

of the Secretary-General, which will provide the political framework and leadership for harmonizing and integrating the activities of the United Nations system in Guinea-Bissau during the transitional period leading up to general and presidential elections and will facilitate, in close cooperation with the parties concerned, the Economic Community of West African States, the Monitoring Group, as well as other national and international partners, the implementation of the Abuja Agreement;

8. *Encourages* all agencies, programmes, offices and funds of the United Nations system, including the Bretton Woods institutions, as well as other international partners, to lend their support to the Support Office and to the Representative of the Secretary-General in order to establish, together with the Government of Guinea-Bissau, a comprehensive, concerted and coordinated approach to peacebuilding in Guinea-Bissau;

9. *Reiterates* the need for the simultaneous disarmament and encampment of ex-belligerent troops, welcomes the progress made by the Monitoring Group in that regard, and strongly urges the parties to continue to cooperate through the Special Commission established for that purpose, to conclude expeditiously those tasks and to create conditions for the reunification of the national armed and security forces;

10. *Emphasizes* the need for urgent demining of affected areas to pave the way for the return of refugees and displaced persons and for the resumption of agricultural

activities, encourages the Monitoring Group to continue its demining activities, and calls upon States to provide the necessary assistance for demining;

11. *Calls upon* all concerned to respect strictly the relevant provisions of international law, including international humanitarian law and human rights law, to ensure safe and unimpeded access by humanitarian organizations to those in need and to ensure the protection and freedom of movement of United Nations and international humanitarian personnel;

12. *Reiterates its appeal* to States and organizations concerned to provide urgent humanitarian assistance to internally displaced persons and refugees;

13. *Welcomes* the planned round-table conference of donors on Guinea-Bissau to be held in Geneva on 4 and 5 May 1999, under the sponsorship of the United Nations Development Programme, to mobilize assistance for, inter alia, humanitarian needs, consolidation of peace and the socio-economic rehabilitation of Guinea-Bissau;

14. *Requests* the Secretary-General to keep the Security Council regularly informed and to submit a report to it by 30 June 1999 and every ninety days thereafter on developments in Guinea-Bissau, the activities of the Support Office and the implementation of the Abuja Agreement, including the implementation by the Monitoring Group of its mandate;

15. *Decides* to remain seized of the matter.

## Americas

### 17. Central America: efforts towards peace

#### **Decision of 10 January 1997 (3730th meeting): rejection of a draft resolution**

On 17 December 1996, pursuant to the request of the Government of Guatemala and the Unidad Revolucionaria Nacional Guatemalteca (URNG), the Secretary-General submitted to the Security Council a report on "Central America: efforts towards peace" dealing exclusively with the Agreement on the definite ceasefire in Guatemala, which had been signed by the parties on 4 December 1996 in Oslo, Norway.<sup>1</sup> In his report, the Secretary-General observed that this had been the third agreement on the definitive ceasefire signed that year. The Government and URNG wanted to see the military aspects of the peace settlement implemented as soon as possible, which created a need

for the United Nations to deploy the new military component of the United Nations Verification Mission in Guatemala (MINUGUA) rapidly. Verification of the definitive ceasefire would also require the deployment of military observers, which would require authorization by the Council. The Secretary-General therefore asked the Council to grant him the contingent authority to attach the military component to MINUGUA. The Secretary-General also informed the Council of the signing of the Agreement on a Firm and Lasting Peace on 29 December 1996,<sup>2</sup> and requested authorization of the Security Council for the deployment of military observers for a period of three months.

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<sup>1</sup> S/1996/1045 and Add.1.

<sup>2</sup> S/1996/1045, Add.2.

At its 3730th meeting, held on 10 January 1997 in accordance with the understanding reached in its prior consultations, the Security Council resumed consideration of the item entitled "Central America: efforts towards peace". The President (Japan), with the consent of the Council, invited the representatives of Argentina, Canada, Colombia, Guatemala, Mexico, the Netherlands, Norway, Spain and Venezuela, at their request, to participate in the discussion without the right to vote.

At the same meeting, the President drew the attention of the members of the Council to the text of a draft resolution submitted by Argentina, Chile, Colombia, Costa Rica, Mexico, Norway, Portugal, Spain, Sweden, the United Kingdom, the United States and Venezuela.<sup>3</sup> He also drew their attention to a letter dated 10 January 1997 from the representative of Guatemala addressed to the President of the Security Council, transmitting a letter of the same date from the Minister for Foreign Affairs of Guatemala.<sup>4</sup> In the letter, the Minister for Foreign Affairs, referring to the favourable results that were hoped for on the verification mission requested by both the Government of Guatemala and the Unidad Revolucionaria Nacional Guatemalteca for demobilization and disarmament of former guerrilla combatants involved in the Guatemalan armed conflict, stated that it might be useful for the members of the Security Council to know that separate consultations had taken place in both New York and Geneva between high-level delegations of the People's Republic of China and Guatemala. He stated that the Guatemalan delegations had reaffirmed the conviction of their Government that in accordance with the principles contained in the Charter of the United Nations all countries needed to refrain from taking any action that might affect the territorial integrity or political independence of other countries. They had also stated that those principles would guide Guatemala's future actions at the United Nations with regard to initiatives related to Taiwan Province of China.

At the same meeting, the representative of Guatemala stated that, following the signing of the final agreement on 29 December 1996, his country had successfully concluded the peace negotiations which

now merely required verification through a peacekeeping force, as requested by the Secretary-General in his reports.<sup>5</sup> Over the past years, the international community had followed with great interest and had supported the Guatemalan process. It now awaited the Council's decision to send a peacekeeping mission to assist in the consolidation of the peace process by verifying implementation of the ceasefire agreement. His delegation remained fully convinced that the majority of Council members would agree to authorize the mission. However, he was also aware of a problem of a bilateral nature which had been raised by one of the permanent members of the Council. In spite of that "unusual situation", Guatemala had been holding consultations with the delegation of that country to overcome the existing difficulty. In that context, he emphasized his Government's willingness to contribute to friendly relations among countries and affirmed that it had never been its intention to interfere in the internal affairs of another State. Recognizing the gravity of the situation, in addition to the important bilateral consultations in which there had been constructive exchanges and substantial advances, the Minister for Foreign Affairs of Guatemala had sent a letter to the President of the Security Council explaining the scope of those consultations.<sup>6</sup> In conclusion, he stressed that the members of the Council "must not allow bilateral issues unrelated to matters under consideration to hinder their decisions".<sup>7</sup>

During the Council's deliberations, many speakers welcomed the signing of the final peace agreement between the Government of Guatemala and the Unidad Revolucionaria Nacional Guatemalteca; expressed full support for the rapid deployment of a group of United Nations military observers to verify the ceasefire agreement; and urged Council members to adopt the draft resolution.<sup>8</sup> Some speakers also

<sup>5</sup> S/1996/998 and S/1996/1045.

<sup>6</sup> S/1997/23.

<sup>7</sup> S/PV.3730, pp. 2-3.

<sup>8</sup> *Ibid.*, p. 41 (Colombia); pp. 4-5 (Venezuela); pp. 5-6 (Netherlands, on behalf of the European Union and Cyprus, Czech Republic, Hungary, Lithuania, Poland, Romania and Slovakia); pp. 6-7 (Norway); p. 7 (Mexico); p. 8 (Spain); p. 9 (Argentina); pp. 9-10 (Canada); before the vote: p. 11 (Portugal); pp. 12-13 (Republic of Korea); p. 13 (Poland); pp. 13-14 (Sweden); p. 14 (Egypt); pp. 14-15 (Kenya); pp. 15-16 (Guinea-Bissau); p. 16 (Chile); and pp. 16-17 (Japan).

<sup>3</sup> S/1997/18.

<sup>4</sup> S/1997/23.

maintained that this was a case in which the Council was called upon to exercise its primary responsibility for the maintenance of international peace and security.<sup>9</sup>

In a statement before the vote, the representative of the United Kingdom said that his Government welcomed the signing of the final peace agreement between the Government of Guatemala and URNG and supported the Secretary-General's recommendation for a rapid deployment of United Nations military observers to verify the ceasefire. His delegation would therefore vote in favour of the draft resolution. He called upon both parties to implement fully their commitments and to cooperate with the United Nations in the verification of the ceasefire and demobilization of combatants.<sup>10</sup>

The representative of France praised the efforts of the Secretary-General and noted that his proposal to create an observer mission attached to MINUGUA was "in keeping with the United Nations mission and with the competence of the Security Council and the responsibilities of its members". The French delegation would therefore vote in favour of the draft resolution.<sup>11</sup>

The Council then proceeded to vote on the draft resolution. It received 14 votes in favour and 1 against (China), with no abstentions, and was not adopted owing to the negative vote of a permanent member of the Council.<sup>12</sup> Under the draft resolution, the Council would have recalled, *inter alia*, the Framework Agreement of 10 January 1994 and all subsequent agreements in which the parties agreed to request the United Nations to carry out international verification of the peace accords; and, taking note of the reports of the Secretary-General of 26 November and 17 December 1996, would have authorized a three-month attachment to MINUGUA of a group of 155 military observers and requisite medical personnel for the purpose of verifying the agreement on the definitive ceasefire; it would have called upon both parties to implement fully their commitments under the agreements and to cooperate fully with the verification of the ceasefire, separation of forces, disarmament and demobilization

of URNG combatants; invited the international community to continue its support for the peace process in Guatemala; and finally, would have requested the Secretary-General to keep the Council fully informed on the implementation of the resolution and to report on the conclusion of the military observer mission.

Following the vote, the representative of the United States stated that it was unfortunate that the Security Council could not reach agreement on authorizing a military observer component to MINUGUA, and regretted that "one member of the Council was not able to give the larger interest of regional peace and security the priority it deserves".<sup>13</sup>

The representative of Costa Rica deeply regretted that one delegation had exercised its right of veto due to "a situation that has nothing whatsoever to do with the peace process in Guatemala". He stated that the ensuing situation was extremely damaging not only to Guatemala or to Central America, but also to the United Nations.<sup>14</sup>

The representative of the Russian Federation stated that his delegation regretted that the draft resolution had been put to a vote in such haste, without allowing sufficient time for further consultation.<sup>15</sup>

The representative of China stated that his Government had consistently supported the Guatemalan peace process. "Regrettably, however, the Government of Guatemala has, for four consecutive years, unscrupulously supported activities aimed at splitting China at the United Nations, in flagrant violation of the purposes and principles of the Charter of the United Nations". Guatemala had also "infringed upon China's sovereignty and territorial integrity and interfered in its internal affairs". Should that situation be corrected, the Chinese delegation might "reconsider the authorization of the deployment of military observers in Guatemala by the Security Council".<sup>16</sup>

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<sup>13</sup> S/PV.3730, pp. 17-18.

<sup>14</sup> *Ibid.*, pp. 18-19.

<sup>15</sup> *Ibid.*, pp. 19-20.

<sup>16</sup> *Ibid.*, p. 20.

<sup>9</sup> *Ibid.*, p. 7 (Mexico); p. 8 (Spain); p. 13 (Sweden); p. 14 (Egypt); and p. 16 (Chile).

<sup>10</sup> *Ibid.*, p. 10.

<sup>11</sup> *Ibid.*, p. 18.

<sup>12</sup> For the vote, see S/PV.3730, p. 17.

**Decision of 20 January 1997 (3732nd meeting): resolution 1094 (1997)**

By a letter dated 16 January 1997 addressed to the President of the Security Council,<sup>17</sup> the Secretary-General transmitted the text of two agreements pertaining to the Guatemalan peace process.

At its 3732nd meeting, held on 20 January 1997 in accordance with the understanding reached in its prior consultations, the Security Council included the previous report of the Secretary-General dated 17 December 1996 in its agenda. Following the adoption of the agenda, the President (Japan), with the consent of the Council, invited the representative of Guatemala, at his request, to participate in the discussion without the right to vote.

The President then drew the attention of the members of the Council to the text of a draft resolution prepared in the course of the Council's prior consultations.<sup>18</sup> He further drew their attention to a letter dated 10 January 1997 from the representative of Guatemala addressed to the President of the Security Council,<sup>19</sup> transmitting the text of a letter of the same date from the Minister for Foreign Affairs of Guatemala addressed to the President of the Security Council. The President also drew attention to the letter dated 16 January 1997 from the Secretary-General addressed to the President of the Security Council, transmitting the texts of two agreements pertaining to the Guatemalan peace process.<sup>20</sup> He also drew attention to a letter dated 20 January 1997 from the representative of China addressed to the President of the Security Council, transmitting the position paper of the Government of China on the authorization of the deployment of military observers in Guatemala.<sup>21</sup>

Speaking before the vote, the representative of Costa Rica in his capacity as spokesman and Secretary pro tempore of the Central American Presidential

Summits stated that Central Americans were grateful to all members of the Council for the decision which would make it possible for a United Nations contingent to verify compliance with the peace agreements in Guatemala and expressed their respect and appreciation to China for its support for the decision.<sup>22</sup>

The representative of China stated that when his delegation had voted against the draft resolution on sending military observers to Guatemala on 10 January 1997, they had made it clear that it was not a situation they had wanted to see. He reiterated that China was in favour of the peace process in Guatemala, monitored by and under the auspices of the United Nations. He stated that there had been many rounds of consultations with Guatemala and that the two sides, guided by the purposes and principles of the United Nations Charter and through a forward-looking, pragmatic approach, had found a solution acceptable to both sides, thereby removing the obstacles to China's support for the draft resolution.<sup>23</sup>

The draft resolution was then put to the vote and adopted unanimously as resolution 1094 (1997), which reads:

*The Security Council,*

*Expressing its full support for the peace process in Guatemala,*

*Noting the fact that the peace process in Guatemala has been monitored by the United Nations and has been under the auspices of the Organization since 1994,*

*Noting the letter dated 20 January 1997 from the Permanent Representative of the People's Republic of China to the United Nations addressed to the President of the Security Council,*

*Recalling the Framework Agreement for the Resumption of the Negotiating Process between the Government of Guatemala and the Unidad Revolucionaria Nacional Guatemalteca of 10 January 1994 and all subsequent agreements, in which the parties agreed to request the United Nations to carry out international verification of the peace accords,*

*Acknowledging the efforts of the Secretary-General, the Group of Friends of the Guatemala peace process, the international community, the United Nations system and other international agencies in support of the peace process,*

<sup>17</sup> The Agreement on Constitutional Reforms and the Electoral Regime (S/1997/51, annex I), signed in Stockholm on 7 December 1996, and the Agreement on the Basis for the Legal Integration of the Unidad Revolucionaria Nacional Guatemalteca (ibid., annex II), signed in Madrid on 12 December 1996.

<sup>18</sup> S/1997/49.

<sup>19</sup> S/1997/23, see the 3730th meeting.

<sup>20</sup> S/1997/51.

<sup>21</sup> S/1997/53.

<sup>22</sup> S/PV.3732 pp. 2-3.

<sup>23</sup> Ibid., p. 3.

*Taking note* of the report of the Secretary-General of 26 November 1996 on the United Nations Mission for the Verification of Human Rights and of Compliance with the Commitments of the Comprehensive Agreement on Human Rights in Guatemala which states that verification measures related to the agreement on the definitive ceasefire signed at Oslo on 4 December 1996<sup>24</sup> would involve, inter alia, the deployment of United Nations military personnel,

*Taking note also* of the report of the Secretary-General of 17 December 1996 outlining the measures necessary for the verification of the agreement on the definitive ceasefire and the addenda to that report of 23 and 30 December 1996, and noting that the ceasefire will enter into force on the date the United Nations mechanism is in place with full operational capacity,

*Welcoming* the agreements between the Government of Guatemala and the Unidad Revolucionaria Nacional Guatemalteca which were signed at Guatemala City on 29 December 1996<sup>25</sup> and which, with the overall package of peace accords signed in Madrid, Mexico City, Oslo and Stockholm, put a definitive end to the Guatemalan internal conflict and will foster national reconciliation and economic development,

1. *Decides*, in accordance with the recommendations contained in the report of the Secretary-General of 17 December 1996, to authorize for a three-month period the attachment to the United Nations Mission for the Verification of Human Rights and of Compliance with the Commitments of the Comprehensive Agreement on Human Rights in Guatemala of a group of 155 military observers and requisite medical personnel for the purposes of verification of the agreement on the definitive ceasefire and requests the Secretary-General to notify the Council no later than two weeks before the operation is to begin;

2. *Calls upon* both parties to implement fully their commitments under the agreements signed in Guatemala and to cooperate fully with the verification of the ceasefire, separation of forces, disarmament and demobilization of the combatants of the Unidad Revolucionaria Nacional Guatemalteca, as well as the commitments under the other agreements in the overall package of peace accords;

3. *Invites* the international community to continue its support for the peace process in Guatemala and, in particular, for the implementation of the agreements referred to in paragraph 2 above;

4. *Requests* the Secretary-General to keep the Council fully informed on the implementation of the present resolution and to report on the conclusion of the military observer mission.

Addressing the Council after the vote, the Secretary-General expressed satisfaction that the obstacles to the deployment of United Nations military observers to Guatemala had been overcome. Paying tribute to the constructive approach demonstrated by the Member States directly involved and the efforts of the Group of Friends of the Guatemalan Peace

process,<sup>24</sup> he noted that the adoption of the resolution would allow for the effective verification of one of the most crucial elements of Guatemala's transition to peace and reconciliation. The Secretary-General recalled that the United Nations had been involved in the Guatemalan process since 1990, when it had been invited to provide an observer to the peace talks. Since 1994, the Organization had played a particularly active role, both through moderation of the peace negotiations and in the deployment of MINUGUA. The signing of the final peace agreement opened a new chapter in the responsibilities of the United Nations.<sup>25</sup> The Secretary-General concluded by acknowledging the support of the Security Council and Member States at large for what it would hopefully "become recognized as one of the Organization's success stories".<sup>26</sup>

**Decision of 5 March 1997 (3744th meeting):  
statement by the President**

By a letter dated 5 February 1997 addressed to the President of the Security Council,<sup>27</sup> the Secretary-General transmitted to the Council the last two agreements pertaining to the Guatemalan peace process.

On 13 February 1997, pursuant to paragraph 1 of resolution 1094 (1997) of 20 January 1997, the Secretary-General submitted to the Security Council his report on the implementation of that resolution.<sup>28</sup> He informed the Council that the group of military observers attached to MINUGUA would begin operations on 3 March 1997, by which date the United Nations verification mechanism would be fully operational.

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<sup>24</sup> Columbia, Mexico, Norway, Spain, the United States and Venezuela.

<sup>25</sup> The Agreement on a Firm and Lasting Peace (S/1996/1045/Add.2).

<sup>26</sup> S/PV.3732, pp. 3-4.

<sup>27</sup> The Agreement on the Implementation, Compliance and Verification Timetable for the Peace Agreements (S/1997/114, annex I) and the Agreement on a Firm and Lasting Peace (Ibid., annex II), signed by the Peace Commission of the Government of Guatemala and the General Command of the Unidad Revolucionaria Nacional Guatemalteca, under the auspices of the United Nations, at Guatemala City on 29 December 1996.

<sup>28</sup> S/1997/123.

At its 3744th meeting, held on 5 March 1997, in accordance with the understanding reached in its prior consultations, the Council included the report of the Secretary-General in its agenda. Following the adoption of the agenda, the President (Poland) invited the representative of Guatemala, at his request, to participate in the discussion without the right to vote.

At the same meeting, the President made the following statement on behalf of the Council:<sup>29</sup>

The Security Council recalls its resolution 1094 (1997) of 20 January 1997 and takes note of the report of the Secretary-General on the implementation of that resolution.

The Council welcomes the deployment on 3 March 1997 of the group of United Nations military observers attached to the United Nations Mission for the Verification of Human Rights and of Compliance with the Commitments of the Comprehensive Agreement on Human Rights in Guatemala for the purposes of verification of the agreement on the definitive ceasefire between the Government of Guatemala and the Unidad Revolucionaria Nacional Guatemalteca signed at Oslo on 4 December 1996.

The Council recalls its constant support for the peace process in Central America, which it has expressed since the adoption of its resolution 530 (19133) of 19 May 1983. It reaffirms its full support for the peace process in Guatemala.

The Council reiterates its call in resolution 1094 (1997) that both parties implement fully their commitments under the agreements signed in Guatemala City on 29 December 1996 and cooperate fully with the verification of the ceasefire, separation of forces, disarmament and demobilization of the combatants of the Unidad Revolucionaria Nacional Guatemalteca, as well as the commitments under the other agreements in the overall package of peace accords.

The Council will remain actively seized of the matter.

**Decision of 22 May 1997 (3780th meeting):  
statement by the President**

At its 3780th meeting, held on 22 May 1997, in accordance with the understanding reached in its prior

consultations, the Council resumed consideration of the item entitled "Central America: efforts towards peace". Following the adoption of the agenda, the President (Republic of Korea) invited the representative of Guatemala, at his request, to participate in the discussion without the right to vote.

At the same meeting, the President made the following statement on behalf of the Council:<sup>30</sup>

The Security Council welcomes the successful conclusion of the military observer mission attached to the United Nations Verification Mission in Guatemala, in accordance with resolution 1094 (1997) of 20 January 1997, to verify the agreement on the definitive ceasefire between the Government of Guatemala and the Unidad Revolucionaria Nacional Guatemalteca signed at Oslo on 4 December 1996. The Council commends the Secretary-General, his Special Representative, the Chief Military Observer and other dedicated personnel of the United Nations who have contributed to this undertaking. The Council further welcomes the full compliance of the Government of Guatemala and the Unidad Revolucionaria Nacional Guatemalteca with the terms of the definitive ceasefire.

The Council commends both parties for the progress made in the implementation of the peace accords to date, in particular for the establishment of the Follow-up Commission, which will oversee the implementation of the agreements, and for steps taken towards the establishment of the Historical Clarification Commission. The Council reiterates its call for both parties to continue to implement fully their commitments under the agreements signed in Guatemala City on 29 December 1996 as well as the commitments under the other agreements in the overall package of peace accords signed in Madrid, Mexico City, Oslo and Stockholm.

The Council reaffirms its full support for the peace process in Guatemala. The Council expresses its confidence that the Special Representative of the Secretary-General, the Mission, and the international community will continue their support for the peace process in Guatemala and, in particular, for the implementation of the peace accords.

<sup>30</sup> S/PRST/1997/28.

<sup>29</sup> S/PRST/1997/9.