

the travel ban and the rules of civil aviation were being violated. It recommended, *inter alia*, the continuation of all sanctions; the establishment of a process using UNMIL to monitor the main ports, airports and border crossings; and the launch of a national sensitization campaign to inform Liberians about the justification for sanctions.

At the meeting the President (Bulgaria) drew the attention of the Council to a draft resolution;<sup>59</sup> it was put to the vote and adopted unanimously and without debate as resolution 1521 (2003), by which the Council, acting under Chapter VII of the Charter, *inter alia*:

Decided to terminate prohibitions imposed by paragraphs 5, 6, 7 of resolution 1343 (2001) and paragraphs 17 and 28 of

<sup>59</sup> S/2003/1180.

resolution 1478 (2003) and to dissolve the committee established under resolution 1343 (2001);

Decided that all States should take necessary measures to prevent the sale or supply of arms to Liberia;

Decided also that all States should take necessary measures to prevent the entry or transit through their territories of all individuals designated by the Committee who constituted a threat to the peace process in Liberia;

Decided that all States should take necessary measures to prevent direct or indirect import of all rough diamonds, all round logs and timber products from Liberia;

Decided that those measures were established for 12 months from the date of adoption of the resolution;

Decided to establish a Committee of the Security Council to monitor implementation of the measures imposed by the resolution.

### 3. The situation in Somalia

#### **Decision of 29 June 2000 (4167th meeting): statement by the President**

At the 4166th meeting of the Security Council, on 29 June 2000, following a briefing by the Under-Secretary-General for Political Affairs, statements were made by all Council members, the representatives of Djibouti, Egypt, Ethiopia, the Libyan Arab Jamahiriya, Portugal (on behalf of the European Union<sup>1</sup>) and Yemen, as well as the Permanent Observer of the League of Arab States.

The Under-Secretary-General for Political Affairs informed the Council that the Somali National Peace Conference, launched at Arta, in Djibouti, on 2 May 2000, had moved from its procedural stages to the consideration of substantial issues with the ultimate goal of drafting an interim charter and selecting the delegates for a Transitional National Assembly, which would, in turn, select the members of a Transitional National Administration for Somalia. While a large number of political leaders, government officials, Somalis from the diaspora and prominent members of civil society participated in the Conference, two “building blocks” — the self-styled “Somaliland” and

“Puntland” — remained outside the process. He emphasized that although Djibouti was acting as host and facilitator, the process was Somali-owned. The Under-Secretary-General also expressed concern about the humanitarian and security situation in Somalia and indicated that the support of the Council for the process would offer the best deterrence against obstructions from circles whose privileges and capacity to profit from disorder were threatened by a move towards peace.<sup>2</sup>

Speakers stressed the urgent need for a comprehensive and lasting solution to the crisis in Somalia and expressed support for the Djibouti peace initiative. They deplored the dire humanitarian situation, condemned the attacks on humanitarian personnel and urged all Somali factions to ensure their safety and freedom of movement. Furthermore, they expressed concern at the flow of arms to and within Somalia and called on the Security Council to endorse and support the Djibouti peace process and ensure strict implementation of the arms embargo on Somalia established by resolution 733 (1992).

The representative of Djibouti commended the exemplary efforts of the Secretary-General towards the peace process, his constant encouragement and support for the Conference and its goals. Highlighting the

<sup>1</sup> Bulgaria, Cyprus, the Czech Republic, Estonia, Hungary, Iceland, Latvia, Lithuania, Malta, Poland, Romania, Slovakia, Slovenia and Turkey aligned themselves with the statement.

<sup>2</sup> S/PV.4166, pp. 2-5.

inclusive and transparent nature of the consultations, he reiterated that the current process was not designed to undermine in any way the existing administrative regions that had achieved a measure of relative peace and stability. On the contrary, those administrative units would be key components of any national framework. The ultimate objectives of the entire process were peace, government, legitimacy and reconstruction. He further noted that there was an economic dimension to the refusal of some parties to be part of the peace process. The Conference, in which great progress had been made in discussing a wide range of issues, could be seen as an innovative approach to the question of conflict-resolution and nation-building.<sup>3</sup>

The representative of Tunisia declared that the sanctions Committee on Somalia, in which he served as Chairman, would take steps to ensure compliance with the arms embargo, an approach which should not be perceived as punitive. He further announced the Committee's intention to send a mission to the region in order to secure the broadest participation by the parties concerned, an announcement which was welcomed by the representative of Canada.<sup>4</sup>

The Permanent Observer of the League of Arab States stated that the Council should reactivate the sanctions Committee in order to put in place the mechanisms necessary to halt the arms trade within and to Somalia and to strengthen the embargo. He further called on the Council to, *inter alia*, confirm respect for the unity and territorial integrity of Somaliland and refrain from interfering in the internal affairs of Somalia.<sup>5</sup>

The representative of the Netherlands cautioned that while his Government subscribed to the doctrine put forth by the Organization of African Unity<sup>6</sup> regarding the sanctity of borders, it also considered inviolate borders to be desirable only if they enclosed a country where fundamental humanitarian rights were respected. Otherwise, those borders could become an instrument of coercion<sup>7</sup>. The representatives of Ukraine

and Egypt stressed the need to preserve the unity and independence of Somalia.<sup>8</sup>

The representative of China strongly urged the leaders of the main Somali factions who had stayed away from the Conference to manifest the necessary political courage and wisdom to take part in the peace process.<sup>9</sup> The representative of the United States declared that any effort to rebuild Somalia had to be an all-inclusive process that enjoyed the support of existing regional entities and that was based on a legitimate process that derived from Somali civil society and rejected the predatory violence of the warlords.<sup>10</sup>

The representatives of Ethiopia and Yemen expressed concern at the regional impact of the events in Somalia, especially through the influx of refugees.<sup>11</sup> The representative of Malaysia maintained that a peaceful resolution of the Somali question would have a far-reaching stabilizing effect in the Horn of Africa.<sup>12</sup>

At the 4167th meeting, on 29 June 2000, the President (France) made a statement on behalf of the Council,<sup>13</sup> by which the Council, *inter alia*:

Expressed its deep concern at the ongoing abuse of human rights and grave deterioration of the humanitarian situation in Somalia, which had led to death, displacement and the outbreak of diseases among the civilian population, particularly children and other vulnerable groups;

Strongly condemned attacks by armed groups on innocent civilians and all humanitarian personnel; strongly urged the Somali factions to respect international humanitarian and human rights law, to ensure the safety and freedom of movement of all humanitarian personnel and to facilitate the delivery of humanitarian relief to all those in need;

Strongly urged representatives of all social and political forces of Somali society to participate actively and in a constructive spirit in the work of the Somali National Peace and Reconciliation Conference in Djibouti.

**Decision of 11 January 2001 (4255th meeting):  
statement by the President**

On 19 December 2000, the Secretary-General submitted a report on the situation in Somalia,<sup>14</sup> in

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<sup>3</sup> *Ibid.*, pp. 5-8.

<sup>4</sup> *Ibid.*, p. 11 (Canada); and pp. 19-20 (Tunisia).

<sup>5</sup> *Ibid.*, pp. 23-26.

<sup>6</sup> On 8 July 2002, the Organization of African Unity ceased to exist and was replaced by the African Union.

<sup>7</sup> S/PV.4166, p. 14.

<sup>8</sup> *Ibid.*, p. 16 (Ukraine); and p. 22 (Egypt).

<sup>9</sup> *Ibid.*, p. 15.

<sup>10</sup> *Ibid.*, p. 17.

<sup>11</sup> *Ibid.*, p. 22 (Yemen); and pp. 26-27 (Ethiopia).

<sup>12</sup> *Ibid.*, p. 10.

<sup>13</sup> S/PRST/2000/22.

which he observed that the Djibouti peace process was intended to have a broader base and greater legitimacy than previous peacemaking efforts, which constituted a major asset for the Transitional National Government as it moved to the next stage of the process. Located in Mogadishu, the Transitional National Government had begun the process of establishing itself on Somali soil and expanding the areas under its influence. It had three years, until 2003, in which to prepare for the installation of permanent governance arrangements. During that period, basic political, economic and development challenges would have to be addressed by the new authorities, who would also have to complete the task of creating a government of unity and reconciliation and prepare for democratic elections. The Secretary-General noted that the absence of some Somali politicians and leaders from the Djibouti process had posed two immediate challenges for the new authorities: how to incorporate into the peace process those who were opposed to it and to its outcome, some of whom were heavily armed; and how to work out relations with the authorities in “Somaliland” and “Puntland” without jeopardizing the relative peace and stability in those two regions. In the light of the request made by the President of Djibouti at the Council’s closed meeting on 14 September 2000 for the Council to give serious consideration to a United Nations post-conflict peacebuilding mission in Somalia, the Secretary-General suggested that the Council might wish to consider what action might be appropriate to enhance the success of the Djibouti peace process by consolidating its achievements. He announced that he stood ready to prepare a proposal for a peacebuilding mission for Somalia. Expected to be based inside Somalia as soon as the security situation permitted, the mission’s key function would be to assist in the completion of the peace process.

At its 4255th meeting<sup>15</sup>, on 11 January 2001, the Council included the above-mentioned report of the

<sup>14</sup> S/2000/1211, submitted pursuant to the presidential statement of 27 May 1999 (S/PRST/1999/16).

<sup>15</sup> At its 4196th meeting, held in private on 14 September 2000, the Council heard a briefing by the President of Djibouti, during which, among other things, he requested the Council to give serious consideration to a United Nations post-conflict peace-building mission in Somalia. Members of the Council made comments and posed questions in connection with the briefing. At its 4254th meeting, held in private on 11 January 2001, the Council was briefed by the Prime Minister of the Transitional

Secretary-General in its agenda.<sup>14</sup> The President (Singapore) made a statement on behalf of the Council,<sup>16</sup> by which the Council, inter alia:

Welcomed the efforts of the Transitional National Government to promote reconciliation within Somalia;

Strongly urged all political groups in the country to engage in peaceful and constructive dialogue with the Transitional National Government in order to promote national reconciliation and facilitate the democratic elections scheduled for 2003 as called for in the Transitional National Charter;

Underlined the massive challenges facing Somalia with respect to reconstruction and development, and the immediate need for urgent assistance, particularly in the areas of demobilization (with special attention to measures to combat HIV/AIDS and other communicable diseases), disarmament and rehabilitation of basic infrastructure;

Strongly condemned the illegal supply of weapons to recipients in Somalia; reiterated its call upon all States, the United Nations and other international organizations and entities to report to the Committee established pursuant to resolution 751 (1992) information on possible violations of the arms embargo;

Welcomed the Secretary-General’s intention to put in place a trust fund for peacebuilding in Somalia;

Invited the Secretary-General to prepare a proposal for a peacebuilding mission for Somalia which should, with specific attention to the security situation in the country, outline possible ways to advance the peace process further.

**Decision of 19 June 2001 (4332nd meeting):  
resolution 1356 (2001)**

At the 4332nd meeting, on 19 June 2001, the President (Bangladesh) drew attention to a draft resolution;<sup>17</sup> it was adopted unanimously and without debate as resolution 1356 (2001), by which the Council, acting under Chapter VII of the Charter of the United Nations, inter alia:

Reiterated to all States their obligation to comply with measures imposed pursuant to resolution 733 (1992);

Decided that those measures should not apply to protective clothing temporarily exported to Somalia by United Nations personnel, media, humanitarian and development workers for their own use;

National Government of Somalia. Members of the Council made comments and posed questions in connection with the briefing.

<sup>16</sup> S/PRST/2001/1.

<sup>17</sup> S/2001/589.

Decided that those measures should not apply to non-lethal military equipment intended solely for humanitarian or protective use;

Requested the Committee to decide upon such requests for exemption.

**Decision of 31 October 2001 (4401st meeting):  
statement by the President**

In his report on the situation in Somalia dated 11 October 2001,<sup>18</sup> the Secretary-General observed that the conclusion of the Djibouti peace process in Arta was an important milestone in the search for peace and reconciliation in Somalia. In his view, the Arta process remained the most viable option for lasting peace in Somalia. He recalled that the Transitional National Government had inherited none of the formal institutions of a modern State on the basis of which a national authority could be said to have control over a territory. He further noted that in recent weeks the authority of the “Presidents” of both “Somaliland” and “Puntland” had been challenged, which had led to uncertainty regarding the political stability of those regions. He stressed that while the search for a national solution continued, much more attention could be paid to local political settlements. The process of rebuilding national institutions should go forward alongside strong and impartial efforts at local reconciliation. He expressed his intention to consult all concerned on the feasibility of setting up a Committee of Friends of Somalia to focus on ways and means of drawing attention to Somalia’s needs in the area of national reconciliation. Referring to the Council’s request for a proposal for a peacebuilding mission for Somalia, the Secretary-General reported that a security assessment of Mogadishu undertaken late in February 2001 had concluded that the security situation did not make it possible to deploy a peacebuilding office in the country. The security situation had not improved, the seaport and airport remained closed and there was no single authority in the country that could assure security and unimpeded access to the United Nations even in Mogadishu. Under those circumstances, he could not recommend the deployment of a post-conflict peacebuilding mission in Somalia. When the security situation improved enough to allow for the establishment of such a mission, he would submit a detailed proposal to the Council.

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<sup>18</sup> S/2001/963, submitted pursuant to the presidential statement of 27 May 1999 (S/PRST/1999/16).

At its 4392nd meeting, on 19 October 2001, the Council included in its agenda the above-mentioned report of the Secretary-General.<sup>18</sup> The Council was briefed by the Representative of the Secretary-General for Somalia and statements were made by all Council members and the representatives of Belgium (on behalf of the European Union<sup>19</sup>), Djibouti, Egypt, Ethiopia, Iraq, Japan, Kenya, the Libyan Arab Jamahiriya, Nigeria, Qatar, Somalia,<sup>20</sup> the Syrian Arab Republic and Yemen, as well as the Permanent Observer of the Organization of the Islamic Conference.

The Representative of the Secretary-General observed that during the 10 years that had passed since the collapse of the Siad Barre regime, Somalia had been without any national institutions of any description. As a result, the main focus of loyalty and source of identity for many Somalis remained the clan. He stressed that the task in Somalia was not so much that of negotiating ceasefires, but helping the Somalis to devise institutions which commanded the allegiance of the population over and above the clan. In his view, the crucial question was to find a role for all clans within the future structure of Somalia. He indicated that another problem was the proliferation of initiatives to assist Somalia.<sup>21</sup>

The representative of Somalia enumerated the principles upon which the process of national reconciliation was built, which included that the outcome of the Arta peace process would continue to be the basis for the pursuit of Somali reconciliation; the process would continue to be a Somali one; and the engagement of those who were outside the Arta peace process through sustained dialogue and negotiations was a crucial component of the national reconciliation endeavour. In the light of those principles, the Somali Government had succeeded in bringing on board two out of the five factions based in Mogadishu which had not supported the Arta Conference, while intensive negotiations were going on with the remaining factions and with the northern administrative entities of “Somaliland” and “Puntland”. He noted with regret that the Secretary-General’s report did not recommend the establishment of a peacebuilding mission in

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<sup>19</sup> Bulgaria, Cyprus, the Czech Republic, Estonia, Hungary, Iceland, Latvia, Lithuania, Malta, Poland, Romania, Slovakia, Slovenia and Turkey aligned themselves with the statement.

<sup>20</sup> Somalia was represented by its Prime Minister.

<sup>21</sup> S/PV.4392, pp. 2-3.

Somalia. In his view, the failure to create such a mission would further contribute to the vicious circle of inadequate security and the perpetuation of the benign neglect to which his country had been subjected over a decade. Considering that the establishment of the peacebuilding mission was imperative and critical at that moment, he proposed the dispatch of a high-level inter-agency United Nations mission to Somalia, with a mandate to critically examine the work of the security office in Nairobi and to re-evaluate, in an objective manner, the security situation in Mogadishu and the whole Somalia. He further welcomed the creation of a Committee of Friends of Somalia.<sup>22</sup>

The majority of the speakers expressed support for the work of the Transitional National Government and believed that the Arta peace process presented the most viable option for lasting peace in Somalia. Speakers also gave general support for the idea of the establishment of a Committee of Friends. Many speakers further noted their concern about the grave humanitarian situation in Somalia and underlined the need for the international community to provide assistance to the Somali people. A number of speakers pointed out that the recent escalation of conflict in Somalia was intrinsically linked to the spread of small arms in the area and demanded the respect of the arms embargo on Somalia imposed by resolution 733 (1992).

The representatives of the United Kingdom and the United States agreed with the conclusion of the Secretary-General that security conditions in Somalia precluded the establishment of a peacebuilding mission at the time.<sup>23</sup> The representative of Norway condemned the recent attacks on a police station in Mogadishu and noted that, nevertheless, there seemed to have been improvements in the security situation in Somalia recently and stressed that peacebuilding should not be held hostage to deliberate actions by a small subset of Somalis to prevent the country from returning to normalcy and the rehabilitation of its governing structure.<sup>24</sup> Against that background, he joined a number of other speakers in asking the Secretary-General to carry out a comprehensive inter-agency security assessment in Somalia.<sup>25</sup>

<sup>22</sup> Ibid., pp. 3-6.

<sup>23</sup> Ibid., pp. 13-14 (United Kingdom); and p. 15 (United States).

<sup>24</sup> Ibid., p. 17.

<sup>25</sup> Ibid., p. 8 (France); p. 9 (Singapore); p. 11 (Russian

While acknowledging the reasons that had led the Secretary-General not to recommend the establishment of a post-conflict peacebuilding mission in Somalia, the representative of Egypt stressed that the United Nations could not wait until perfect conditions prevailed before deploying such a mission, especially since such a logic would only create a vicious cycle in which any real hopes of providing peace and security to the Somali people would evaporate.<sup>26</sup> Similarly, the representative of Tunisia believed that maintaining the status quo in Somalia was not an option, and the Secretary-General's recommendations were not sufficient to advance a solution to the crisis in that country. He stated that it was the time to define the roles of various external actors and, in particular, the role of the Security Council in the Somali problem.<sup>27</sup> The representative of the Libyan Arab Jamahiriya suggested that a peacebuilding mission could be permanently deployed in Somalia in order to "lay the egg of peace". In his view, calling upon the Transitional National Government to establish peace, then having the Security Council guarantee the peace, would be acting like those who would "place the cart before the horse".<sup>28</sup>

A number of representatives urged the Council to dispatch a fact-finding mission to Somalia to ascertain the situation on the ground and report on progress towards the restoration of peace.<sup>29</sup>

At its 4401st meeting, on 31 October 2001, the Council again included in its agenda the report of the Secretary-General dated 11 October 2001.<sup>30</sup> The President (Ireland) made a statement on behalf of the Council,<sup>31</sup> by which the Council:

Reiterated its support for the outcome of the Arta peace conference, the establishment of the Transitional National Assembly and the Transitional National Government;

Federation); p. 15 (Colombia); p. 17 (Norway); p. 18 (Mauritius); p. 20 (Jamaica); p. 23 (Ireland); and p. 25 (Djibouti); S/PV.4392 (Resumption 1), p. 4 (Belgium on behalf of the European Union).

<sup>26</sup> S/PV.4392, p. 27.

<sup>27</sup> Ibid., p. 12.

<sup>28</sup> Ibid., p. 29.

<sup>29</sup> Ibid., p. 29 (Libyan Arab Jamahiriya); S/PV.4392 (Resumption 1), p. 6 (Nigeria); p. 7 (Yemen); p. 11 (Syrian Arab Republic); and p. 12 (Qatar).

<sup>30</sup> S/2001/963.

<sup>31</sup> S/PRST/2001/30.

Called on all parties to refrain from actions that undermined the Arta peace process; and emphasized that, while the search for a national solution continued, unwavering attention must be paid to achieving local political settlements as well;

Expressed its support for the Transitional National Government's ongoing efforts to enhance security in the Mogadishu area and to make operational the National Commission for Reconciliation and Property Settlement, which should be independent, as foreseen in the Transitional National Charter;

Called on all States and other actors to comply scrupulously with the arms embargo established by resolution 733 (1992); strongly condemned the attack on 13 October 2001 on a police station in Mogadishu and the attack on 27 March 2001 on the compound of Médecins sans Frontières in Mogadishu and the subsequent abduction of international personnel, and demanded that those responsible must be brought to justice;

Expressed concern about the humanitarian situation in Somalia, in particular in southern areas, and in the Bay, Bakool, Gedo and Hiran regions due to the expected food insecurity and lack of rainfall;

Requested the Secretary-General to take steps as outlined in support of the peace process in Somalia.

**Decision of 28 March 2002 (4502nd meeting):  
statement by the President**

At its 4487th meeting,<sup>32</sup> on 11 March 2002, the Council included in its agenda the report of the Secretary-General dated 21 February 2002.<sup>33</sup> In his report, the Secretary-General observed, *inter alia*, that although the Security Council had stated that the Arta peace process was the most viable basis for peace, the peace process was incomplete and there was a divergence of views among the States members of the Intergovernmental Authority on Development (IGAD) regarding national reconciliation in Somalia. However, the decision taken at the ninth IGAD summit refocused attention on national reconciliation in Somalia and reached an encouraging understanding regarding specific steps to be taken by the IGAD countries concerned. The IGAD decision on Somalia was significant also because it acknowledged that consensus among Somalia's neighbours was essential

in order to support a way forward in search of a more broad-based transitional arrangement for the country. He urged the IGAD member countries and other States in the region to contribute constructively to peace efforts and announced that the United Nations would also do all that was possible to achieve progress in the peace process, including through the deployment of a post-conflict peacebuilding mission, once security conditions permitted. Based on the general support expressed to the proposal to establish a Committee of Friends of Somalia, he intended to establish such a Committee in Nairobi and New York. He further reported that the inter-agency security assessment had confirmed that the security situation in Mogadishu did not allow for a long-term United Nations presence. Under those circumstances, a comprehensive peacebuilding programme could not yet be launched in Somalia. He stressed that greater unity of purpose of Somalia's friends and neighbours was needed and that only Somalia's leaders could decide to end the conflict.

At the meeting, statements were made by all Council members and by the representatives of Djibouti, Egypt, Ethiopia, Kenya, Jordan, the Libyan Arab Jamahiriya, Somalia<sup>34</sup> and Spain (on behalf of the European Union<sup>35</sup>).

Most speakers welcomed the IGAD proposal to hold a peace and reconciliation conference, expressed support for the Arta process and the Transitional National Government, welcomed the Secretary-General's intention to set up the Committee of Friends, and shared the Secretary-General's view that only Somalia's leaders could end the conflict. They further voiced concern about the humanitarian situation and called on the Somali factions to ensure the freedom of movement, as well as the safety and security of humanitarian personnel. Speakers also expressed concern about the proliferation of small arms in Somalia and the violations of the arms embargo established pursuant to resolution 733 (1992). While calling for the reinforcement of the embargo, they commented on the social and humanitarian impact of blocking assets belonging to the Al-Barakaat companies. Taking into account the "very grave"

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<sup>32</sup> At the 4486th meeting, held in private on 11 March 2002, members of the Council and the Minister for Foreign Affairs of the Transitional National Government of Somalia had a constructive discussion.

<sup>33</sup> S/2002/189, submitted pursuant to the presidential statement of 31 October 2001 (S/PRST/2001/30).

<sup>34</sup> Somalia was represented by the Minister for Foreign Affairs of the Transitional National Government.

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

consequences of the freeze on the assets of Al-Barakaat, the representative of France insisted that the formula of a controlled lifting of the freeze, proposed by the Somali authorities, should be welcomed.<sup>36</sup>

The representative of the Libyan Arab Jamahiriya held that the international community must stand “shoulder to shoulder” with the Transitional National Government, as there was “no alternative”. The Council could not remain neutral, since neutrality only strengthened the hand of the warlords or sent them an indirect message that the Council did not really care and that they could continue their warring activities in the country.<sup>37</sup>

On the security situation, most speakers expressed support for the Secretary-General’s view that the security situation in Mogadishu did not allow for a long-term United Nations presence, as had been confirmed by the inter-agency security assessment, and that under those circumstances a post-conflict peacebuilding programme could not be launched in Somalia. In contrast, a number of representatives expressed the view that the United Nations should not be held hostage by the activities of the warlords.<sup>38</sup> Echoed by several speakers, the representative of the Syrian Arab Republic expressed the view that there was an imperative need to formulate specific recommendations that would enable the United Nations to provide greater assistance, as proposed by the Council in its presidential statement of 31 October 2001.<sup>39</sup>

The representative of France, while favouring a peacebuilding mission in Somalia as soon as the security conditions allowed, underlined that the security situation in Mogadishu, in particular, needed to be regularly assessed in the hope that the United Nations could return, especially to the capital.<sup>40</sup> The representative of Jordan called on the Council to dispatch a fact-finding mission to Somalia to assess the

situation there and re-examine the situation on the ground.<sup>41</sup>

Regarding the security situation, the representative of Somalia held that a multiple-track approach would be the most appropriate way forward, providing the Transitional National Government with the necessary resources and tools to enhance security in Mogadishu and other areas in Somalia; ensure the strict enforcement of the sanctions regime regarding the illegal influx of weapons and arms; sustain a continuous contribution to the campaign against terrorism; and sustain support for the IGAD-sponsored peace process, sending a very strong signal to the warlords that their failure to contribute positively to the peace process would result in punitive measures taken against them.<sup>42</sup>

On efforts to combat terrorism, the representatives of Ireland and Spain, the latter speaking on behalf of the European Union, welcomed the establishment of a counter-terrorism task force by the Transitional National Government.<sup>43</sup> The representative of Colombia recalled that the Transitional National Government had asked the international community for assistance so that it could create the infrastructure necessary for ensuring full compliance with resolution 1373 (2001).<sup>44</sup>

At its 4502nd meeting, on 28 March 2002, in which the representative of Somalia was invited to participate, the Council again included in its agenda the report of the Secretary-General dated 21 February 2002.<sup>45</sup> The President (Norway) made a statement on behalf of the Council,<sup>46</sup> by which the Council, *inter alia*:

Reiterated its support for the Arta peace process; urged the Transitional National Government, local authorities and traditional leaders in Somalia to make every effort to complete the peace and reconciliation process through dialogue, with the view to establish an all-inclusive government in Somalia; and strongly supported the decisions by the ninth IGAD Summit and by the IGAD Foreign Ministers Committee on 14 February 2002 to convene a National Reconciliation Conference for Somalia in Nairobi in April 2002;

<sup>36</sup> S/PV.4487, p. 8.

<sup>37</sup> S/PV.4487 (Resumption 1), pp. 8-9.

<sup>38</sup> S/PV.4487, pp. 4-6 (Syrian Arab Republic); and pp. 8-10 (Mauritius); S/PV.4487 (Resumption 1), pp. 4-5 (Egypt); and pp. 8-9 (Libyan Arab Jamahiriya).

<sup>39</sup> S/PV.4487, pp. 4-6 (Syrian Arab Republic); pp. 8-10 (Mauritius); and pp. 11-12 (Ireland); S/PV.4487 (Resumption 1), pp. 2-4 (Spain on behalf of the European Union).

<sup>40</sup> S/PV.4487, p. 8.

<sup>41</sup> S/PV.4487 (Resumption 1), p. 2.

<sup>42</sup> *Ibid.*, pp. 12-13.

<sup>43</sup> S/PV.4487, p. 12 (Ireland); S/PV.4487 (Resumption 1), p. 3 (Spain on behalf of the European Union).

<sup>44</sup> S/PV.4487, pp. 6-7.

<sup>45</sup> S/2002/189.

<sup>46</sup> S/PRST/2002/8.

Encouraged the Secretary-General, through his Special Adviser and the United Nations Political Office for Somalia, to support actively the IGAD initiative;

Noted with serious concern the continued flow of weapons and ammunition supplies to Somalia;

Emphasized the necessity for further efforts against international terrorism in accordance with resolution 1373 (2001) of 28 September 2001;

Expressed concern about the humanitarian situation in Somalia and called on Member States to respond urgently and generously to the United Nations Consolidated Inter-Agency Appeal for 2002;

Requested the Secretary-General to establish without further delay a trust fund for peacebuilding in Somalia;

Endorsed a working mission to the region consisting of members of the Council and Secretariat staff; endorsed the establishment of the Somalia Contact Group to operate in Nairobi and New York; and welcomed the appointment of Winston A. Tubman as the Representative of the Secretary-General and Head of the United Nations Political Office for Somalia.

**Decision of 3 May 2002 (4524th meeting):  
resolution 1407 (2002)**

At the 4524th meeting, on 3 May 2002, in which the representative of Somalia was invited to participate, the President (Singapore) drew attention to a draft resolution;<sup>47</sup> it was adopted unanimously and without debate as resolution 1407 (2002), by which the Council, acting under Chapter VII of the Charter, *inter alia*:

Requested the Secretary-General to establish, within one month from the date of adoption of the resolution, in preparation for a Panel of Experts, a team of experts consisting of two members for a period of 30 days, to provide the Committee with an action plan detailing the resources and expertise that the Panel of Experts would require to be able to generate independent information on violations and for improving the enforcement of the weapon and military equipment embargo established by paragraph 5 of resolution 733 (1992); requested the Chairman of the Committee to forward the report of the team of experts, within two weeks of its reception, to the Security Council for its consideration; urged all other individuals and entities contacted by the Chairman of the Committee or the team of experts to cooperate fully by providing relevant information and facilitating their investigations, including political and traditional leaders, members of civil society and the business community, financial institutions and intermediaries, other brokering agencies, civil aviation companies and authorities, non-governmental organizations, intergovernmental

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<sup>47</sup> S/2002/507.

organizations and international law enforcement cooperation bodies;

Called upon all States, in particular those in the region, to provide the Committee with all available information on violations of the arms embargo; and decided to remain seized of the matter.

**Decision of 22 July 2002 (4580th meeting):  
resolution 1425 (2002)**

At its 4580th meeting,<sup>48</sup> on 22 July 2002, the Council included in its agenda the report of the Secretary-General of 27 June 2002.<sup>49</sup> In his report, the Secretary-General observed that, despite the efforts of the Government of Kenya in coordinating the IGAD initiative to convene the national reconciliation conference for Somalia, the conference was not held in April as anticipated. Consequently, the IGAD peace process was at an impasse because of differences on how to proceed on national reconciliation. He stressed that the environment of apparent suspicion, both among regional countries and inside Somalia, needed to be defused. He hoped that the Somalia Contact Group would prove to be a useful forum for the exchange of information and coordination of peacemaking efforts among external actors. He also deplored the escalation of violence in recent months, particularly in Mogadishu and Gedo and indicated that the security and humanitarian situations remained problematic.

At the meeting, the President (United Kingdom) drew attention to a draft resolution;<sup>50</sup> it was adopted unanimously and without debate as resolution 1425 (2002), by which the Council, acting under Chapter VII of the Charter, *inter alia*:

Requested the Secretary-General to establish, within one month from the date of adoption of the resolution, in consultation with the Committee established pursuant to resolution 751 (1992); a Panel of Experts consisting of three members to be based in Nairobi for a period of six months, in order to generate independent information on violations of the arms embargo and as a step towards giving effect to and strengthening the embargo;

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<sup>48</sup> At its 4565th meeting, held in private on 3 July 2002, the Council was briefed by the Representative of the Secretary-General and Head of the United Nations Political Office for Somalia.

<sup>49</sup> S/2002/709, submitted pursuant to the presidential statements of 31 October 2001 and 28 March 2002 (S/PRST/2001/30 and S/PRST/2002/8, respectively).

<sup>50</sup> S/2002/799.

Urged all other individuals and entities contacted by the Panel of Experts to cooperate fully by providing relevant information and facilitating its investigations, including political and traditional leaders, members of the civil society and the business community, financial institutions and intermediaries, other brokering agencies, civil aviation companies and authorities, non-governmental organizations, intergovernmental organizations and international law enforcement cooperation bodies;

Requested the Panel of Experts to submit a final report at the end of its mandated period to the Security Council, through the Committee, for its consideration; requested the Secretary-General, in his next report due on 31 October 2002, to include updates on the activities undertaken to coordinate ongoing peacebuilding initiatives and to provide for their incremental expansion; the technical assistance and cooperation provided to enhance the administrative and judicial capacities throughout Somalia; and the reporting by States to the Committee on measures they have in place to ensure the full and effective implementation of the arms embargo, in accordance with resolution 1407 (2002); and decided to remain actively seized of the matter.

**Decision of 12 December 2002 (4663rd meeting): statement by the President**

At its 4663rd meeting, on 12 December 2002, the Council included in its agenda the report of the Secretary-General dated 25 October 2002.<sup>51</sup> In his report, the Secretary-General welcomed the opening of the Somali National Reconciliation Conference at Eldoret, Kenya, on 15 October 2002. He noted that the international community had to continue working with the IGAD countries and responsible Somali leaders to keep the peace process on track, and stressed that only Somali leaders could decide to end the conflict. He indicated that one area of critical concern was the proliferation of arms and highlighted the need to disarm armed men, many of whom were youths, and to reintegrate them as useful members of their communities. In that connection, he called on the international community, in particular the IGAD countries, and all Somalis to cooperate with and help the Panel of Experts on the arms embargo, which had begun its work in Nairobi. He further noted that aid workers continued to face an unacceptable level of insecurity and urged concerted international action to put an end to the impunity with which armed groups continued to harass humanitarian and development

<sup>51</sup> S/2002/1201, submitted pursuant to the presidential statement of 31 October 2001 (S/PRST/2001/30) and resolution 1425 (2002).

agencies. The United Nations was still ready to deploy a post-conflict peacebuilding mission as soon as security conditions permitted.

At the same meeting, in which the representative of Somalia was invited to participate, the President (Colombia) made a statement on behalf of the Council,<sup>52</sup> by which, the Council, inter alia:

Reaffirmed its commitment to a comprehensive and lasting settlement of the situation in Somalia;

Welcomed the Eldoret Declaration as an important step towards the ending the violence and suffering of the Somali people; and welcomed the Joint Declaration issued by involved parties in Mogadishu on 2 December 2002;

Encouraged Member States urgently to provide further contributions in support of the Somali National Reconciliation Process;

Condemned recent attacks on humanitarian personnel and civilians in Somalia; and expressed serious concern regarding the situation of displaced persons in Somalia;

Called on all Member States, entities and individuals to respect fully the arms embargo established by resolution 733 (1992);

Requested the Secretary-General to continue preparatory activities on the ground for a post-conflict peacebuilding mission in Somalia once security conditions permitted.

**Decision of 12 March 2003 (4718th meeting): statement by the President**

At its 4718th meeting, on 12 March 2003, the Council included in its agenda the report of the Secretary-General dated 26 February 2003.<sup>53</sup> In his report, the Secretary-General stressed that the international community continued to support the Somali national reconciliation process launched under the auspices of IGAD and led by Kenya. He noted that the first phase of the process had ended with the signing of the Eldoret Declaration on 27 October 2002, by which the participants pledged, among other things, to cease hostilities and guarantee the security of all humanitarian and development personnel and installations. He further commended the IGAD frontline States for their decision to set up a mechanism to monitor compliance with the Eldoret Declaration, noting that hostilities in Somalia were

<sup>52</sup> S/PRST/2002/35.

<sup>53</sup> S/2003/231, submitted pursuant to the presidential statement of 31 October 2001 (S/PRST/2001/30) and resolution 1425 (2002).

motivated by individual rivalries and criminal activities rather than wider issues. In a positive development, he observed that Somali leaders in Mogadishu had committed themselves, early in December 2002, to ceasing hostilities and reopening the Mogadishu seaport and airport. Since then, however, serious hostilities had occurred involving the militias and supporters of some of the very leaders who had signed the Eldoret Declaration and December agreements. As a result, assistance delivery continued to be seriously affected, despite the fact that chronic food insecurity had resulted in unacceptably high malnutrition rates, which had become endemic in parts of Somalia. On the other hand, in some more stable areas, community-based peacebuilding activities had evolved, which presented windows of opportunity to build on the peace that had been achieved. Failure to do so, however, could result in renewed conflict.

At the same meeting, the President (Guinea) made a statement on behalf of the Council,<sup>54</sup> by which the Council, *inter alia*:

Reiterated its firm support for the Somali National Reconciliation Process;

Demanded that the Somali parties abide by and implement the Eldoret Declaration;

Called on the IGAD Technical Committee to continue its active role in promoting the Process;

Urged all parties involved to participate fully in the six reconciliation committees;

Expressed concern regarding the humanitarian situation in Somalia and urged the Somali leaders to facilitate the delivery of humanitarian assistance;

Requested the Secretary-General to continue preparatory activities on the ground for a post-conflict peacebuilding mission in Somalia once security condition permitted;

Reiterated its commitment to assist the Somali parties and support the IGAD mediation.

**Decision of 8 April 2003 (4737th meeting):  
resolution 1474 (2003)**

At the 4737th meeting, on 8 April 2003, in which the representative of Somalia was invited to participate, the President (Mexico) drew attention to a draft resolution;<sup>55</sup> it was adopted unanimously and without debate as resolution 1474 (2003), by which the

Council, acting under Chapter VII of the Charter, *inter alia*:

Decided to re-establish a Panel of Experts for a period of six months commencing no later than three weeks from the date of the adoption of the resolution, to be based in Nairobi;

Requested the Secretary-General to appoint up to four experts, including the Chairman;

Further requested the Secretary-General to ensure that the Panel of Experts comprised, and had access to, sufficient expertise in the areas of armament and financing thereof, civil aviation, maritime transport, and regional affairs;

Requested all Somali and regional parties as well as government officials and other actors contacted outside the region to cooperate fully with the Panel of Experts;

Requested the Panel of Experts to provide a mid-term briefing to the Council;

Decided to send a mission of the Committee, led by the Chairman of the Committee, to the region;

Called again upon all States, in particular those in the region, to provide the Committee with all available information on violations of the arms embargo; called upon regional organizations, in particular the African Union and the League of Arab States, as well as States that had the resources, to assist Somali parties and the States in the region in their efforts to fully implement the arms embargo.

**Decision of 11 November 2003 (4856th  
meeting): statement by the President**

On 13 October 2003, the Secretary-General submitted a report on the situation in Somalia,<sup>56</sup> by which he observed, *inter alia*, that the Somali national reconciliation process under the auspices of IGAD had devoted almost a year of sustained effort to trying to arrive at a durable and inclusive solution to the conflict in Somalia, including through the Kenya-facilitated Somali National Reconciliation Conference in Mbagathi. Notwithstanding the progress made at the Mbagathi Conference, further advances had been slow owing to differences on the issue of federalism and on the relationship of the future transitional government with existing regional and local authorities, in particular “Somaliland”. The situation had been complicated by the expiration on 26 August 2003 of the mandate of the Transitional National Government. He observed that key Member States, in the region as well as outside it, should monitor and support the

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<sup>54</sup> S/PRST/2003/2.

<sup>55</sup> S/2003/408.

<sup>56</sup> S/2003/987, submitted pursuant to the presidential statement of 31 October 2001 (S/PRST/2001/30).

efforts of Somali leaders and the IGAD Technical Committee in helping to ensure that the Mbagathi Conference culminated in an inclusive and comprehensive agreement. In that context, he welcomed the African Union's commitment to deploy a military observer mission to Somalia to monitor the cessation of hostilities. He further indicated that conflict and violence continued and the activities of United Nations agencies and partners had been curtailed due to insecurity prevailing in many parts of the country. Humanitarian and development workers in Somalia were calling upon the international community to hold the Somali leaders accountable for the welfare of their people and for the legitimacy of the leaders to be judged accordingly. In that context, he welcomed the decision of the Security Council Committee established pursuant to resolution 751 (1992) to visit the region to strengthen the arms embargo. He noted that the United Nations Political Office for Somalia and the United Nations country team were actively developing a peacebuilding plan to be implemented in Somalia once a definitive agreement was reached at the Conference.

At its 4856th meeting, on 11 November 2003, in which the representative of Somalia was invited to participate, the Council included the above-mentioned report of the Secretary-General in its agenda.<sup>56</sup> The President (Angola) made a statement on behalf of the Council,<sup>57</sup> by which the Council, inter alia:

Reiterated its firm support for the Somali National Reconciliation Process;

Urged all Somali leaders to participate in the meeting of leaders in Kenya in November 2003;

Called on the international community to continue its efforts to support IGAD;

Called on the donor countries to contribute to the Process, the Trust Fund and the Inter-Agency Appeal for Somalia;

Expressed serious concern regarding the humanitarian situation in Somalia and called on the Somali leaders to facilitate the delivery of humanitarian assistance and to assure the safety of all international and national aid workers;

<sup>57</sup> S/PRST/2003/19.

Reiterated that the comprehensive peacebuilding programme would be important to post-conflict Somalia.

**Decision of 16 December 2003 (4885th meeting):  
resolution 1519 (2003)**

At its 4885th meeting, on 16 December 2003, the Council included in its agenda a letter dated 4 November 2003 from the Chairman of the Committee established pursuant to resolution 751 (1992) to the President of the Council, transmitting the report of the Panel of Experts on Somalia.<sup>58</sup> The Panel of Experts recommended, inter alia, the continuation of the arms embargo and the establishment of a more systematic monitoring mechanism, which would improve the effectiveness of the embargo. The Panel also advocated an improvement in the cooperation between international, regional and subregional organizations, Member States and non-State actors involved in enforcing the embargo and made recommendations aimed at stemming the flow of arms and addressing the issue of piracy and terrorism against ships.

At the meeting, the President (Bulgaria) drew attention to a draft resolution;<sup>59</sup> it was adopted unanimously and without debate as resolution 1519 (2003), by which the Council, acting under Chapter VII of the Charter, inter alia:

Stressed the obligation of all States and other actors to comply fully with resolutions 733 (1992) and 1356 (2001);

Requested the Secretary-General to establish a monitoring group composed of four experts for a period of six months commencing as soon as possible from the date of the adoption of the resolution, to be based in Nairobi, with a mandate which should focus on the ongoing arms embargo violations;

Called upon all States in the region and regional organizations to establish focal points to enhance cooperation with the Monitoring Group and to facilitate information exchange;

Called on neighbouring States to report to the Committee quarterly on their efforts to implement the arms embargo.

<sup>58</sup> S/2003/1035; the report was transmitted pursuant to paragraph 7 of resolution 1474 (2003).

<sup>59</sup> S/2003/1177.