United Nations A/51/PV.87

General Assembly

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Fifty-first Session

87th plenary meeting
Tuesday, 17 December 1996, 10 a.m.
New York

President: Mr. Razali Ismail . . . . . (Malaysia)

The meeting was called to order at 10.15 a.m.

Agenda item 3 *(continued)*

Credentials of representatives to the fifty-first session of the General Assembly

(b) Second report of the Credentials Committee (A/51/548/Add.1)

The President: The draft resolution recommended by the Credentials Committee in paragraph 11 of its second report reads as follows:

"*The General Assembly*,

"*Having considered* the second report of the Credentials Committee and the recommendation contained therein,

"*Approves* the second report of the Credentials Committee."

We shall now proceed to consider the draft resolution recommended by the Credentials Committee in paragraph 11 of its second report.

The Credentials Committee adopted this draft resolution without a vote. May I take it that the Assembly wishes to do the same?

The draft resolution was adopted (resolution 51/9B).

The President: We have thus concluded this stage of our consideration of sub-item (b) of agenda item 3.

Agenda item 11 (*continued*)

Report of the Security Council

Draft resolution A/51/L.64

The President: I call on the representative of Colombia to introduce draft resolution A/51/L.64.

Mr. García (Colombia) (*interpretation from Spanish*): I have the honour of introducing, on behalf of the Non-Aligned Movement, draft resolution A/51/L.64 entitled "Report of the Security Council", under item 11 of the agenda of the General Assembly.

Articles 10 through 17 of the Charter of the United Nations refer to the functions and powers of the General Assembly. Under Article 15, the Assembly is to receive and consider annual reports and special reports of the Security Council. The Charter also stipulates, in Article 24, paragraph 3, that the Council is to submit annual and, when necessary, special reports to the General Assembly for its consideration.

These two provisions establish an extremely important link in the functioning of the United Nations, a link that indicates that, when the Council acts in accordance with the Charter, it is doing so on behalf of Member States. At the same time, there is a body within

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the Organization — the General Assembly — in which all Member States are represented. This body has a very broad mandate with regard to all matters or questions that fall within the framework of the Charter.

The importance of the report of the Council to the Assembly is also emphasized by the fact that in paragraph 1 of Article 15, the Charter makes a separate reference to the report of the Council, emphasizing it and differentiating it from all the reports that the other United Nations bodies submit to the General Assembly. These other reports are referred to in paragraph 2 of the same Article.

The Movement of Non-Aligned Countries has resumed the process that was initiated by the General Assembly when it adopted by consensus resolution 48/264 of 29 July 1994. In that resolution, as well as in the draft resolution we are introducing today, the General Assembly emphasizes the importance of greater cooperation and an effective relationship between the Assembly and other main bodies, particularly with the Security Council, in keeping with the provisions of the Charter of the United Nations. In that resolution, as well as in this draft resolution, the General Assembly encourages the Council to submit its report in a timely manner.

In the draft resolution we are introducing today, the General Assembly encourages the Council to provide a substantive account of its work in order to allow the Assembly to consider the report as stipulated in Article 15, paragraph 1, of the Charter.

In the draft resolution that we have the honour to submit today on behalf of the Non-Aligned Movement, the General Assembly calls upon the Security Council to include in its report, as appropriate, information on the consultations of the whole undertaken prior to the adoption of measures; the decisions, recommendations or progress of work of the subsidiary organs of the Council, in particular the sanctions committees; and information on requests that have been received under Article 50 of the Charter and actions taken thereon.

In the draft resolution that we are submitting today on behalf of the Non-Aligned Movement, the General Assembly calls upon the Council to provide additional information in its reports in the section on the steps taken by the Council to improve its working methods.

In view of the fact that the annual report of the Council traditionally encompasses the period from July of the previous year through June of the year it is to be considered, the Assembly requests the Council to submit its annual report before the beginning of the general debate of the Assembly in September.

In the draft resolution, the General Assembly also encourages the Council to provide special reports in accordance with Articles 15 and 24 of the Charter.

In submitting this draft resolution, the Non-Aligned Movement is making a contribution to enhancing cooperation between the Council and the General Assembly. It is for that reason that in the draft, the Assembly requests its President to raise with the President of the Council, during their monthly informal meetings, the matters covered by the present draft resolution. The Assembly also invites the Security Council, through an appropriate procedure and mechanism, to update it on the steps it has taken or is contemplating with respect to improving its reporting to the Assembly.

The President: We shall now proceed to consider draft resolution A/51/L.64.

I shall now call on those representatives wishing to make statements in explanation of vote before the voting. May I remind delegations that explanations of vote are limited to 10 minutes and should be made by delegations from their seats.

Mr. Ladsous (France)(*interpretation from French*): The text of draft resolution A/51/L.64, which is before us today, is contrary to the interests of the United Nations because it attempts insidiously to hamper reform of the Organization, which is universally recognized as necessary. The draft resolution seeks confrontation; however, genuine progress can be achieved only through the negotiations currently under way in several working groups of the General Assembly and of the Security Council.

The French delegation learned of this text indirectly and late. Nonetheless, we sought to initiate a dialogue with the sponsors of the draft resolution. Along with others, we proposed to Colombia, which represented the sponsors of the draft resolution, some amendments that could have helped us to reach consensus. However, most of these amendments were rejected without discussion or the will to find an area of agreement. Accordingly, France invites all delegations seeking successful reform to disassociate themselves from this harmful and tendentious draft resolution. The French delegation will therefore vote without hesitation against A/51/L.64.

This draft resolution is contrary to the Charter, which provides that the General Assembly and the Security Council are the two principal organs of the Organization. It does not indicate that one organ is a subsidiary of the other. We believe that, by saying "no" to this unfortunate draft resolution, we are defending the United Nations and the purposes and principles of the Charter.

I shall confine myself to just a few examples showing, among other things, how unreasonable and intentionally unrealistic this draft resolution is. First, operative paragraph 4 (a) requests that the annual report of the Council to the Assembly should include information on the Council's informal consultations — tantamount to requiring that there be an official account of work that, if it is to be effective, must be done informally. That is a contradiction in terms, and the requirement it involves is materially impossible to satisfy. It also sets a double standard, for the General Assembly itself does not require records for all of the informal consultations organized within its various bodies.

A second example is operative paragraph 4 (c), which calls on the Council to indicate, when it is acting on issues falling within the scope of the Assembly, to what extent related General Assembly resolutions have been taken into consideration. Since everyone knows that the Assembly's powers are not defined in a restrictive way in the Charter, this rule would require that the Council review all of the Assembly's resolutions to show that it has respected them. That is clearly inconceivable. Under the Charter, the Council is not an executive body of the General Assembly. Article 12 in particular defines the relationship between the two organs on questions of substance. Indeed, that Article which asks the Assembly not to make any recommendation on matters of which the Council is seized, differs markedly from what is set forth in paragraph 4 (c). The authors of paragraph 4 (c) can have been inspired only by the goal of political divisiveness; we find this deplorable.

The third, and final, example is paragraph 7, which requires that the measures taken by the Council to implement the draft resolution be inscribed on the agenda of the monthly meetings between the President of the Assembly and the President of the Council. These meetings between the two Presidents are not official in any way. They are not provided for in any decision of either organ, and it would thus seem paradoxical to request a fixed agenda by official act. As far as the President of the Security Council is concerned, he cannot be required to discuss specific matters. When such talks are held — and these are not a bad thing; they can even be useful — they must respect two principles: equality between the two participants, and freedom as to which matters should be taken up.

Those are just a few examples. Whatever happens today with respect to draft resolution A/51/L.64 will not change the French delegation's position, which favours the revitalization and restructuring of the United Nations launched by the Secretary-General, Mr. Boutros Boutros-Ghali. We will continue serenely, pragmatically and calmly to do everything we can to bring about concrete improvements in our working methods. We have endeavoured, and will continue to endeavour, to ensure that the report of the Council to the General Assembly is better every year. Our partners within the Security Council are aware of our sincere efforts to achieve fresh progress.

The text before us, however, advocates doubt rather than trust and condemnation rather than concertation; and it promotes dogma over action. If it is adopted, it will only make it more difficult for delegations of goodwill, which, like the French delegation, seek solid grounds of agreement and compromise. That is why we would like the Assembly to show clearly that the draft resolution does not enjoy its support and that it would prefer to undertake serious efforts on the working methods of the various organs of the United Nations. That is also why we will vote against draft resolution A/51/L.64.

Mr. Gomersall (United Kingdom): Three weeks ago we had a useful debate in this Hall on the Security Council's report to the General Assembly. Many delegations used that occasion to analyse the work of the Council and to comment on it over the period covered by the report.

We have encouraged efforts to make this debate a more substantive event and will continue to do so. Many other delegations also suggested further changes to the format of the annual report or to the method of its consideration in the Assembly. We carefully noted these suggestions as well, and will seek to consider them further in the bodies where such questions are already under discussion — not only the Council's own Working Group on documentation and other procedural questions, but also the General Assembly's Working Group on the Question of Equitable Representation on and Increase in the Membership of the Security Council and Other Matters Related to the Security Council, and its Open-ended High-level Working Group on the Strengthening of the United Nations System.

For the United Kingdom's part, we are certainly prepared to see further changes to the Council's report where these are workable and useful. One cannot escape the fact, however, that the Security Council's report is basically a document of record, and is bound to remain so, however improved and refined. For up-to-date information on the daily meetings of the Council, the Council and delegations have developed a range of other methods; it is these methods, rather than the formal report, that are the essence of practical transparency.

Against this background, the draft resolution unfortunately seeks to pre-empt discussion in the three Working Groups that I have mentioned, and will not, in our view, aid the process of practical reform. My delegation, together with others, made our reservations clear at an early stage to the sponsors of the draft resolution. We agree with all the detailed textual comments made by France a moment ago. We offered suggestions for a more accurate and consensual conclusion to this item, but these were not accepted. We believe it brings this organ into disrepute if resolutions of the General Assembly are brought forward with little discussion and scant regard to the practical realities, with no real attempt made to reach an agreed text.

We shall therefore vote against the draft resolution for a number of reasons. First, this vote is contrary to our understanding that matters related to the enlargement and working practices of the Security Council should be dealt with as a package. The report is already under consideration in the Working Groups. We cannot both vote on it here and discuss it there.

Secondly, the draft resolution takes little account of the changes already made by the Council to its annual report. For example, it suggests the incorporation of elements such as the work of the Council's subsidiary organs, which are already the subject of Council reports. There are other proposals in the draft resolution that are simply unrealistic, including the requirement for the production of records of informal consultations and information on the process leading to Council action.

In conclusion, we shall be voting against the draft resolution because it contains a number of unimplementable recommendations; because it is inaccurate; and because it represents a piecemeal approach to United Nations reform, including that of the Security Council. It will do nothing to further the communication and cooperation between the Security Council and the General Assembly that you, Mr. President, are striving to promote. It simply creates a needless bone of contention, and we urge delegations not to support this draft resolution.

Mr. Tello (Mexico) (*interpretation from Spanish*): The draft resolution before us contains many measures that we agree with and support, and which are directed towards addressing the deficiencies in the annual report submitted by the Security Council to the General Assembly — a report that, to date, has generally been a routine transmission rather than a reflection of the substantive link that should exist between the two bodies.

We have repeatedly stated that the Security Council, to which all United Nations Member States have delegated the delicate task of maintaining international peace and security, should be more serious in meeting its reporting obligation, which is assigned to it by the Charter. Likewise, we regret that the General Assembly does not have an opportunity to carefully consider the report — a document whose contents continue, despite our repeated requests, to be devoid of analysis or substance.

The delegation of Mexico will vote in favour of the draft resolution because we have always firmly supported its objectives as well as the measures proposed therein. However, it should be clear that matters relating to the Security Council are an important part of the issues examined by the Working Group that is entrusted with Council reform which has as its mandate an expansion of the Council's membership as well as an updating of its working methods. Accordingly, we are concerned that a group of countries has decided to bring this matter before the General Assembly in an isolated manner. We doubt whether this course of action will enhance reform. We prefer to continue to seek, as indicated by the General Assembly itself, a general agreement on all matters relating to the composition and working methods of the Security Council within the context of the Working Group established by the General Assembly to that end.

Mr. Robinson (United States of America): My delegation regrets that we find ourselves unable to support a draft resolution on the report of the Security Council. Our regret is grounded not only in the content of the draft resolution contained in document A/51/L.64, but also in the lack of willingness to find common ground. Progress on the issues raised by the draft resolution could continue if based on a search for common ground.

The established practice for the Assembly's handling of the report has been for the Assembly to take note of it,

for delegations that wish to comment on it to do so, and for those comments to be taken into account by the Council. Any departure from this practice should have been based on full consultation on both form and substance. Even though concerns were conveyed to the prime sponsors, no effort to find agreement was forthcoming.

Turning now to the text of the draft resolution contained in A/51/L.64, the first thing that strikes one is the absence of any recognition of the substantial increase in the openness of the Council, made at the initiative of the Security Council with, I might note, the active participation and encouragement of my delegation. These changes include the advance publication of the agenda of informal consultations of the whole, greater reliance on open meetings, daily briefings by the presidency for non-members, regular meetings with troop contributors, regular meetings between the President of the Security Council and the President of the General Assembly, and the so-called Aria-style meetings, to cite a partial list of the reforms undertaken by the Council.

The Council has, moreover, sought to enhance the transparency of its work by increasing the accuracy of the notification of matters with which it is dealing required by Article 12 of the Charter. This last task has proven a slower process than we had hoped, and the Council has moderated its proposals in this area in response to requests from States not members of the Council. Nevertheless, the list supplied pursuant to Article 12 is more accurate and thus more nearly helpful than it was. We hope all concerned will recognize that this list is not meant to be a register of the problems in the world that may have not been resolved, but rather a list of those being dealt with by the Security Council.

As concerns substantive, analytical reports, as referred to in paragraph 3 of the draft resolution, efforts within the Council in the past suggest that the undertaking of such reports is more difficult, more elusive and more time-consuming than many seem to realize. Suggestions in the Council that those who favoured analytical reports should provide a draft of such a report on an item or items of their choosing did not produce any examples. Paragraph 4 of the proposed resolution raises a number of problems starting with its use of the term “calls upon”. Further problems include the suggestion that reports should be prepared on closed, informal consultations, and the call for reports of subsidiary bodies that reflects neither recognition of the reporting already routinely done nor any apparent concern for the adverse effects on the work of such bodies that premature reporting on work in progress could entail.

The extent to which action by the Security Council reflects the recommendations of the Assembly, and the extent to which it reflects other bases, is likely to be an issue which could consume time and energy of the members of the Council, who could more productively be engaged in conflict resolution.

One could note problems with other paragraphs or sub-paragraphs, but I think the point has been made that the current text raises problems. Some of these problems could have been resolved or mitigated. Unfortunately, for whatever reason, the text before us does not reflect a common basis or even an attempt to reach a common basis. We think parts of it are distinctly ill-advised, and we shall consequently vote against it. We hope others who share our view that this is not the way to improve Council practice will join us in not supporting this draft resolution.

Mr. Gorelik (Russian Federation) (*interpretation from Russian*): The General Assembly’s consideration of the report of the Security Council is one of the useful opportunities provided for in the Charter for dialogue and interaction between two of the principal organs of the United Nations. The report gives Member States a fairly full picture of the intensive work being done by the Council, and of its increasingly purposeful efforts to improve its own working methods.

Like other members of the Security Council, we take very seriously the wish expressed by a number of States to improve the format and the nature of the report, to increase its transparency and the transparency of the work of the Council. We agree that there is a need for sensible proposals to support efforts being made by the Security Council to enhance the effectiveness of its work. At the same time, we must note that the approach to the report of the Security Council to the General Assembly must be in accordance with the dictates of the Charter, particularly Articles 11 and 12, which provide for a kind of harmony between the powers and the status of the principal organs of the United Nations, including between the General Assembly and the Security Council. We believe that approaches that are emotional or less than fully balanced are out of keeping with this harmony.

To our great disappointment, the delicate balance between the General Assembly and the Security Council, which is one of the pillars of the United Nations, could be harmed by draft resolution A/51/L.64 before us today. Unfortunately the sponsors of the draft resolution did not deem it necessary to carry out serious rather than just pro

forma consultations with all interested parties, including all the members of the Security Council. As a result, in our opinion, the draft resolution would simply weaken the relationship set forth in the Charter: it is an attempt to interfere with the procedures of the Security Council, to disrupt the sensible approach to transparency and the confidentiality of its work, and to force the Security Council to do nothing but write reports.

It is distressing that such an attempt is being made at a time when the Security Council is seeking to become more open and to enhance the dynamics of its interactions with other principal organs of the United Nations, including the General Assembly. The Russian delegation cannot agree to such an approach, and will vote against draft resolution A/51/L.64. We recognize the desirability of enhancing the analytical and informative nature of the reports of the Security Council to the General Assembly, and are willing to work with all interested delegations to seek collective, mutually agreed — not one-sided — decisions.

Mr. Karsgaard (Canada): Canada attaches great importance to improving the working methods and procedures of the Security Council. One of our objectives in the Security Council reform process has been to make the activities of the Council as transparent as possible. We believe measures taken in this regard will only help to enhance the credibility and legitimacy of Council activities.

We therefore welcome the attempt made by members of the Non-Aligned Movement to recommend improvements to the report of the Security Council to the General Assembly. However, we also believe that changes to Security Council working methods and procedures, to be most effective, should be based on consensus, including the support of Security Council members, which have the responsibility for implementing those changes. We would therefore have preferred an approach to this issue which, with time for consideration and discussion, might have received the full support of all Member States. For this reason, we will abstain in the vote on this draft resolution.

Mr. Horin (Ukraine): My delegation has thoroughly studied the draft resolution contained in document A/51/L.64 and finds it timely and important. This document is aimed at enhancing the transparency of the work of the Security Council and its cooperation with the General Assembly.

The delegation of Ukraine draws attention in particular to paragraph 2 of the draft resolution, which takes notes of the views expressed during the debate on agenda item 11 in November. We hope that the members of the Security Council, permanent, present and future, will use those views in their work to the benefit of the general membership.

My delegation considers the provisions of paragraph 4 to be relevant and realistic. We believe that this draft resolution, which exclusively concerns the report of the Security Council, will in no way hamper the work of any working group of the General Assembly in the future.

The delegation of Ukraine would like to add its name to the list of sponsors of this draft resolution.

Mr. Powles (New Zealand): My delegation believes that it is only in response to responsible pressure for reform that the non-elected members of the Security Council agree to change. For that reason, New Zealand will support this draft resolution.

The President: We have heard the last speaker in explanation of vote before the vote.

The Assembly will now take a decision on draft resolution A/51/L.64.

A recorded vote has been requested.

A recorded vote was taken.

In favour:

Algeria, Angola, Antigua and Barbuda, Argentina, Bahrain, Bangladesh, Barbados, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cameroon, Cape Verde, Chad, Chile, Colombia, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Democratic People's Republic of Korea, Dominica, Ecuador, Egypt, El Salvador, Fiji, Gabon, Gambia, Ghana, Grenada, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Liberia, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mauritius, Mexico, Micronesia (Federated States of), Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, New Zealand, Nicaragua, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Republic of Korea, Republic of Moldova, Rwanda, Saint Lucia, Samoa, Saudi

Arabia, Senegal, Sierra Leone, Singapore, Solomon Islands, South Africa, Sri Lanka, Sudan, Suriname, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukraine, United Arab Emirates, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Zimbabwe

Against:

France, Russian Federation, United Kingdom of Great Britain and Northern Ireland, United States of America

Abstaining:

Andorra, Armenia, Australia, Austria, Azerbaijan, Belarus, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, China, Czech Republic, Denmark, Estonia, Finland, Georgia, Germany, Hungary, Iceland, Ireland, Israel, Italy, Japan, Kazakstan, Liechtenstein, Lithuania, Luxembourg, Monaco, Netherlands, Norway, Palau, Poland, Portugal, Romania, San Marino, Slovakia, Slovenia, Spain, Sweden, Tajikistan, the former Yugoslav Republic of Macedonia

The draft resolution was adopted by 111 votes to 4, with 41 abstentions (resolution 51/193).

Subsequently, the delegation of Bosnia and Herzegovina informed the Secretariat that it had intended to vote in favour; the delegation of Latvia had intended to abstain.

The President: Before calling on the first speaker in explanation of vote after the vote, may I remind delegations that explanations of vote are limited to 10 minutes and should be made by delegations from their seats.

Mr. Patriota (Brazil): The consideration of the report of the Security Council by the General Assembly has acquired increasing importance with the Council's intensified activity in recent years. Raising the Council's transparency and accountability to levels compatible with the requirements of the Charter and the expectations of the general membership is a matter of utmost concern, to which Brazil ascribes the greatest importance.

My delegation supports the objectives of the resolution just adopted and endorses its motivation. While our affirmative vote expresses fundamental agreement with the thrust of the resolution's provisions, we would have favoured additional opportunity being afforded to interested delegations so that they could comment on specific formulations. More detailed and in-depth discussions on the draft would have created conditions more conducive to the implementation of the changes being sought.

We are convinced that the establishment of a solid and mutually reinforcing partnership between the Security Council and the General Assembly is not only desirable but necessary. But we are also persuaded that enhanced interaction between these two principal organs of the United Nations can only stand to benefit from broad consultation and a search for consensus.

Mr. Biørn Lian (Norway): The question addressed in draft resolution A/51/L.64 has important bearing on the work of the Security Council and indeed on the work of our Organization as a whole. My delegation therefore regrets that it was not possible to reach consensus on a text under this agenda item. Norway has consistently argued in favour of increased transparency in the work of the Security Council, and we share many of the objectives sought by the authors of the resolution. We wish, however, to pursue efforts towards these goals — in particular within the Open-ended Working Group on the Question of Equitable Representation on and Increase in the Membership of the Security Council and Other Matters Related to the Security Council — with a view to reaching general agreement. In these endeavours it is necessary to respect the principles of the United Nations Charter with regard to the responsibilities of the General Assembly and the prerogatives of the Security Council. It is against this background that Norway abstained in the vote on draft resolution A/51/L.64.

Ms. Ramirez (Argentina) (*interpretation from Spanish*): Argentina voted in favour of the draft resolution on the report of the Security Council because we agree with the substantive aspects of its provisions. Our interest in achieving greater transparency in the work of the Security Council has been well known for a long time and has been demonstrated in concrete endeavours that have been open to all Members of the Organization. However, we would like to say that, in our view, the resolution just adopted does not exhaust consideration of the principal issues related to the Charter obligation of the Security Council to report on its work. It is also certain that, given the importance of the subject, more time should be given to its consideration and to increasing the level of agreement among the members of the Assembly.

We believe that the initiative of the Non-Aligned Movement deserves high praise. In the same spirit, we would like to express our hope that further consideration of this item can take place following the same principles

and working methods that we would like to see the Security Council embrace.

Mr. Campbell (Ireland): The European Union welcomes the efforts which have been made in recent years to give greater depth and precision to the annual report presented by the Security Council to the General Assembly. We would like to see this trend maintained and carried further in the interests of clarity and transparency.

Delegations will be aware that the issues covered in resolution 51/193 are already being discussed and negotiated in two high-level open-ended working groups, namely the Open-ended High-level Working Group on the Strengthening of the United Nations System and the Open-ended Working Group on the Question of Equitable Representation on and Increase in the Membership of the Security Council and Other Matters Related to the Security Council.

The European Union wishes to see the most comprehensive agreement possible emerge from these discussions, which would advance the effective interaction between the General Assembly and the Security Council. We do not consider that it is appropriate at this stage to seek decisions in the General Assembly on only certain aspects of these issues while discussions continue in the two groups mentioned.

Those discussions should be purposefully pursued to achieve the most effective conclusions possible, with a broad consensus of all Members of the Organization. The European Union has accordingly been unable to support resolution 51/193.

Mr. Konishi (Japan): Japan has consistently supported the improvement of the working relationship between the Security Council and the General Assembly, and the enhancement in the transparency of the Council vis-à-vis the general membership. We reiterated this position in the earlier deliberations on this item, as well as in the discussion on agenda item 47, on the question of equitable representation on and increase in the membership of the Security Council.

For its part, as a non-permanent member during the years 1992 and 1993, Japan took concrete measures to improve the transparency of the Security Council, by, for example, briefing interested delegations.

Further improvement in the relationship between the Council and the general membership is one of the areas to which Japan intends to devote its energies in serving as a non-permanent member of the Security Council over the next two years. At the same time, I wish to stress that Japan is in favour of resolving the question of improving the relationship between the General Assembly and the Security Council through a comprehensive package of reforms that would deal with all other elements of reform, including the question of the composition and enlargement of the Security Council. We believe that the resolution does not conform to this position. We therefore abstained in the vote.

Mr. Rowe (Australia): Australia would have preferred to have been able to support a resolution under this item instead of abstaining, as its broad objective — enhancing the effectiveness of the important relationship between the General Assembly and the Security Council in accordance with the provisions of the Charter — is one that Australia strongly supports. There are measures proposed in this resolution that we endorse. However, we also note that the working methods of the Security Council are currently under consideration in the Working Group on Security Council reform and other working groups, the outcome of which will eventually be considered as a package. We believe that it would have been preferable to await the outcome of those deliberations, rather than prejudge that package through a separate resolution under this item. We also believe that a resolution on the report of the Security Council and on its working methods, if it is to have practical effect, should be based upon consensus. If such a draft resolution had been presented, we would have been pleased to join in consensus on it.

Mr. Sychou (Belarus) (*interpretation from Russian*): The Republic of Belarus has always advocated improvement in the working methods of the Security Council to enhance transparency and strengthen the relationship between the Security Council and the General Assembly, and making the reports of that principal organ more analytical. We abstained in the vote on draft resolution A/51/L.64, however, because we believe that success in reforming the Security Council is possible only with the agreement and consent of all Members of the United Nations. Further work in the Open-ended Working Group on the Question of Equitable Representation on and Increase in the Membership of the Security Council and Other Matters Related to the Security Council will make it possible to establish, in an appropriate manner, a general approach to reform of the Security Council that could then form the basis for a consensus decision by the General Assembly.

The President: We have heard the last speaker in explanation of vote. May I take it that it is the wish of the General Assembly to conclude its consideration of agenda item 11?

It was so decided.

Announcement by the President

The President: I wish to inform the General Assembly of the tragic news received from the International Committee of the Red Cross (ICRC), an Observer of this Assembly. Six of its delegates were assassinated this morning by unidentified gunmen at their quarters at the hospital in Novye Atagi, near Grozny, Chechnya. I am deeply shocked and grieved by these killings and, as President of the Assembly, I would like to extend my deepest sympathies to the families of the deceased. The International Committee of the Red Cross pursues its work with courage and determination, in defence of humanitarian principles, by caring for people caught in conflicts and emergencies. I share with the ICRC the outrage and grief over this act of violence.

Agenda item 12 (*continued*)

Report of the Economic and Social Council (A/51/3)

The President: Members will recall that chapters I, II, III, IV, V (sections A and F), VI and VIII of the report of the Economic and Social Council were assigned to plenary meetings for consideration.

As members will recall, chapter V, section F, of the report of the Economic and Social Council concerns non-governmental organizations. This section contains the text of Council decision 1996/297, entitled "Non-governmental organizations", by which the Economic and Social Council

> "decided to recommend that the General Assembly examine, at its fifty-first session, the question of the participation of non-governmental organizations in all areas of the work of the United Nations, in the light of the experience gained through the arrangements for consultation between non-governmental organizations and the Economic and Social Council". *(A/51/3 (Part II), p. 187)*

Members will recall that on 26 November 1996, I announced that I had requested His Excellency Mr. Ahmad Kamal, Permanent Representative of Pakistan, to undertake informal soundings with Member States and non-governmental organizations in order to make a proper determination on the methodology, as well as on the substantive issue, of facilitating the participation of non-governmental organizations in all areas of the work of the United Nations.

I have now received a report from Ambassador Ahmad Kamal on his informal soundings, held on 2, 9, and 11 December 1996. Member States and non-governmental organizations accord priority to the matter and they expect urgent, focused and result-oriented action on the subject during the fifty-first session of the General Assembly. After the consultations that I have undertaken with Member States and the Bureau of the Open-ended High-level Working Group on the Strengthening of the United Nations System, I intend to establish a sub-group of the Open-ended High-level Working Group.

The sub-group could commence its work simultaneously with the Open-ended High-level Working Group next year. Its first task would be to determine, within the parameters of Economic and Social Council decision 1996/297, its programme of work, working methods and timetable, and then go on to address the substantive aspects of the subject with due regard to the urgency attached to the matter by Member States.

I should like to thank Ambassador Kamal for his diplomacy and leadership in conducting, on my behalf, the informal soundings. His knowledge of the subject should be of great help to the sub-group that will be set up.

May I take it that the Assembly wishes to take note of chapters I, II, III, IV, V (section A), VI and VIII of the report of the Economic and Social Council?

It was so decided.

The President: May I take it that it is the wish of the General Assembly to conclude its consideration of chapters I, II, III, IV, V (section A), VI and VIII of the report of the Economic and Social Council?

It was so decided.

The President: We have thus concluded this stage of our consideration of agenda item 12.

Agenda item 18 (*continued*)

Appointments to fill vacancies in subsidiary organs and other appointments

(g) Appointment of members of the Committee on Conferences

Note by the Secretary-General (A/51/107)

The President: As indicated in document A/51/107, since the terms of office of Chile, Egypt, France, Gabon, Japan, Pakistan and the Russian Federation expire on 31 December 1996, it is necessary for the President of the General Assembly, during the current session, to appoint seven members to fill the resulting vacancies. The members so appointed will serve for a period of three years beginning on 1 January 1997.

After consultations with the Chairmen of the groups of African States, Asian States, Eastern European States, Latin American and Caribbean States and Western European and other States, I have appointed Chile, Fiji, France, Gabon, Japan, Namibia and the Russian Federation as members of the Committee on Conferences, with effect from 1 January 1997.

May I take it that the Assembly takes note of these appointments?

It was so decided.

The President: May I take it that it is the wish of the General Assembly to conclude its consideration of agenda item 18 (g)?

It was so decided.

Agenda item 21 (*continued*)

Strengthening of the coordination of humanitarian and disaster relief assistance of the United Nations, including special economic assistance

(a) Strengthening of the coordination of emergency humanitarian assistance of the United Nations

Report of the Secretary-General (A/51/172)

Draft resolution (A/51/L.45/Rev.1)

(b) Special economic assistance to individual countries or regions

Reports of the Secretary-General (A/51/326, A/51/464)

Draft resolutions (A/51/L.26, L.48)

Draft decision (A/51/L.65)

The President: Should the General Assembly decide to adopt the draft decision contained in document A/51/L.65, it would defer consideration of draft resolution A/51/L.48 until later in the fifty-first session.

I call on the representative of Sweden to introduce draft resolution A/51/L.45/Rev.1.

Mr. Osvald (Sweden): Before introducing the draft resolution contained in document A/51/L.45/Rev.1, I should like to announce that the following additional countries have joined in sponsoring the draft resolution: Afghanistan, Albania, Armenia, Azerbaijan, Belarus, Burkina Faso, Congo, Côte d'Ivoire, the Czech Republic, the Democratic People's Republic of Korea, Djibouti, El Salvador, Ethiopia, Guinea-Bissau, Guyana, Haiti, Hungary, the Lao People's Democratic Republic, Latvia, Lebanon, Madagascar, Malta, Mongolia, Nicaragua, San Marino, South Africa, Togo, the United Republic of Tanzania and Zimbabwe.

On behalf of the sponsors, I have the honor to introduce the draft resolution, entitled "Strengthening of the coordination of emergency humanitarian assistance of the United Nations", contained in document A/51/L.45/Rev.1. I should like first to draw the attention of the Assembly to a few minor corrections to the text. In the eighth preambular paragraph, the word "roles" should be in the singular, "role". In the first line of operative paragraphs 13 and 14, the word "Secretariat" should be replaced by "Secretary-General". And finally, in paragraph 17, the word "fully" should be inserted after "enable it to carry out".

The draft resolution before the Assembly recognizes the increasing need for humanitarian assistance and adequate financial resources to ensure prompt, timely and effective response by the United Nations to natural disasters and other emergencies, both for relief and for the smooth transition from relief to rehabilitation, reconstruction and long-term development. The draft resolution also takes note of the report of the Secretary-General on strengthening of the coordination of emergency humanitarian assistance of the United Nations, document A/51/172 of 21 June 1996.

In the operative part of the draft resolution, the Assembly urges relevant United Nations organizations to participate actively in the follow-up process established by Economic and Social Council resolution 1995/56 and encourages Governments to ensure coherence in the direction given to the governing bodies of those organizations.

The draft resolution addresses the need for the members of the Inter-Agency Standing Committee to further define operational responsibilities to strengthen the work in priority-setting and the formulation of coherent humanitarian strategies, and requests the Secretary-General to include in his report to the 1997 substantive session of the Economic and Social Council recommendations on measures to make the Committee a more transparent and effective mechanism for inter-agency decision-making on coordination.

The draft resolution also recognizes the need for a clearer division of responsibilities between the different actors in addressing relief, rehabilitation, reconstruction and long-term development.

The Secretary-General is encouraged to further strengthen the cooperation and coordination between the Department of Humanitarian Affairs and other relevant departments of the United Nations Secretariat, to ensure a more effective United Nations response to natural disasters and other emergencies.

Furthermore, the Secretary-General is requested to present proposals to the 1997 substantive session of the Economic and Social Council on clearer identification of priority needs and the formulation of a coherent humanitarian strategy within consolidated appeals, and to make recommendations on possible ways to strengthen the effectiveness of the Central Emergency Revolving Fund.

Finally, the General Assembly once again stresses the critical need to create a sound and predictable financial basis for the Department of Humanitarian Affairs to enable it to carry out fully its mandate, and encourages the Secretary-General to continue to explore all possible solutions to achieve that goal.

The draft resolution was approved in the informal consultations conducted by Ambassador Sucharipa, the Permanent Representative of Austria, and I hope that it will be adopted by the General Assembly by consensus.

I would like to thank all the sponsors of the draft resolution and the many delegations that actively participated in the negotiations.

Before concluding, I would also like to pay special tribute to Mr. Yasushi Akashi, Under-Secretary-General for Humanitarian Affairs, and his staff, as well as to the United Nations agencies involved, for their continuous dedication to alleviating the sufferings of the victims of natural disasters and other emergencies.

The President: I now call on the representative of the Congo to introduce draft resolution A/51/L.26.

Mr. Bakala (Congo) (*interpretation from French*): On behalf of the African Group, I wish to express to the observer of the International Committee of the Red Cross our deepest condolences on the assassination of six of its representatives in Chechnya.

I have the honour to introduce, on behalf of the African Group as well as Oman, Pakistan, Qatar, the Syrian Arab Republic and Yemen, the draft resolution contained in document A/51/L.26, entitled “Emergency assistance to the Sudan”. The draft resolution is an updated version of resolutions adopted by the General Assembly since its forty-third session on humanitarian assistance to persons affected by the civil war in the southern part of the Sudan.

The draft resolution recognizes the need to address the continuum of relief, rehabilitation and development in Sudan so as to reduce dependence on external food aid and other relief services. It emphasizes the vital importance of peace, the alleviation of the suffering of civilians touched by war and the delivery of relief supplies to the needy.

The draft resolution stresses also that Operation Lifeline Sudan should operate within the principle of national sovereignty and Sudanese and international law, which underlie international cooperation. It also stresses the need for Operation Lifeline Sudan to be operated with transparency and effectiveness in order to achieve to achieve the desired results.

It also stresses the importance of assuring safe access for personnel providing relief assistance to all in need. It further emphasizes the need for those to whom safe access must be assured to observe strictly the principles of Operation Lifeline Sudan.

In the past, the General Assembly has adopted all draft resolutions relating to humanitarian assistance. The sponsors of draft resolution A/51/L.26 hope that the General Assembly will adopt this draft resolution by consensus.

The President: I now call on the representative of Sudan on a point of order.

Mr. El Tinay (Sudan): Since its forty-third session, the General Assembly has adopted by consensus resolutions entitled "Emergency assistance to the Sudan". The consensus has been attributable to the purely humanitarian nature of the resolutions and the spirit of compromise among interested delegations. In line with that spirit and practice, the delegation of the Sudan entered into lengthy and constructive informal consultations with interested delegations with the aim of reaching consensus.

My delegation deems it a duty to extend our appreciation for the untiring efforts exerted by His Excellency Mr. Ernst Sucharipa, the Permanent Representative of Austria, who led the informal consultations with a constructive attitude and a great deal of patience and neutrality. As a result of these consultations, one preambular paragraph and nine out of ten operative paragraphs were either deleted or amended, while three new preambular and four operative paragraphs were included in the draft. The number of revisions and additions to the draft stand, without any doubt, as evidence of the flexibility of the delegation of Sudan.

The General Assembly, which is determined to implement the principles of the Charter may agree with me that achieving peace remains the most charitable goal for all of humanity. When the situation is of the type addressed by this draft resolution — a situation of prolonged civil war in which millions of suffering civilians are affected — it is imperative peace should receive our wholehearted support. We should welcome and give our unconditional support to any positive move towards the achievement of a comprehensive and lasting peace by the parties to the conflict.

The situation we are facing today is unique. We are facing a situation whereby some delegations that took part in the negotiations opted to sacrifice a draft resolution intended to solicit humanitarian assistance to civilians affected by civil war for the sake of their own political agenda. They resisted all of our efforts to convince them to welcome the peace charter signed by the Government of the Sudan and eight factions of the rebel movement. Instead, they adopted the position taken by the only faction whose only reason for not joining the peace process is that the peace charter was signed by rival factions without giving any consideration to the effect of their action in terms of exacerbating the suffering of civilians.

It is ironic that we have to resort to a vote in such a situation. The draft resolution before us is intended to help innocent civilians; if it is not adopted, the international community will only be depriving the neediest people in southern Sudan of vital humanitarian assistance. This is why we urge delegations to listen to their conscience and vote in favour of the draft resolution.

Before I conclude, I would like to remind the Assembly that the fruits that have been reaped from the peace agreement reached in Sudan, namely the peace charter with eight rebel factions, include the recent release of five hostages, due mainly to the intervention of the Government of Sudan with those factions that have signed the peace charter.

The President: We shall now proceed to consider under sub-item (a) of agenda item 21 draft resolution A/51/L.45/Rev.1, and under sub-item (b) draft resolution A/51/L.26 and draft decision A/51/L.65.

Before calling on the first speaker in explanation of vote before the voting, may I remind delegations that explanations of vote are limited to 10 minutes and they should be made by delegations from their seats.

Ms. Browne (Ireland): The European Union wishes to give an explanation before the vote on draft resolution A/51/L.26, entitled "Emergency assistance to the Sudan". The Czech Republic, Hungary and Poland align themselves with this statement.

The European Union regrets that it was not possible to reach a consensus on the draft resolution contained in document A/51/L.26, entitled "Emergency assistance to the Sudan". The European Union remains deeply concerned about the humanitarian situation in parts of Sudan and we wish to restate our commitment to respond to the fullest extent possible to the emergency and humanitarian needs of the people of the Sudan, in particular through Operation Lifeline Sudan. It is important that the Operation be able to deliver assistance effectively with the support and cooperation of all concerned. We wish to place on record our deep unhappiness that the General Assembly is about to have a vote on a matter relating to humanitarian assistance. In our opinion, agreement had been reached on all but one

paragraph of the draft resolution at the informal consultations organized under the excellent chairmanship of the Permanent Representative of Austria, His Excellency Mr. Ernst Sucharipa. We wish to acknowledge the constructive compromises made by all parties in the negotiations in an attempt to reach consensus.

The European Union recognizes the sensitive political nature and importance of the one remaining issue on which it did not prove possible to reach agreement. Accordingly, the Union showed itself willing in the informal negotiations to go a considerable distance in an attempt to meet the concerns of the sponsors of the draft resolution on this matter. It is regrettable that despite those efforts it is the original text of the draft resolution that has now been submitted. In these circumstances, the member States of the European Union will vote against draft resolution A/51/L.26.

Mr. Hormel (United States of America): As the largest donor of humanitarian assistance to the Sudan, the United States remains concerned about the humanitarian crisis affecting the people of Sudan. We fully support and admire the United Nations agencies and non-governmental organizations that are providing assistance to the Sudanese people. Thus, we regret that this body was unable to reach consensus on addressing emergency assistance to the Sudan, and we regret that the United States must vote against draft resolution A/51/L.26.

From the beginning, the authors of this draft resolution put forward a politicized text. Three weeks of good-faith negotiations brought us extremely close to a resolution, but one delegation could not join consensus on one paragraph. Rather than continuing to work for a consensus text, the sponsors instead disregarded the progress that had been made and went back to their initial draft text.

Certain aspects of the draft resolution, including the proposed Government involvement in the management and operation of Operation Lifeline Sudan, are contrary to the spirit of Operation Lifeline Sudan and could result in the prevention of urgent humanitarian assistance from reaching all war-affected civilians in Sudan. My Government believes that the concepts contained in this draft resolution would make it difficult to render humanitarian assistance effectively to the people of Sudan in accordance with the principles of humanity, neutrality and impartiality.

The particular effort to politicize this humanitarian-assistance text came in Sudan's request to have the General Assembly make a political judgement on the Government's efforts to settle its internal conflicts through a political charter signed with some factions. In October, Sudan's Foreign Minister stated that the Sudanese Government is not bound to any particular document to achieve a negotiated settlement to the civil war; rather it is the concepts in the various existing documents which must be debated and agreed upon. We call on Sudanese officials to clarify the position they have taken in this draft resolution, which gives precedence to the political charter over the Declaration of principles and other negotiating documents.

Because these and several other elements do not belong in a humanitarian resolution, the United States will vote "no".

Ms. McVey (Canada): Canada deeply regrets that a consensus could not be achieved on this important issue. Canada today will vote against draft resolution A/51/L.26 on emergency assistance to the Sudan. Our vote should not be construed as a vote against the principles of humanitarian assistance, but rather as a reservation about some of the language contained in the text, which could detract from a coordinated international effort to effectively deliver humanitarian assistance to the Sudan. Canada has fully supported the humanitarian work of Operation Lifeline Sudan and will continue to do so.

It is a great shame that the countries of the United Nations cannot join together and agree on a resolution to provide humanitarian assistance in the Sudan. The challenges before the parties involved in the conflict are now even greater.

Mr. March (Australia): Australia is making this explanation of vote on draft resolution A/51/L.26 on humanitarian assistance to the Sudan. Australia will abstain in the vote on the draft resolution. We regret that despite considerable effort by many delegations, agreement could not, in the final event, be reached. Humanitarian assistance matters are a deserved priority of this Assembly, and we reiterate our regret that consensus could not be reached at this time.

The President: The Assembly will first take a decision on the draft resolution submitted under sub-item (a) of agenda item 21. Draft resolution A/51/L.45/Rev.1 is entitled "Strengthening of the coordination of emergency humanitarian assistance of the United Nations".

I would like to announce in this connection that since the introduction of that draft resolution, the following country has become a sponsor of the draft resolution: Kazakstan.

May I take it the Assembly wishes to adopt draft resolution A/51/L.45/Rev.1?

The draft resolution was adopted (resolution 51/194).

The President: Under agenda item 21 (b), the Assembly will first take a decision on draft resolution A/51/L.26 entitled "Emergency Assistance to the Sudan".

A recorded vote has been requested.

A recorded vote was taken.

In favour:

Afghanistan, Algeria, Angola, Antigua and Barbuda, Azerbaijan, Bahrain, Bangladesh, Barbados, Belize, Benin, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cameroon, Cape Verde, Chad, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Djibouti, Dominica, Ecuador, Egypt, El Salvador, Fiji, Gabon, Gambia, Ghana, Grenada, Guatemala, Guinea, Guinea Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Jamaica, Jordan, Kazakstan, Kenya, Kuwait, Lebanon, Liberia, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mexico, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Nigeria, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Qatar, Republic of Korea, Russian Federation, Saint Lucia, Saudi Arabia, Senegal, Sierra Leone, Singapore, Solomon Islands, South Africa, Sri Lanka, Sudan, Suriname, Syrian Arab Republic, Tajikistan, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela, Yemen, Zimbabwe

Against:

Andorra, Austria, Belgium, Bulgaria, Canada, Croatia, Czech Republic, Denmark, Estonia, Finland, Germany, Hungary, Iceland, Ireland, Israel, Italy, Japan, Liechtenstein, Lithuania, Luxembourg, Monaco, Netherlands, Norway, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden, the former Yugoslav Republic of Macedonia, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America

Abstaining:

Argentina, Australia, Belarus, Bosnia and Herzegovina, Cyprus, Georgia, Marshall Islands, Micronesia (Federated States of), New Zealand, Palau, Republic of Moldova, Samoa, San Marino, Uzbekistan, Vanuatu

The draft resolution A/51/L.26 was adopted by 103 votes to 34, with 15 abstentions (resolution 51/30 I).

The President: Under agenda item 21 (b), the Assembly will now take a decision on draft decision A/51/L.65, entitled "Emergency assistance for the economic recovery and reconstruction of Burundi".

May I take it that the Assembly decides to adopt draft decision A/51/L.65?

The draft decision was adopted.

The President: I call on those representatives who wish to make statements in explanation of vote after the vote.

Mr. Tello (Mexico) (*interpretation from Spanish*): My delegation voted in favour of the draft resolution contained in document A/51/L.26, "Emergency Assistance to the Sudan", in view of the importance of the relief assistance in dealing with the serious situation that the civilian population of the Sudan is experiencing. However, we must point out that my Government considers that humanitarian assistance must abide strictly by the principles of humanitarianism, neutrality and impartiality in order to provide assistance to those populations that are most in need of it such as that of Sudan today.

My delegation would also note that no humanitarian assistance should be tainted with any political aspects alien to the spirit of humanitarian assistance. For this reason, today more than ever, Mexico would like to support the principles contained in General Assembly resolution 46/182.

Mr. Biørn Lian (Norway): Norway strongly regrets that it did not prove possible to reach consensus on draft resolution A/51/L.26, on humanitarian assistance to the Sudan, due to the politically difficult language in several paragraphs in the text. Norway therefore voted against draft resolution A/51/L.26.

Norway has a long-standing commitment to development efforts in the Sudan and to contributing to creating peace and reconciliation in that troubled country. We will continue these efforts, and I want to make it clear that our vote should not be seen as being directed against the principles of humanitarian assistance or, indeed, against extending such assistance to the Sudan.

The President: May I take it that it is the wish of the General Assembly to conclude its consideration of sub-item (a) of agenda item 21?

It was so decided.

The President: The Assembly has thus concluded this stage of its consideration of sub-item (b) of agenda item 21.

Agenda items 21 and 39 (*continued*)

Strengthening of the coordination of humanitarian and disaster relief assistance of the United Nations, including special economic assistance

(c) Emergency international assistance for peace, normalcy and reconstruction of war-stricken Afghanistan

Report of the Secretary-General (A/51/704)

The situation in Afghanistan and its implications for international peace and security

Report of the Secretary-General (A/51/698)

Report of the Fifth Committee (A/51/736)

Draft resolution (A/51/L.49)

The President: Draft resolution A/51/L.49 has two parts. Part A is entitled "Emergency international assistance for peace, normalcy and reconstruction of war-stricken Afghanistan", and part B is entitled "The situation in Afghanistan and its implications for international peace and security".

We shall now proceed to consider draft resolution A/51/L.49. The report of the Fifth Committee on the programme budget implications of the draft resolution is contained in document A/51/736.

The Assembly will now take a decision on draft resolution A/51/L.49. I should like to add here that the new sponsors of the draft resolution are Afghanistan, Albania, Austria, Azerbaijan, Belarus, Belgium, Bosnia and Herzegovina, Canada, Chile, Cyprus, Czech Republic, Denmark, Estonia, Finland, Georgia, Greece, Guinea-Bissau, Guyana, Honduras, Hungary, Iceland, Italy, Liechtenstein, Lithuania, Luxembourg, Malta, Monaco, Mongolia, Morocco, Netherlands, Norway, Poland, Portugal, Republic of Korea, Romania, Slovakia, Slovenia, Spain, Sweden, the former Yugoslav Republic of Macedonia, Tunisia and Turkmenistan.

May I take it that the Assembly decides to adopt draft resolution A/51/L.49?

The draft resolution was adopted (resolution 51/195).

The President: I shall now call on those representatives who wish to explain their position on the resolution just adopted.

Mr. Kamal (Pakistan): Unlike in previous years, Pakistan did not co-sponsor the resolution on Afghanistan this year, owing to its reservations on two operative paragraphs of the resolution.

Our first reservation refers to operative paragraph 10 of part A of resolution 51/195, entitled "Emergency

international assistance for peace, normalcy and reconstruction of war-stricken Afghanistan". While Pakistan does not condone discriminatory actions by any Afghan faction against women and children, we do not see any justification in establishing a linkage — as has been done in this paragraph — between humanitarian assistance and social issues. We feel that this paragraph of the resolution is against the principles governing humanitarian aid and would set an unfortunate precedent.

Our second reservation relates to operative paragraph 8 of part B of resolution 51/195, entitled "The situation in Afghanistan and its implications for international peace and security". This paragraph does not fully reflect the recent progress made by the United Nations Special Mission to Afghanistan, nor the result of the supplemental efforts made in this regard by Pakistan to arrange an immediate, unconditional, durable and verifiable ceasefire among the warring factions.

During these negotiations the Afghan parties reached a broad understanding on the elements of the ceasefire, which would include the establishment of a ceasefire commission consisting of representatives from both sides, the exchange of prisoners of war and dead bodies, and so on. There was also a broad understanding between the concerned parties that the next step would be the formation of a political commission or a broad-based, fully representative council, although some differences still exist on composition and sequence, as well as on the issue of demobilization of armed militias, the collection of heavy weapons, demilitarization and the establishment of a national security force.

Paragraph 8, which outlines the possible elements of a peace plan, incorrectly places the possible demilitarization of Kabul as an independent second tick of this paragraph, rather than as one of the functions of the broad-based authoritative council. The placement of this element as the second tick begs the question of which body will negotiate and supervise the demilitarization of Kabul.

The demilitarization of Kabul, as envisaged by the Afghans themselves, should have been one of the functions of the political commission or of the broad-based authoritative council. This anomaly in the resolution will not only make the realization of the peace plan difficult, but will also make the already difficult job of Mr. Holl more complex.

While Pakistan is fully supportive of the efforts being made by the United Nations Special Mission to Afghanistan, it is the fervent hope and expectation of my delegation that the mandate stipulated in the resolution will be interpreted in a pragmatic and flexible manner by the Special Mission, with the objective of realizing durable peace and national reconciliation in Afghanistan as soon as possible. We have no doubt as to Mr. Norbert Holl's political sagacity and ability to accomplish his important mission.

Mr. Hormel (United States of America): The United States has joined the consensus on this resolution. We feel it incumbent upon us, however, to express our concern that this resolution could jeopardize the $2.608 billion budget cap that this institution has implemented. In order to avoid that, the United States fully expects that the cost of this resolution will be offset by savings in other expenditures.

The President: Before we conclude consideration of the items, I am sure that members of the Assembly will join me in thanking Ambassador Ernst Sucharipa of Austria, who undertook the long and arduous task of holding consultations and negotiations on the resolutions adopted under agenda item 21.

May I take it that it is the wish of the General Assembly to conclude its consideration of sub-item (c) of agenda item 21 and agenda item 39?

It was so decided.

Agenda item 37

The situation of democracy and human rights in Haiti

Report of the Secretary-General (A/51/703)

Draft resolution (A/51/L.63)

Report of the Fifth Committee (A/51/739)

The President: I call on the representative of Chile to introduce draft resolution A/51/L.63.

Mr. Larraín (Chile) (*interpretation from Spanish*): I have the honour to speak on behalf of the sponsors of the draft resolution on the situation of democracy and human rights in Haiti, which is contained in document A/51/L.63.

This draft resolution renews the mandate of the International Civilian Mission in Haiti (MICIVIH) until

31 July 1997, and, eventually to 31 December, depending on the recommendation of the report to be submitted by the Secretary-General at the end of the first semester.

Operative paragraph 1 reaffirms the work to be done by the joint Mission of the United Nations and the Organization of American States: monitoring full respect for human rights and fundamental freedoms in Haiti, providing technical assistance for institutional development in police training and in the establishment of an impartial judicial system and supporting the development of programmes for the promotion and protection of human rights to ensure coexistence and the consolidation of democracy and institutions in Haiti.

As has been traditional in draft resolutions on this subject, there are paragraphs reaffirming the commitment of the international community to development in Haiti and the Secretary-General's continued support for reconstruction efforts in the country.

I wish to express my sincere appreciation to the Secretary-General, to all the staff of the United Nations and the Organization of American States and to the contributing countries for their cooperation during all these years in the work of the democratic restoration and economic recovery of Haiti. It is clear that without their involvement it would have been impossible for the Haitian people to make the progress we witness today, of which we can all be justifiably proud.

A milestone was reached with the holding of presidential elections and Mr. René Préval's assumption of the presidency, when power was handed over to him by the departing President, Mr. Jean Bertrand Aristide. This transfer of power from one democratically elected President to another also chosen in a democratic election process was the first political event of its kind in the history of Haiti. Thus was a new and promising stage begun for the Haitian people. We must lend them every support as they face the work of economic reconstruction.

The International Civilian Mission in Haiti and the United Nations system face the great challenge of consolidating the progress achieved in Haiti. We trust that the effective work carried out by the staff of the Mission and the vast experience of the United Nations system in the work of supporting development will be the pillars of the new stage of cooperation that must be lent to Haiti.

Mr. Petrella (Argentina) (*interpretation from Spanish*): Argentina takes great pleasure in being a sponsor, together with the group of Friends of Haiti, of the draft resolution contained in document A/51/L.63, just introduced by the representative of Chile.

This draft resolution is designed to consolidate respect for human rights and fundamental freedoms in Haiti, which is the only way to ensure genuine sustainable development. We appreciate the Secretary-General's excellent report and agree with his optimistic conclusions. For that reason we reiterate our support for the International Civilian Mission in Haiti and congratulate the Secretary-General of the United Nations, Mr. Boutros Boutros-Ghali, and the Secretary-General of the Organization of American States (OAS), Mr. César Gaviria, for their work.

The overall situation in Haiti, the progress in and consolidation of its democracy, the viability of its economy, appropriate regional and international participation and the development of that beloved country have been of interest to Argentina for a long time. Neither as a situation nor as a country can Haiti be dealt with by the United Nations in accustomed ways. In our view, Haiti is a very important part of the Caribbean and makes a valuable and necessary contribution to the hemisphere. Haiti represents francophone cultural contributions and unique values.

Haiti was an independent country when many of our countries in America were still colonies. Haiti therefore deserves, after so many years of bad governance, an extended opportunity to re-establish solid institutions. In both the General Assembly and the Security Council, our Organization has evinced the necessary sensitivity to support Mr. Préval and his Government in their efforts to do so. We trust that that sensitivity will be appropriately sustained.

Argentina became involved in the question of Haiti before its restoration of democracy. We believed that we could not and should not leave to other countries with a similar interest in humanitarian affairs the political and material efforts needed to solve Haitian problems.

Finally, we believe that if there is a common cause to unite us in America, it is the cause of democracy. In Haiti today that is precisely what is involved.

Mr. Karsgaard (Canada) (*interpretation from French*): I am pleased to speak today on the question of the situation of democracy and human rights in Haiti and to the draft resolution on that subject.

Since we met in August to consider the mandate of the International Civilian Mission in Haiti (MICIVIH), a number of events have taken place and have had an impact on the context in which we consider this draft resolution.

First of all, the Secretary-General has reported that, while relative calm was severely disrupted in August, the public security situation has improved. This has been due in large part to a public commitment on the part of the Haitian Government to resolve the question of its obligations to demobilized soldiers, the adoption by the Parliament of important economic legislation and the steadily improving performance of the new public security force, the Haitian National Police (HNP). Although MICIVIH issued a disturbing report in July on the human rights abuses committed by the HNP, the Secretary-General now reports that the Haitian Government's firm response to that information has managed to put an end to the most serious violations. We would therefore like to pay tribute to the Haitian authorities for their consistent efforts in the crucial area of public security.

MICIVIH, its Executive Director and its staff continue to perform invaluable work and, we believe, should also take credit for the progress towards full respect for the rule of law and human rights we are witnessing in Haiti. Canada attaches particular importance to the work of MICIVIH in human rights education and to the advice it offers to the Government and organizations in Haiti on ways to promote respect for human rights. For example, MICIVIH has helped draft prison regulations and has worked closely with the Office of the Inspector General of the HNP to improve its capacity for internal inquiries and disciplinary measures.

The Secretary-General notes in his report that the pace of judicial reform has not matched that achieved by the HNP and the penal administration. MICIVIH rightly drew attention in September to the growing problem of prolonged pre-trial detention. We cannot overemphasize the vital importance of judicial reform, and we welcome all the assistance that MICIVIH can provide in training officials in substantive human rights principles and processes. For its part, Canada is making judicial reform one of the priorities of its bilateral assistance programme, in recognition of the key role it will play in the country's long-term stability.

Canada believes that, as these developments have occurred, Haiti has entered a transitional phase. It is clear that the time for a peacekeeping mission in Haiti is coming to an end and that we are now moving to a phase in which peace-building activities will become essential. As the situation in Haiti stabilizes and the conditions for long-term economic development are put in place, activities which strengthen democracy and civil society will become ever more important.

We are pleased to note that the draft resolution before us today calls for a report on the future evolution of MICIVIH's mandate and makes reference to the report the Secretary-General will make on the nature of an international presence to follow that of the United Nations Support Mission in Haiti (UNSMIH). Having demonstrated its capacity to be a significant force for good in Haiti over the last few years, we can envision MICIVIH being given new and different activities in the field of peace-building, institution-building and technical assistance. We urge all delegations and specialized agencies to join with us in developing innovative ways of providing assistance to the Government of Haiti.

As we believe the draft resolution before us makes clear, we regret very much that the mandate could not, at this stage, have been extended until 31 December 1997, as President Préval had originally requested. We are confident that the Assembly will be in a position to respond fully to the President's request in July 1997.

In conclusion, we wish to lend the Canadian Government's continuing support to the Government of Haiti in overcoming the challenges facing it in this difficult phase of consolidating the progress accomplished over the past two years. We are also pleased to be able to recognize here the very important work that MICIVIH carries out in the field and to pay tribute to the vital role it plays.

Mr. Campbell (Ireland): I have the honour to speak on behalf of the European Union on the situation of democracy and human rights in Haiti. The following associated countries — Bulgaria, Cyprus, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Romania, Slovakia and Slovenia — align themselves with this statement. Iceland and Norway also align themselves with this statement.

Democracy and human rights continue to be consolidated in Haiti. The Government of President Préval and Prime Minister Smarth has undertaken important steps to address the pressing economic and social problems that confront the country. Efforts at building the institutions necessary to underpin democracy continue. The emphasis placed on institution-building and reform by the Government, the relevant authorities and the international community is starting to bear fruit. The

European Union welcomes these developments, as well as the determination of the Haitian authorities to uphold human rights and to ensure the accountability of human rights violators. Along with the other members of the international community, we are actively supporting this process.

However, the report of the Secretary-General indicates that, despite these developments, the situation remains fragile. The violence that characterized the summer months underlines the need for continued vigilance. Despite improvements in the human rights situation, there continues to be cause for serious concern in a number of areas, notably in the judicial domain, where there are glaring violations of legal and constitutional procedures and continued failures to respect due process. There are numerous cases of prolonged pre-trial detention in prisons and police detention centres. Reports of excessive use of force by members of the Haitian National Police continue, albeit at a diminished rate. These have included reports of summary executions and allegations of beatings of people in police custody. There are few positive signs of progress in investigations into past human rights violations.

In these circumstances, it is clear that continued action by the United Nations Support Mission in Haiti (UNSMIH) and the International Civilian Mission in Haiti (MICIVIH) is essential to the effort to strengthen and consolidate democratic government and respect for human rights. MICIVIH has a crucial role to play in monitoring respect for human rights by the security forces, providing technical assistance for institution-building, notably in training the police and the judiciary, and supporting the development of a programme for the promotion and protection of human rights. These activities are essential for the establishment of a climate of freedom and tolerance necessary for the long-term consolidation of democracy and the rule of law in Haiti.

The members of the European Union have co-sponsored this draft resolution, which extends the mandate of MICIVIH until 31 July 1997. We reiterate the importance of providing assured funding for this operation and of ensuring that it can enjoy a degree of certainty in relation to the length of its mandate. We will be prepared to consider a further extension of this mandate until 31 December 1997 should the Secretary-General so recommend in the report which he will submit in accordance with operative paragraph 3 of the draft resolution.

Mr. Ladsous (France) (*interpretation from French*): Let me first state that my delegation associates itself with the remarks made by the Ambassador of Ireland on behalf of the European Union.

Restoring a state of law in Haiti is a long-term undertaking. It really cannot be based on deep-rooted democratic traditions or upon abundant resources. In many cases, old structures have had to be entirely swept away. In others, it has been necessary to reform inappropriate structures.

It is not surprising that this undertaking is still far from completion, as is shown by the Secretary-General's report. The picture he describes of the situation in Haiti is not touched up. He indicates that important progress has been made in reinforcing and modernizing the Haitian National Police (HNP), although some gaps still persist. He says also that the judicial and penal institutions are still a matter of concern.

The effort must therefore continue, and it is first and foremost up to the authorities and the people of Haiti to make this effort. But it is also up to the United Nations, and this because of two instruments: the United Nations Support Mission in Haiti (UNSMIH), created by the Security Council, and the International Civilian Mission in Haiti (MICIVIH), created by the General Assembly. In this connection, allow me to pay special tribute to all of the staff of these two Missions for their remarkable work and the dedication they have shown in fulfilling their tasks.

The Security Council recently decided, in resolution 1086 (1996), to extend the mandate of UNSMIH until 31 May 1997. By that resolution, the mandate would be extended until 31 July 1997 if the Secretary-General so recommended, without the Security Council having to take a new decision.

Today, the General Assembly is being asked to extend the mandate of MICIVIH until the same date, 31 July 1997. The Secretary-General recommended extension of this mandate up to the end of next year, which corresponded to the request by President René Préval. It was solely considerations relating to the financing of the Mission that led the Friends of the Secretary-General on Haiti, in agreement with the Haitian delegation, to submit a draft resolution calling for a seven-month extension. At the same time, the draft resolution leaves open the possibility for the General

Assembly to adopt a new decision to extend the mandate until the end of 1997.

France, as a co-sponsor of the draft resolution and contributor of aid to Haiti towards the establishment of the rule of law, hopes that this draft resolution will receive the unanimous support of the General Assembly as have earlier texts on the subject.

Mr. Lelong (Haiti) (*interpretation from French*): As the General Assembly once again takes up the agenda item entitled "The situation of democracy and human rights in Haiti", the Haitian delegation would like to renew its sincere and profound thanks to the international community for the interest it has taken in the struggle waged by the Haitian people for democracy and change.

Suffice it to recall the role played by the United Nations in the organization of the first free and democratic elections held in the country in 1990, in the mobilization and resistance against the *coup d'état* of 30 September 1991, and in the restoration of the democratic process in Haiti on 15 October 1994. Since the return to constitutional order, the United Nations has provided the Haitian authorities with assistance that has been indispensable to the work of rebuilding the country.

I cannot fail, on this very special occasion, to pay a special tribute to the Secretary-General, His Excellency Mr. Boutros Boutros-Ghali, for his constant commitment and tireless efforts to promote and protect human rights and fundamental freedoms in Haiti.

The advances of our countries in the areas of human rights and democracy are, without any doubt, grounds for satisfaction for the people of Haiti, as well as for the United Nations, which has made major efforts in this undertaking. The International Civilian Mission in Haiti (MICIVIH) is helping the Haitian authorities to consolidate what has already been achieved through the establishment or the reconstruction of the country's institutions. United Nations personnel are involved in Government programmes for training the police, and judicial and penal form.

The United Nations is sponsoring educational programmes in the area of human rights to incorporate respect for fundamental freedoms into the habits of our people, and in particular into those of the National Police. This effort has begun to yield fruits. We are pleased to note that police actions that infringe on the dignity of the individual are ebbing thanks to the vigilant fight against police brutality, the abuse of authority and corruption. It is equally noteworthy that units responsible for managing threats to public order have been able recently to deal with situations with firmness, professionalism and discernment, combining calm with a readiness to act.

The international community is also participating in Government efforts at economic development. Through United Nations agencies, we are receiving significant economic assistance. Such assistance continues to offset the effects of the poverty that rages in our country as we wait for the Government's efforts to restart the economy to begin to produce concrete results. Our National Assembly's approval of two laws concerning administrative reform and the modernization of public enterprises, respectively, has made it possible to complete negotiations with international financial institutions, which have already begun to release funds to finance the development programmes decided upon by the Government.

Similarly, friendly Governments are also generously helping our Government to deal with its socio-economic responsibilities. This is a demonstration of the solidarity of the international community, which goes straight to our hearts, and for which the Haitian people are deeply grateful.

Despite outstanding progress, however, much remains to be done for Haiti finally to be able to turn its back on a past of violence and failure, whose horrors continue to haunt the population. We must consolidate democracy, complete our work on the police force, establish solid institutions, and clean up the judicial system and make it more effective. The Government and the people of Haiti are still counting on support from the international community to help continue this enormous effort of building a democratic State.

The President: We shall now proceed to take action on draft resolution A/51/L.63.

The report of the Fifth Committee on programme budget implications of the draft resolution is contained in document A/51/739.

May I take it that the Assembly decides to adopt draft resolution A/51/L.63?

Draft resolution A/51/L.63 was adopted (resolution 51/196).

The President: I call on the representative of the United States for an explanation of vote after the voting.

Mr. Hormel (United States of America): We fully support the renewal of the mandate of the International Civilian Mission in Haiti (MICIVIH). The joint participation of the United Nations with the Organization of American States in MICIVIH serves as a model for cooperation between the United Nations and regional organizations. We are concerned, however, that this resolution could jeopardize the $2.608 billion budget cap that this institution has implemented. To avoid that, the United States fully expects that the cost of this mission will be offset by savings in other United Nations expenditures.

The United States believes strongly that the efforts of MICIVIH have contributed significantly towards continuing improvement in the overall human rights situation in Haiti. Working closely with the Government of Haiti, the United Nations Support Mission in Haiti and others, MICIVIH is directed towards fostering a climate of freedom and tolerance, furthering the development of democratic institutions and verifying full observance of basic human rights and fundamental freedoms.

Mr. Agathocleous (Cyprus), Vice-President, took the Chair.

We agree with MICIVIH's most recent report on the overall human rights situation in Haiti, which outlines a number of human rights violations committed by security personnel, but also recognizes the advancements made by the Haitian National Police. Though the aforementioned incidents are deplorable, they must be viewed in the larger context of recent Haitian history. For instance, local and international human rights organizations report that as many as 3,000 Haitians fell victim to political and extrajudicial murder during the 1991-94 period of military rule. Although the human rights record of the present Haitian Government is a tremendous improvement over that of the predatory military junta, greater progress is necessary to build a society based upon the rule of law. MICIVIH will continue to play an important role in this process.

The Acting President: We have heard the only speaker in explanation of vote after the voting.

We have thus concluded this stage of our consideration of agenda item 37.

Agenda item 40 *(continued)*

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

Reports of the Secretary-General (A/51/338, A/51/693 and A/51/695)

Draft resolutions (A/51/L.18/Rev.1, A/51/L.57 and A/51/L.58)

Reports of the Fifth Committee (A/51/723, A/51/734 and A/51/735)

The Acting President: I call on the representative of Mexico to introduce draft resolutions A/51/L.57 and A/51/L.58.

Mr. Albin (Mexico) (*interpretation from Spanish*): It is an honour for the delegation of Mexico to introduce, on behalf of the sponsors, the draft resolution 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 (MINUGUA) contained in document A/51/L.57. In addition to those appearing on the document, the following countries have signed on as sponsors: Austria, Belgium, Canada, Denmark, Finland, France, Germany, Ireland, Italy, Luxembourg, the Netherlands, the Russian Federation, Sweden and the United Kingdom.

As can be noted, the preambular part of the draft resolution contains references to the draft's antecedents and to reports of both the Director of the Mission and the Secretary-General. The preamble also describes the support that the parties have given to MINUGUA, the Government's effort to combat impunity, the cessation of hostilities, the satisfactory progress made in the negotiating process, and the request of the parties that the United Nations should verify the agreements emerging from the negotiations.

With this foundation, the operative part welcomes and notes with satisfaction the reports of the Secretary-General and of the Director of MINUGUA. The draft resolution calls upon the parties to continue their efforts to comply with their commitments in the area of human rights, and it encourages them to maintain the current momentum of the negotiating process in order to ensure, as they have agreed, that the Agreement on a Firm and Lasting Peace will be signed on 29 December. The text

decides to authorize the renewal of the mandate of MINUGUA until 31 March 1997. During that time period the Secretary-General is requested to submit recommendations on how the structure and staffing of the Mission should be redesigned after the Agreement has been signed. On the basis of these recommendations, further decisions would be made.

In addition, the draft resolution once again invites the international community to intensify its support for the peace process, in particular through voluntary contributions to the Trust Fund for the Guatemala Peace Process established by the Secretary-General.

Having said this, I wish to point out that the sponsors of the draft resolution have held consultations and were told by the competent authorities in the Secretariat that the activities stipulated in the draft resolution would require no additional contributions from Member States for the current budget.

Finally, I wish to point out that the sponsors are convinced that, after 34 years of armed conflict, Guatemalans are on the threshold of peace and are ready to build a new platform for the political, economic and social development of their country. The capacities and presence of the United Nations will be essential to guarantee that the agreements will be converted into concrete and effective measures. To ensure this, there must be understanding, cooperation and support on the part of each and every one of the Members of the United Nations. The Guatemalan people deserve this opportunity. This is why the sponsors call upon the General Assembly to adopt draft resolution A/51/L.57 unanimously.

It is also an honour for the delegation of Mexico to introduce, on behalf of the sponsors, the draft resolution entitled "United Nations Office of Verification in El Salvador", which is contained in document A/51/L.58. In addition to those appearing on the document, the following countries have signed on as sponsors: Austria, Belgium, Canada, Denmark, El Salvador, Finland, France, Germany, Ireland, Italy, Luxembourg, the Netherlands, the Russian Federation, Sweden and the United Kingdom.

After mentioning various antecedents and the report of the Secretary-General, the preambular part recognizes with satisfaction the efforts of the Government of El Salvador to honour the commitments contained in the peace accords. It welcomes the progress made towards a society characterized by democracy, the rule of law and respect for human rights. It also pays tribute to those Member States which have contributed personnel, technical assistance and funding to the peace process in El Salvador.

In the operative part, the draft resolution welcomes the continuing commitment of the Government and people of El Salvador to the consolidation of the peace process. It pays tribute to the accomplishments of the United Nations Office of Verification. The Assembly notes with satisfaction the commitment by the Government and other parties to the full implementation of the provisions of the peace accords, and it urges them to complete this implementation without delay.

In the draft resolution, the Assembly acknowledges that the work of the United Nations Office of Verification in El Salvador has come to an end. It decides that the responsibilities of verification and good offices entrusted to the United Nations will be executed through periodic visits to El Salvador by a high-level envoy from United Nations Headquarters. The Assembly also decides that the envoy should be assisted for a period of six months by a small unit in El Salvador, working with the administrative support of the United Nations Development Programme (UNDP). It should be pointed out that this team will be composed solely of four professionals.

In this connection, I should like to point out that the sponsors of the draft resolution held consultations, and were informed by competent authorities in the Secretariat that the activities provided for in the draft resolution will require no additional contributions to the present budget from Member States. The draft resolution also refers to the importance of cooperation among the various agencies of the United Nations system and again calls upon Member States and international institutions to continue to provide assistance to the development process in El Salvador.

Finally, it requests the Secretary-General to submit a report to the General Assembly before the end of June 1997 on the implementation of the draft resolution, including an assessment of the peace process in El Salvador.

The sponsors are convinced that this draft resolution will provide the final push necessary to ensure the complete resolution of all outstanding questions relating to the peace agreements. For these reasons, we hope that the Assembly will adopt it unanimously.

Mr. Campbell (Ireland): I am speaking on behalf of the European Union to address draft resolutions A/51/L.57

and A/51/L.58. The following associated countries align themselves with this statement: Cyprus, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Romania, Slovakia and Slovenia.

The European Union views with the greatest satisfaction the concluding phases of the peace process in Guatemala. Important agreements, signed in Mexico, Oslo, Stockholm and Madrid, provide for the strengthening of the civilian power and define the role of the armed forces in a democratic society, establish a definitive ceasefire, outline constitutional reforms and the electoral regime, and provide for the reintegration of the Unidad Revolucionaria Nacional Guatemalteca (URNG) into political life.

This process will culminate on 29 December 1996 with the signature in Guatemala City of the Agreement on a Firm and Lasting Peace and an agreement on the timetable for the implementation and verification of the peace accords. The signing of these agreements will bring to an end the longest-running conflict in Central America and ensure that, for the first time in over 30 years, the region will be free of civil strife.

This result was not achieved without difficulties. The European Union wishes to pay tribute to the will and perseverance of all the parties involved in overcoming the difficulties and striving together to build in Guatemala a democratic society, based on the rule of law and open to the equal participation of all its citizens. The support of the international community, including the European Union, has been instrumental in helping to bring this process to a successful conclusion.

The progress made at the negotiating table has been accompanied by tangible progress in compliance with the Comprehensive Agreement on Human Rights, as has been underlined in the fifth report of the United Nations Mission for the Verification of Human Rights and of Compliance with the Commitments of the Comprehensive Agreement on Human Rights in Guatemala (MINUGUA) (A/50/1006) and in the report of the Secretary-General (A/51/695). Nevertheless, the situation with regard to respect of human rights is still precarious, notably in relation to impunity. We welcome the demonstrated will of the Government of President Alvaro Arzú to fight this problem, and commend its continuing efforts.

The signature of the final peace accords will bring with it new tasks and responsibilities for the United Nations. We look forward to the Secretary-General's recommendations on how the structure and staffing of MINUGUA should be redesigned to enable the mission to fulfil these new duties. In the meantime, we support the renewal of MINUGUA's mandate until 31 March 1997, in accordance with the recommendations of the Secretary-General.

In El Salvador, the peace process has maintained its impetus and contributed to the consolidation of a democratic order, the rule of law and respect for human rights. Nevertheless, as pointed out in the report of the Secretary-General on the United Nations Office of Verification in El Salvador (A/51/693), there are a number of areas in which further efforts are needed to implement the peace accords in their entirety. Further measures are needed in the field of public security, including the institutional strengthening and reinforcement of the civilian character of the National Civil Police, and the development of the National Public Security Academy. The European Union is providing technical and financial assistance in these areas.

In the field of human rights, the office of the National Counsel for the Defence of Human Rights continues to be hampered by inadequate funding. The European Union is also concerned at the repeated death threats made against the National Counsel, and calls on the Government to take all necessary measures to protect her and bring to justice those responsible for the threats. The adoption of the Criminal Procedures Code, which will ensure compliance with a number of the recommendations of the Commission on the Truth, is still awaited. The implementation of a number of measures in the field of electoral reform has encountered delays.

The European Union welcomes the conclusion of the Secretary-General that the implementation of the commitments undertaken by the parties to the peace accords is entering its final phase. The involvement of the United Nations in successive phases of the peace process has been a vital element in underpinning progress. We welcome the fact that the responsibilities of verification and good offices entrusted to the United Nations can now be executed through periodic visits to El Salvador by a high-level envoy from New York. We also look forward to receiving, in six months' time, a further assessment by the Secretary-General of the state of the peace process in El Salvador.

Mr. Westendorp (Spain) (*interpretation from Spanish*): My delegation fully endorses the comments of the Permanent Representative of Ireland, who has just spoken on behalf of the European Union. However, I

should like to make a few additional observations, as Spain is a member of the Group of Friends of the Guatemala peace process and a contributor 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 (MINUGUA).

This is a decisive moment in the history of Guatemala. For Guatemala, 1996 will, indeed, represent a milestone, as this is the year in which the aspirations to peace of an entire people will be fulfilled with the signing on 29 December 1996, by the Government of Guatemala and the Unidad Revolucionaria Nacional Guatemalteca (URNG), of the Agreement on a Firm and Lasting Peace. Spain is proud to be standing by the parties to this process, together with the United Nations.

We were pleased to see the major progress made in the negotiations, in which the Government of Guatemala and the URNG consistently demonstrated their resolve to move ahead towards specific achievements in each round of negotiations, effectively assisted by the United Nations. On 6 May 1996 in Mexico City they signed the Agreement on Social and Economic Issues and the Agrarian Situation, and on 19 September 1996 the Agreement on Strengthening of Civil Power and the Role of the Army in a Democratic Society. These agreements were of major importance, and established a solid foundation for reconstruction and reconciliation in Guatemala.

We are now in the final stages of the negotiations, which are proceeding in accordance with the time-frame established by the parties with the signing in Norway of the agreements on the definitive ceasefire on 4 December 1996, the agreement on constitutional reforms and the electoral regime, signed in Sweden on 7 December, and the agreement on the basis for reintegration of the Unidad Revolucionaria Nacional Guatemalteca (URNG) into the political life of the country signed in Madrid on 12 December.

On that very day, pursuant to the request of the parties and to mediation by the United Nations, my Government sponsored a meeting to consider specific programmes on reintegration of the URNG and demobilized soldiers from the Guatemalan army; that meeting yielded satisfactory results to ensure the success of this important element of the peace agreement.

On 29 December 1996, the Government of Guatemala and the URNG will sign the Agreement on a Firm and Lasting Peace, along with an agreement on a timetable for verification of the peace agreements. The whole series of peace agreements will enter into force on that date, and Guatemala will turn a new page in its history.

Since the adoption of resolution 50/220 on 3 April 1996, 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 (MINUGUA) has been discharging its verification mandate on human rights and institutional strengthening. My delegation noted with interest the fifth report of the Director of the Mission, dated 19 July 1996 (A/50/1006), and its conclusions.

We are pleased that, as the Secretary-General states in his report of 26 November 1996 (A/51/695), the role of MINUGUA has evolved with positive changes registered in Guatemala, and that the Mission has placed increasing emphasis on its institution-building role and, in particular, in respect of the administration of justice. We join the Secretary-General in commending the ongoing efforts of the Government of President Arzú to fight impunity in a situation where respect for human rights is still precarious. We also agree with his analysis of the dimensions of what has to be done to correct long-standing deficiencies in institutions entrusted with preventing, investigating, prosecuting and punishing crimes and violations of human rights.

Draft resolution A/51/L.57, which Spain drafted and is sponsoring along with other friends of Guatemala and which the General Assembly is about to adopt, by consensus we trust, would renew MINUGUA's mandate until 31 March 1997, pursuant to recommendations by the Secretary-General. This will enable the United Nations to prepare for the new tasks of verification of all the peace agreements that have been entrusted to it by the parties. During this time, MINUGUA will have to begin verifying all of the urgent measures adopted in this period.

My Government is well aware of the historic responsibility of the international community to guarantee that the efforts of the Government of Guatemala and the URNG to achieve a firm and lasting peace are backed by a firm commitment to ensure their successful implementation. In no way must this be hampered by considerations other than consolidating democracy and establishing a State of law, national reconciliation, development and prosperity for the people of Guatemala in an atmosphere of freedom, justice and respect for

human rights. We therefore hope that the United Nations and all of its Member States will live up to this.

Let there be no doubt that Spain will continue to assist the parties and all of Guatemalan society so that their fervent desires for peace and democracy can become a reality.

My delegation also fully endorses the statement of the representative of Ireland, speaking on behalf of the European Union, regarding the draft resolution (A/51/L.58) on El Salvador. However, as a member of the group of friends of the peace process in El Salvador and as a country providing personnel and assistance to the United Nations presence in El Salvador, we wish to make a few additional observations.

By draft resolution A/51/L.58, which we trust will be adopted by consensus, the responsibilities for verification and good offices entrusted to the United Nations will be executed through periodic visits to El Salvador by a high-level envoy from United Nations Headquarters,who for six months will be supported by a small support unit in El Salvador, working with the administrative support of the United Nations Development Programme (UNDP).

This decision is in accordance with the Secretary-General's recommendations in his report of 25 November 1996 (A/51/693) and with the wishes of the Government of El Salvador and the Frente Farabundo Martí para la Liberación Nacional (FMLN). The General Assembly would welcome the progress made in implementing pending issues in the peace accords and progress made since the establishment of the United Nations Office of Verification by resolution 50/226 of 10 May 1996.

The peace process in El Salvador stands as an example, in that the goodwill and firm commitment of the parties, with the international community standing by them, are establishing a solid foundation so that achievements at the negotiating table can take effect in the day-to-day life of the people of El Salvador. It is the responsibility of us all to guarantee this result.

My delegation has noted the Secretary-General's report and is pleased to see the progress that has been made in implementing pending aspects of the peace accords, to a large extent as a result of the tireless efforts of President Calderón Sol.

It is of particular importance to continue strengthening institutions dealing with public security, through the mechanisms created with the establishment of the National Council on Public Security and in implementation of the recent Police Career Law. As the Secretary-General stated, this is indeed an exemplary instrument for the professionalization of the police force. Institutions involved in public security must be able to inspire trust among the people within the context of the new institutional framework, taking account of the new realities in El Salvador.

Consolidating democracy and improving the standard of living of the people depend on strengthening institutions and respecting the State based on the rule of law. We welcome the agreement signed on 16 July 1996 between the National Counsel and the Minister for Public Security to coordinate the action of the office of the National Counsel and the National Civil Police in situations where social tensions might give rise to violence.

Such internal mechanisms for protecting and promoting human rights help to ensure the effectiveness of the instruments for strengthening democracy created in the peace accords. We would join in the request by the Secretary-General that the Office of the National Counsel be given the necessary resources and enjoy the cooperation of other State bodies.

Along with strengthening institutions, El Salvador must also carry out national reconstruction and development. Land transfer programmes and rural human settlement programmes are moving ahead at their own irreversible pace. The complexity of some of these issues requires the goodwill and flexibility of the parties, which are needed to carry out this important aspect of the peace accords satisfactorily.

The many programmes of technical assistance and institution-strengthening of United Nations agencies, particularly UNDP, that are committed to consolidating the peace process, the international financial institutions and donor countries, including Spain, demonstrate the firm commitment of the international community to continue to stand by El Salvador as it strengthens its development.

We trust that over the next six months the parties will complete implementation of the pending aspects of the peace accords and strengthen what has already been achieved. El Salvador has in its hands the tools it needs to begin a new chapter in its history which will be an

example to the rest of the world, an example of concord, democracy and development.

The Acting President: The Assembly will now take a decision on the three draft resolutions before it.

The Assembly will first take a decision on draft resolution A/51/L.18/Rev.1, entitled "The situation in Central America: procedures for the establishment of a firm and lasting peace and progress in fashioning a region of peace, freedom, democracy and development".

The report of the Fifth Committee on the programme budget implications of draft resolution A/51/L.18/Rev.1 is contained in document A/51/723.

May I take it that the Assembly decides to adopt draft resolution A/51/L.18/Rev.1?

The draft resolution was adopted (resolution 51/197).

The Acting President: The Assembly will next take a decision on draft resolution A/51/L.57, entitled "United Nations Mission for the Verification of Human Rights and of Compliance with the Commitments of the Comprehensive Agreement on Human Rights in Guatemala".

The report of the Fifth Committee on the programme budget implications of draft resolution A/51/L.57 is contained in document A/51/735.

May I take it that the Assembly decides to adopt draft resolution A/51/L.57?

The draft resolution was adopted (resolution 51/198).

The Acting President: The Assembly will now take a decision on draft resolution A/51/L.58 entitled "United Nations Office of Verification in El Salvador".

The report of the Fifth Committee on the programme budget implications of draft resolution A/51/L.58 is contained in document A/51/734.

May I take it that the Assembly decides to adopt draft resolution A/51/L.58?

The draft resolution was adopted (resolution 51/199).

The Acting President: I shall now call on the representative of the United States of America, who wishes to explain his position on the resolutions just adopted. May I remind delegations that explanations of vote are limited to 10 minutes and should be made by delegations from their seats.

Mr. Hormel (United States of America): Today the Guatemalan people are on the verge of true peace for the first time in 36 years. On 29 December, in Guatemala City, the Government of Guatemala and the Unidad Revolucionaria Nacional Guatemalteca (URNG) will sign a comprehensive agreement ending their nation's long, bloody civil war which has cost more than 100,000 lives. Extension of the mandate of the United Nations Mission for the Verification of Human Rights and of Compliance with the Commitments of the Comprehensive Agreement on Human Rights in Guatemala (MINUGUA) will help ensure successful implementation of that agreement.

Since 1994, the United Nations human rights verification Mission in Guatemala has been responsible for monitoring verification of the commitments made by the Government of Guatemala and by the URNG. Without MINUGUA's presence in Guatemala, it is inconceivable that the parties could have achieved this agreement. By helping to strengthen respect for human rights and end impunity for human rights abusers, MINUGUA is helping to eliminate the climate of fear and insecurity which has prevailed in Guatemala throughout the 36-year civil war; the Mission has thus hastened the end of the war.

The presence of MINUGUA has provided the parties and the Guatemalan people with the confidence necessary to move the Guatemalan peace process forward. MINUGUA has strengthened civic and governmental institutions which deal with human rights and has provided accurate and unbiased investigation of and reporting on alleged human rights abuses. MINUGUA's presence throughout Guatemala provides needed assistance to victims of abuse, many of whom are fearful of approaching Government authorities who may have been involved in present or past abuses.

The people of El Salvador, its Government and the Frente Farabundo Martí para la Liberación Nacional (FMLN) have made enormous progress in the implementation of the 1992 peace accords with the assistance of the United Nations. The parties must, however, take every necessary measure to complete those few remaining elements of the Chapultepec Accords. The United States of course fully supports the efforts of the parties and the Salvadoran people to implement the peace

accords and consolidate the important gains that have been made.

The United States has provided nearly $300 million in bilateral assistance to fund reconstruction and reconciliation in El Salvador. We continue to assist the Salvadoran Government and people through bilateral and multilateral assistance, trade and cooperation programmes.

Implementation of the Chapultepec Accords has been monitored by the United Nations, which has strived to maintain an appropriate presence in El Salvador over the past five years. Twice previously the Mission has been reconfigured to meet the demands of its mandate. In the light of progress made in El Salvador and the resource demands placed upon the United Nations system for peacekeeping and other missions, the time has come again to restructure and reduce the mission in El Salvador.

Let there be no doubt: the United States stands with the people of Guatemala and the consensus of this body in supporting an extension to the mandate of MINUGUA. We stand with the Salvadoran people and this body in supporting continued United Nations engagement in El Salvador. We also support the activities authorized by the omnibus resolution on the situation in Central America, resolution 51/197. However, we are concerned that these three resolutions could jeopardize the $2.608 billion budget cap that this institution has implemented. To avoid that, the United States fully expects that the cost of these missions will be offset by savings in other United Nations expenditures.

The Acting President: We have heard the only speaker in explanation of vote.

I call on the representative of Guatemala.

Mrs. Fuentes Orellana (Guatemala)) (*interpretation from Spanish*): My delegation would like briefly to express its gratitude for this new extension of the United Nations Mission for the Verification of Human Rights and of Compliance with the Commitments of the Comprehensive Agreement on Human Rights in Guatemala (MINUGUA), which, in accordance with the recommendation of the Secretary-General in his report (A/51/695), will be extended until 31 March 1997.

We are pleased to note the demonstration of support that the international community is giving to the peace process in my country by adopting resolution 51/198 by consensus. It gives us enormous satisfaction to highlight how rapidly the peace process is developing at present, which this month has led to the signing of three important agreements: the agreement signed on 4 December in Oslo on the definitive ceasefire; the agreement signed on 7 December in Stockholm on constitutional reforms and the electoral regime; and the agreement signed on 12 December in Madrid on a basis for the reintegration of the Unidad Revolucionaria Nacional Guatemalteca into political life.

All of this leads to the prediction that the Agreement on a Firm and Lasting Peace will be signed on 29 December 1996 as agreed. This is how the Government of President Alvaro Arzú is translating into concrete actions the offer he made at the beginning of his term of office to pursue peace negotiations and demonstrating his dedication to implementing the agreed timetables.

We would like to express the thanks of the people and the Government of Guatemala for the efforts of the Secretary-General and his representatives, who in various capacities have contributed to progress in the peace process. In particular, we would like to thank the United Nations Moderator, Mr. Jean Arnault, the small but efficient Guatemala unit in the Secretariat and all of the members of the Mission for the Verification of Human Rights and of Compliance with the Commitments of the Comprehensive Agreement on Human Rights in Guatemala.

We also wish to express our thanks to Colombia, Mexico, Norway, Spain, the United States of America and Venezuela, which, as the Group of Friends of the peace process, have shown their tireless support throughout the negotiations.

In conclusion, we also wish to thank Mexico, Ireland and Spain for their statements because they reflect the international community's solidarity with our constant efforts.

The Acting President: I call on the representative of El Salvador.

Mr. Meléndez-Barahona (El Salvador) (*interpretation from Spanish*): One more step in the area of verification and good offices has been taken towards the implementation of the peace accords in El Salvador, which goes back to the establishment of the partial mission to monitor the San José Agreement on Human Rights signed in 1990. We are pleased to say that as the commitments of the peace accords have been

implemented in El Salvador, the United Nations Office of Verification in El Salvador is changing its structure, shifting from a comprehensive peacekeeping operation authorized by the Security Council to a simpler mechanism adopted by the General Assembly through regular visits by a high-level envoy and a support unit in El Salvador working with the administrative support of the United Nations Development Programme.

As noted in the resolution, almost all of the commitments have now been implemented, which shows the serious-mindedness and political will of the Government of El Salvador and the other parties to the peace accords with a view to attaining the objectives and fulfilling the desire of the people of El Salvador to strengthen peace, stability and democratic institutions.

Although the mandate of the United Nations Office of Verification (ONUV) will conclude on 31 December pursuant to talks between representatives of the Secretary-General and the highest authorities in El Salvador, including the President, Mr. Armando Calderón Sol, the United Nations presence in El Salvador is still deemed essential and important for the implementation of some pending matters which, according to the United Nations Office of Verification in El Salvador, amount to barely 2 per cent of the total and have been delayed due in large part to administrative matters. This will is clearly expressed in the resolution on the United Nations Office of Verification which the Assembly has just adopted.

In this connection, the Government of El Salvador will do everything possible to ensure that the institutions deriving from the peace accords have the necessary resources and means to implement their respective mandates, particularly as regards strengthening the protection of human rights and consolidating democracy and comprehensive social development in El Salvador.

We would like to express our appreciation to the Secretary-General, the Friends of the Secretary-General and the international community, particularly the donor community, for their solidarity during the peace process, both before and after the peace accords were signed. We appreciate the positive statements made by several delegations in connection with progress made in El Salvador, which we believe would not have been possible without that outside assistance.

We trust that, as some delegations have said, the international community will continue to stand by us as we strengthen democracy and promote comprehensive development. So we are pleased and grateful that draft resolutions A/51/L.18/Rev.1, A/51/L.57 and A/51/L.58 were all adopted by consensus, reflecting the support and solidarity of the international community in respect of the desires for peace and stability in Central America and particularly in Guatemala and El Salvador.

The Acting President: We have now concluded this stage of our consideration of agenda item 40.

The meeting rose at 1.15 p.m.