regarding the duration of the repatriation operation, which should move ahead as quickly as possible. It expresses concern at reports of obstruction of humanitarian assistance efforts but notes that humanitarian access has improved recently. It calls upon the Alliance of Democratic Forces to abide by these commitments and to enable the repatriation plan of the Office of the High Commissioner to be implemented without conditions or delay.

The Council also expresses its deep concern regarding the continuing reports of massacres, other atrocities and violations

of international humanitarian law in eastern Zaire. In this context, it reiterates its call upon the Alliance of Democratic Forces for the Liberation of Congo/Zaire and others concerned in the region to cooperate fully with the recently established United Nations investigative mission by ensuring unimpeded access to all areas and sites under investigation, as well as the security of the members of the mission. It attaches great importance to the commitment of the leader of the Alliance of Democratic Forces to take appropriate action against members of the Alliance who violate the rules of international humanitarian law concerning the treatment of refugees and civilians.

The Council will remain seized of the matter.

## 11. Items relating to the Democratic Republic of the Congo

### A. The situation concerning the Democratic Republic of the Congo

#### Initial proceedings

##### Decision of 29 May 1997 (3784th meeting): statement by the President

By a letter dated 18 February 1997 addressed to the President of the Security Council,<sup>1</sup> the Secretary-General, referring to the mission of the joint United Nations/Organization of African Unity Special Representative for the Great Lakes region, sought the support of the Council for a five-point peace plan as his initiative to restore peace in eastern Zaire. The five-point peace plan, based on the presidential statement of 7 February 1997,<sup>2</sup> called for the immediate cessation of hostilities; withdrawal of all external forces; respect for the national sovereignty and the territorial integrity of Zaire and other States of the Great Lakes region; protection and security for all refugees and displaced persons; and rapid and peaceful settlement of the crisis through dialogue, the electoral process and the convening of an international conference on peace, security and development. In his letter the Secretary-General stated that the consideration by the Security Council, on an urgent basis, of an appropriate acknowledgement and expression of support for his initiative would greatly assist the efforts of the joint United Nations/Organization of African Unity Special Representative.

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<sup>1</sup> S/1997/136.

<sup>2</sup> S/PRST/1997/5.

By a letter dated 2 June 1997 addressed to the Secretary-General,<sup>3</sup> the representative of the Netherlands transmitted the statement on the transfer of power in the Democratic Republic of the Congo issued on 22 May 1997 by the Presidency of the European Union.

By a letter dated 12 June 1997 addressed to the Secretary-General,<sup>4</sup> the representative of the Republic of the Congo transmitted a statement by the Government of the Republic of the Congo following the political changes that had taken place in the Democratic Republic of the Congo (formerly Zaire).

At its 3784th meeting, held on 29 May 1997 in accordance with the understanding reached in its prior consultations, the Security Council included in its agenda without objection the item entitled "The situation concerning the Democratic Republic of the Congo".

At the same meeting, the President (Republic of Korea) made the following statement on behalf of the Council:<sup>5</sup>

The Security Council expresses its support for the people of the Democratic Republic of the Congo as they begin a new period in their history. The Council respects the legitimate national aspirations of the people of the Democratic Republic of the Congo to achieve peace, national reconciliation and progress in the political, economic and social fields to the benefit of all, and opposes any interference in its internal affairs.

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<sup>3</sup> S/1997/422.

<sup>4</sup> S/1997/442.

<sup>5</sup> S/PRST/1997/31.