

trafficking, money-laundering and the acquisition of weapons of mass destruction.²⁴³ The representative of Spain proposed consideration of an adjustment of the Committee's mandate in that regard.²⁴⁴ Some other speakers in particular expressed concern at the risk of terrorists acquiring weapons of mass destruction and emphasized the need to address the issue.²⁴⁵ To prevent terrorist groups from using radioactive sources to make dirty bombs, the representative of France announced concrete proposals with a view to formulating an international convention strengthening controls over the use and transfer of such radioactive sources.²⁴⁶

The link between terrorism and States possessing weapons of mass destruction was addressed in particular in relation to the situation in Iraq: while the representatives of the Russian Federation, the United States and the United Kingdom unanimously hoped that the crisis would be resolved peacefully, the representative of the United Kingdom warned of a potential use of force in the event that Iraq did not actively comply with its Security Council obligations and cooperate fully with inspectors.²⁴⁷ Similarly, the representative of the United States stressed that if Iraq did not come into full compliance, States must not shrink from the responsibilities set before themselves

unanimously in resolution 1441 (2002).²⁴⁸ The representative of the Syrian Arab Republic took up the link between terrorism and weapons of mass destruction in the Middle East region and called for international conferences to define terrorism and to make the Middle East a zone free of such weapons.²⁴⁹

As to the role of the Committee, referring to resolution 1373 (2001), which required States also to take measures against accomplices of terrorists, the representative of the Russian Federation proposed that the Committee pursue the matter, given the importance of not only assisting Member States in improving their anti-terrorist laws but also in examining the application of those laws in accordance with current requirements.²⁵⁰ The representative of Spain stressed that the Committee should not be limited to a review of reports submitted by States and must propose concrete legal and political measures with regard to preventing the financing of terrorism, proposing instruments for information exchange and recommending effective border control.²⁵¹

The President (France) drew the attention of the Council to the draft resolution,²⁵² it was then put to the vote and adopted unanimously as resolution 1456 (2003), by which the Council decided to adopt a declaration annexed to the resolution, on the issue of combating terrorism.

²⁴³ Ibid., p. 10 (Bulgaria); p. 15 (Russian Federation); p. 18 (United States); p. 21 (Guinea); and p. 26 (France).

²⁴⁴ Ibid., p. 17.

²⁴⁵ Ibid., p. 6 (Germany); p. 8 (United Kingdom); p. 15 (Russian Federation); p. 17 (Spain); and p. 18 (United States).

²⁴⁶ Ibid., p. 26.

²⁴⁷ Ibid., pp. 8-9 (United Kingdom); p. 15 (Russian Federation); and p. 18 (United States).

²⁴⁸ Ibid., p. 18.

²⁴⁹ Ibid., p. 23.

²⁵⁰ Ibid., p. 15.

²⁵¹ Ibid., p. 17.

²⁵² S/2003/60.

40. Promoting peace and security: humanitarian assistance to refugees in Africa

Initial proceedings

Decision of 13 January 2000 (4089th meeting): statement by the President

At its 4089th meeting, on 13 January 2000, the Security Council included in its agenda the item entitled "Promoting peace and security: humanitarian assistance to refugees in Africa". The Council heard a briefing by the United Nations High Commissioner for Refugees, following which an interactive discussion took place and statements were made by all Council members.

The High Commissioner stated that the past few years had witnessed significant changes in the pattern of refugee crises, notably the increase in internally displaced persons. While the Office of the United Nations High Commissioner for Refugees (UNHCR) had assisted internally displaced persons upon the request of the Secretary-General or when their situation was closely linked to a refugee or returnee issue, and other humanitarian agencies had intervened in some situations, she noted with concern that there was no

established mechanism for the assistance, and particularly the protection, of the internally displaced. The High Commissioner held that it was the countries which had most generously hosted refugees that had paid the highest price, as the security, socio-economic and natural environments of those countries were severely affected by large, forced population movements. She noted that war-induced mass population movements had contributed to the spreading of conflicts and cautioned that if wars that forced people to flee were not stopped, there could be no solutions to refugee crises. In that context, she urged the Council to seek more decisive measures to address such critical problems as the indiscriminate struggle for resources, the uncontrolled flow of arms, the lack of conflict resolution mechanisms and weak support to post-conflict situations.

Assessing the respective refugee crises in Burundi, the Democratic Republic of the Congo, Angola, the Horn of Africa and West Africa, the High Commissioner observed that humanitarian action alone would not be able to solve any of the problems leading to forced human displacement and stressed that it could not substitute for Governments and the Council in areas for which they had a clear responsibility, such as peacekeeping and peacebuilding. She emphasized that the Council had an essential role to play in preventing, containing and resolving conflicts — and, hence, refugee problems — in Africa. To that end, she urged the Council to put aside differences, take clear, strong and united positions and translate discussion into concrete action to support more decisively, rapidly and substantively the follow-up to peace agreements, and promote the mobilization of resources for reconstruction and peacebuilding. The High Commissioner, while demanding quick solutions to the refugee crises, emphasized that States must continue to uphold the rights of refugees and provide asylum to people who had fled war and persecution. Meanwhile, donor Governments must share the burden of asylum by ensuring an adequate level of basic assistance in camps and settlements, and for returnees going back home. In that connection, she considered it unacceptable that the assistance provided to refugees in Africa, including food and other basic survival items, was far less than in other parts of the world. She hoped that the international community would address seriously that grave imbalance in material assistance. Finally, she informed the Council that UNHCR was planning to launch a special refugee education trust,

which would allow refugees, especially in Africa, to pursue post-primary education during their exile.¹

Council members expressed concern at the dire situation of many refugees in Africa and underlined the importance of taking action without delay to address the plight of refugees and internally displaced persons. In that context, most speakers highlighted the need urgently to address the root causes of population displacement, particularly by putting an end to the conflicts and political tensions on the African continent. They also emphasized the need to ensure adequate protection for all refugees and internally displaced persons, particularly women and children, and to guarantee the safety of the humanitarian workers and their access to the population in need.

Echoing comments by the High Commissioner, many members emphasised that all refugees around the world must be treated in the same manner and that the imbalances in material assistance provided to African refugees ought to be corrected.² Drawing particular attention to the situation of internally displaced persons, the representatives of the United Kingdom and the Netherlands noted the complexity of assisting people in areas where State authorities or rebel forces were part of the cause of their predicament.³ For his part, the representative of the United States, who had worked on the refugee issue since 1978, expressed concern that two thirds of the world's refugees were designated as internally displaced persons and did not fall under the purview of UNHCR. While recognizing that the distinction between refugees and internally displaced persons raised complex legal issues of international sovereignty, he stressed that both were equal victims in terms of what had happened to them. He thus urged the leadership of UNHCR and the Secretary-General to expand the definition of refugees, erode the distinction between refugees and internally displaced persons, and treat internally displaced persons in such a way that they did not fall between the bureaucratic cracks. He suggested that responsibility for internally displaced persons should be fixed in a single bureaucratic entity.⁴

¹ S/PV.4089, pp. 2-7.

² *Ibid.*, p. 8 (Namibia); p. 13 (Jamaica); p. 19 (Argentina); p. 20 (Mali); p. 21 (Bangladesh); and p. 22 (China).

³ *Ibid.*, p. 18 (United Kingdom); and p. 23 (Netherlands).

⁴ *Ibid.*, pp. 24-25.

Several members underlined the need to assist host countries, pointing to the negative impact of refugees on their economies and societies.⁵ In that regard, the representative of Ukraine voiced deep concern at the cases where refugees and internally displaced persons themselves became a source of instability and renewed strife. He proposed that following conflict situations, the Council consider sending special missions to major refugee camps and areas to assess the situation on the ground, or establishing, with the consent of the host country, preventive deployment missions, if circumstances so required.⁶ Similarly, the representative of Jamaica regretted the fact that sometimes refugees became potential pools for rebel recruitment, thereby posing a threat to the peace and security of the host communities.⁷ The High Commissioner, however, held that it was very difficult to maintain the civilian character of refugee camps since most of the refugees were victims of internal conflict who had fled their countries either temporarily or in an effort to fight back.⁸

Some members underlined the need to respect the sovereignty of States when addressing the refugee problem.⁹ In that context, the representative of Malaysia reiterated that humanitarian assistance must be apolitical in nature and predicated on the principles

⁵ Ibid., p. 8 (Namibia); p. 12 (Jamaica); p. 14 (Canada); and p. 20 (Mali).

⁶ Ibid., p. 17.

⁷ Ibid., p. 13.

⁸ Ibid., p. 14.

⁹ Ibid., p. 16 (Tunisia); and p. 22 (China).

of strict neutrality and non-selectivity. He urged donors to resist the temptation to use humanitarian aid as a means of exerting political pressure on the parties in a conflict.¹⁰ Nevertheless, the representative of Canada held that sovereignty did not exempt the concerned countries of their responsibility to provide full access to others in order that the basic needs of refugees and internally displaced persons could be met.¹¹

At the same meeting, the President (United States) made a statement on behalf of the Council,¹² by which the Council, *inter alia*:

Stressed the need to address the root causes of armed conflict in a comprehensive manner in order to prevent those circumstances that lead to internal displacement and the outflow of refugees; emphasized that national authorities had the primary duty and responsibility to provide protection and humanitarian assistance to internally displaced persons within their jurisdiction;

Urged all parties concerned to comply strictly with their obligations under international humanitarian, human rights and refugee law, and emphasized the need for better implementation of relevant norms with regard to internally displaced persons;

Reaffirmed the responsibility of States hosting refugees to ensure the security and the civilian and humanitarian character of refugee camps and settlements, in accordance with existing international standards and international humanitarian, human rights and refugee law; underlined the unacceptability of using refugees and other persons in refugee camps and settlements to achieve military purposes in the country of asylum or the country of origin.

¹⁰ Ibid., p. 10.

¹¹ Ibid., p. 15.

¹² S/PRST/2000/1.

41. Protection of civilians in armed conflict

Decision of 19 April 2000 (4130th meeting): resolution 1296 (2000)

On 8 September 1999, the Secretary-General submitted to the Security Council the first report on the protection of civilians in armed conflict.¹ The Secretary-General presented the realities faced by civilians in armed conflict and the challenges those situations posed to the international community. Stressing that protection of civilians was fundamental

to the central mandate of the United Nations, the Secretary-General stated that the Council should play a leading role in compelling parties to conflict to respect the rights guaranteed to civilians by international law and convention. To strengthen the capacity of the Council and the United Nations to protect civilians, he recommended, *inter alia*, that the Council take steps to strengthen the Organization's capacity to plan and deploy rapidly by enhancing the participation in the United Nations Standby Arrangements System and increasing the numbers of civilian police and specialized civil administration and humanitarian personnel. Furthermore, the Council should establish a

¹ S/1999/957, submitted pursuant to the presidential statement of 12 February 1999 (S/PRST/1999/6).