

43. Role of the Security Council in the prevention of armed conflicts

Decision of 20 July 2000 (4174th meeting): statement by the President

At the 4174th meeting of the Security Council, on 20 July 2000,¹ statements were made by all members of the Council² and the Secretary-General, the representatives of Austria (in his capacity as Chair in Office of the Organization for Security and Cooperation in Europe), Brazil, Colombia, Indonesia, Japan, Kenya, Norway, Pakistan, the Republic of Korea, Rwanda, Senegal, Uganda and the United Republic of Tanzania and the Permanent Observer of the Organization of the Islamic Conference to the United Nations.³

Opening the discussion, the Secretary-General noted that there was a consensus that prevention strategies should address the root causes of conflicts and not simply their violent symptoms. Describing conflict prevention as multidimensional, he stated that, to be effective, prevention needed to address the structural faults that predisposed a society to conflict, and that the best form of long-term conflict prevention was represented by healthy and balanced economic development. Recalling that peace and development constituted two great responsibilities of the United Nations, the Secretary-General stated that the latter had a special role to play. Recalling the various initiatives that he had undertaken since taking office, the Secretary-General pointed out that any type of work in post-conflict peacebuilding constituted prevention,

since it was designed to prevent the resurgence of conflict. Noting recent indications that the Council itself was also taking prevention more seriously, he suggested that the Council undertake a number of steps, including making greater use of fact-finding missions; encouraging States to bring potential conflicts to the attention of the Council; setting up an informal working group or a subsidiary body to study early warning and prevention; holding periodic meetings at the ministerial level to discuss thematic or actual prevention issues, as provided for in Article 28 of the Charter of the United Nations; working more closely with the other principal organs of the United Nations, particularly the General Assembly, the Economic and Social Council in accordance with Article 65 of the Charter, and the International Court of Justice in accordance with Article 96 of the Charter; and examining ways of interacting more closely with non-State actors with expertise and experience in conflict prevention. The Secretary-General urged the Council to agree on the most practical ideas and act upon them. He observed that prevention was costly, but stressed that intervention, relief and rebuilding broken societies and lives cost far more. He hoped that Member States would acknowledge that the international community could also play a constructive role in internal situations, and that this could strengthen sovereignty rather than weaken it, and called upon Member States to give the existing institutions working on conflict prevention the backing they urgently needed. Finally, the Secretary-General called for prevention to be made the cornerstone of collective security in the twenty-first century, a direction that would be achieved not by grand gestures or short-term thinking, but by changing deeply ingrained attitudes.⁴

In the ensuing discussion, the majority of speakers, *inter alia*, acknowledged that the prevention of armed conflict was less costly than dealing with conflicts once they had erupted, from the human, political, economic and financial perspectives; agreed with the Secretary-General on the importance of shifting from a culture of reaction to a culture of prevention; indicated that it was important to focus on the resolution of the root causes, including through

¹ For more information on the discussion at the meeting, see chap. X, part III, sect. C, with regard to the role of the Secretary-General in the pacific settlement of disputes; chap. X, part IV, with regard to the relevance of the provisions of Chapter VI of the Charter to conflict prevention; and chap. XII, part III, sect. A, with regard to the provisions of Chapter VIII of the Charter.

² Namibia and Jamaica were represented by their Ministers for Foreign Affairs. The representative of France made a statement on behalf of the European Union: Bulgaria, Cyprus, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Romania, Slovakia and Slovenia aligned themselves with the statement.

³ The President of the Council (Jamaica) also acknowledged the presence of the President of the General Assembly, who did not make a statement at the meeting.

⁴ S/PV.4174, pp. 2-4.

social and economic development, if conflicts were to be prevented in the first place or prevented from re-emerging; and emphasized the importance of post-conflict peacebuilding efforts aimed at preventing the recurrence of conflicts. A number of speakers underscored the need to improve the tools and means to prevent conflict, including, for instance, by strengthening the early-warning capacities of the Secretariat and encouraging the Council to conduct early missions to conflict areas;⁵ recalled the critical role that the Secretary-General could play in making conflict prevention a more effective strategy;⁶ and explicitly invoking Article 99 of the Charter, emphasized the importance of the role of the Secretary-General in using that prerogative.⁷

A number of representatives stressed that conflict prevention should be pursued with due regard to the principles of sovereignty, territorial integrity and non-interference in the internal affairs of States.⁸ The representative of the Netherlands observed that while the Charter was geared towards inter-State conflict, the overwhelming majority of conflicts were of an internal nature. He therefore opined that the Council needed a more flexible interpretation of Article 2(7) of the Charter to be able to take the necessary action in the face of conflicts.⁹

Several speakers recognized the important role that regional organizations and arrangements played in the prevention of armed conflicts and expressed support for stronger cooperation with regional organizations.¹⁰ While commenting on the increasingly important role played by regional organizations in the

maintenance of peace and security and conflict prevention, in line with their mandate under Chapter VIII of the Charter, the representatives of China and Namibia recalled that intervention by regional organizations needed to be undertaken with the authorization of the Council, as provided for by Article 53 of the Charter.¹¹

The President then made a statement on behalf of the Council,¹² by which the Council, *inter alia*:

Reaffirmed its belief that early warning, preventive diplomacy, preventive deployment, preventive disarmament, and post-conflict peacebuilding were interdependent and complementary components of a comprehensive conflict-prevention strategy; emphasized its continuing commitment to addressing the prevention of armed conflicts in all regions of the world;

Reaffirmed the importance of its consideration of all situations that might deteriorate into armed conflicts, and of considering follow-up action, as appropriate; expressed continued willingness to consider the use of Council missions, with the consent of host countries, in order to determine whether any dispute, or any situation that might lead to international friction or give rise to a dispute, was likely to endanger the maintenance of international peace and security, and to make recommendations for action by the Council, as appropriate;

Invited the Secretary-General to submit to the Council, by May 2001, a report containing an analysis, and recommendations on initiatives within the United Nations.

Decision of 30 August 2001 (4360th meeting): resolution 1366 (2001)

At its 4334th meeting, on 21 June 2001,¹³ the Council included in its agenda the report of the Secretary-General dated 7 June 2001 on the prevention of armed conflict.¹⁴ In the report, the Secretary-General recalled that conflict prevention was one of the primary obligations of Member States set forth in the Charter. Adding that United Nations efforts in conflict prevention must be in conformity with the purposes and principles of the Charter, he emphasized that

⁵ *Ibid.*, p. 11 (Russian Federation); p. 16 (Malaysia); and pp. 27-28 (France); S/PV.4174 (Resumption 1), pp. 4-5 (Pakistan); and p. 10 (Senegal).

⁶ S/PV.4174, p. 4 (United States); p. 6 (United Kingdom); p. 11 (the Netherlands); p. 14 (Tunisia); pp. 15-16 (Malaysia); and p. 27 (France); S/PV.4174 (Resumption 1), pp. 7-8 (Brazil); and p. 11 (Indonesia).

⁷ S/PV.4174, p. 13 (China); p. 14 (Tunisia); p. 16 (Malaysia); p. 22 (Ukraine); and p. 27 (France); S/PV.4174 (Resumption 1), p. 5 (Pakistan); and p. 10 (Senegal).

⁸ S/PV.4174, p. 10 (Russian Federation); p. 13 (China); p. 15 (Tunisia); and p. 16 (Malaysia); S/PV.4174 (Resumption 1), p. 4 (Pakistan).

⁹ S/PV.4174, p. 11.

¹⁰ S/PV.4174, p. 5 (United States); pp. 6-7 (United Kingdom); p. 11 (Russian Federation); p. 14 (Tunisia); p. 21 (Canada); p. 23 (Ukraine); and p. 27 (France); S/PV.4174 (Resumption 1), p. 16 (Kenya).

¹¹ S/PV.4174, p. 13 (China); and p. 18 (Namibia).

¹² S/PRST/2000/25.

¹³ For more information on the discussion at the meeting, see chap. X, part III, sect. C, with regard to the role of the Secretary-General in the pacific settlement of disputes; chap. X, part IV, with regard to the relevance of the provisions of Chapter VI of the Charter to conflict prevention; and chap. XII, part II, case 13, with regard to the provisions of Articles 24 and 25 of the Charter.

¹⁴ S/2001/574 and Corr.1.

conflict prevention was an activity best undertaken under Chapter VI of the Charter, while certain measures under Chapter VII of the Charter, such as sanctions, could have an important deterrent effect. However, the Secretary-General stressed that the primary responsibility for conflict prevention rested with national Governments, with the United Nations and the international community supporting national efforts for conflict prevention and assisting in building national capacity in that field. According to the Secretary-General, preventive action should be initiated at the earliest possible stage of a conflict cycle. As an effective preventive strategy it required a comprehensive approach encompassing both short- and long-term political, diplomatic, humanitarian, human rights, developmental, institutional and other measures taken by the international community, in cooperation with national and regional actors. In particular, he pointed out that one of the principal aims of preventive action should be to address the deep-rooted and structural causes that often underlay the immediate political symptoms of conflicts, and that conflict prevention and sustainable and equitable development were mutually reinforcing activities. Finally, the Secretary-General emphasized the clear need for introducing a coordinated and consistent conflict prevention element into the United Nations system's multifaceted development programmes and activities, recognizing at the same time that effective preventive action by the United Nations required sustained political will on the part of Member States.

At the meeting, statements were made by all members of the Council, the representatives of Argentina, Belarus, Brazil, Canada, Costa Rica, Egypt, India, Indonesia, Iraq, Japan, Malaysia, Mexico, Nepal, Nigeria, Pakistan, the Republic of Korea, South Africa and Sweden (on behalf of the European Union¹⁵), the Permanent Observer of Palestine to the United Nations and the Deputy Secretary-General.

In her introductory statement, the Deputy Secretary-General reiterated the need to intensify efforts in order to move from a culture of reaction to a culture of prevention, recalling the principles proposed by the Secretary-General in his report to guide future approaches to conflict prevention. Noting that effective

conflict prevention required both national and international political will, she stressed the high cost of conflict and conflict intervention, maintaining that conflict prevention was the most desirable and cost-effective approach for maintaining peace. Regarding possible ways for the Secretary-General to enhance his traditional preventive role, she recalled four possible options: first, increasing the use of United Nations interdisciplinary fact-finding and confidence-building missions to volatile regions; second, developing regional prevention strategies with regional partners and appropriate United Nations organs and agencies; third, establishing an informal network of eminent persons for conflict prevention; and fourth, improving the capacity and resource base for preventive action in the Secretariat.¹⁶

During the discussion, speakers generally acknowledged that Chapter VI of the Charter provided important instruments for conflict prevention and expressed support for the recommendation of the Secretary-General encouraging Member States and the Council to make more active use of preventive deployments before the onset of conflict, as appropriate; endorsed the Secretary-General's pledge to move the United Nations from a culture of reaction to a culture of prevention; underlined the need for a multidimensional approach to conflict prevention, including the repatriation of refugees, restrictions on the proliferation of small arms and both short- and long-term development assistance to affected States; emphasized the need to address the root causes of conflicts; endorsed the Secretary-General's premise that the primary responsibility for conflict prevention rested with national Governments; stressed the need for a variety of actors, such as the Security Council, the General Assembly, the Secretary-General, the Economic and Social Council and other United Nations organs as well as regional organizations to take the lead in coordinating preventive responses to incipient conflicts, and underlined the importance of the role of regional organizations, non-governmental organizations, civil society and the private sector in the area of conflict prevention; expressed support for enhancing the role of the Secretary-General in conflict prevention, under Article 99 of the Charter; and supported the proposal of the Secretary-General to dispatch fact-finding missions to potential conflict

¹⁵ Bulgaria, Cyprus, the Czech Republic, Estonia, Hungary, Iceland, Latvia, Lithuania, Malta, Poland, Romania, Slovakia and Slovenia aligned themselves with the statement.

¹⁶ S/PV.4334, pp. 2-4.

areas, with the aim of working out comprehensive prevention strategies.

At the 4360th meeting, on 30 August 2001, the President (Colombia) drew the attention of the Council to a draft resolution;¹⁷ it was put to the vote and adopted unanimously as resolution 1366 (2001), by which the Council, *inter alia*:

Called upon all Member States to ensure timely and faithful implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, adopted on 20 July 2001, and to take all necessary measures at national, regional and global levels to prevent and combat the illicit flow of small arms and light weapons in areas of conflict;

¹⁷ S/2001/828.

Decided to consider inclusion as appropriate, of a disarmament, demobilization and reintegration component in the mandates of United Nations peacekeeping and peacebuilding operations, with particular attention to the rehabilitation of child soldiers;

Endorsed the call of the Secretary-General for support to the follow-up processes launched by the Third and Fourth High-level United Nations regional organizations meetings in the field of conflict prevention and peacebuilding, and to provide increased resources for the development of regional capacities in those fields;

Called for the enhancement of the capacity for conflict prevention of regional organizations, in particular in Africa, by extending international assistance to, *inter alia*, the Organization of African Unity and its successor organization, through its Mechanism for Conflict Prevention, Management and Resolution, as well as to the Economic Community of West African States and its Mechanism for Prevention, Management and Resolution of Conflicts, Peacekeeping and Security.

44. Protection of United Nations personnel, associated personnel and humanitarian personnel in conflict zones

Initial proceedings

Decision of 9 February 2000 (4100th meeting): statement by the President

At its 4100th meeting, on 9 February 2000, the Security Council included in its agenda the item entitled "Protection of United Nations personnel, associated personnel and humanitarian personnel in conflict zones". The Council heard briefings by the Deputy Secretary-General, the Executive Director of the World Food Programme, and the Permanent Observer of the International Committee of the Red Cross (ICRC) to the United Nations. All Council members and the representatives of Australia, Belarus, Brazil, Egypt, Japan, New Zealand, Norway, Portugal, the Republic of Korea, Singapore, Slovenia, South Africa and Uruguay made statements during the meeting.

The Deputy Secretary-General outlined a number of concrete steps to better safeguard the security of United Nations personnel, namely, to strengthen the capacity of the Office of the United Nations Security Coordinator; to ensure that missions were adequately staffed and equipped; and to promote security training. She also emphasized the need for better coordination

between United Nations actors and other humanitarian organizations in the same location. To achieve those objectives, she highlighted the need for proper and reliable funding and called for responses to the inter-agency consolidated appeals launched for 2000, as well as for contributions to the Trust Fund for Security of personnel of the United Nations. Calling on Member States to do more, she suggested that, first, those who had not done so should sign and ratify the Convention on the Safety of United Nations and Associated Personnel of 9 December 1994; second, they should consider extending the scope of the Convention to cover categories of personnel who fell outside its protective regime; third, they should take steps to speed up ratification of the Statute of the International Criminal Court; and fourth, they should assist in investigating and bringing to justice perpetrators of acts of violence against United Nations and associated personnel.¹

The Executive Director of the World Food Programme drew attention to the growing numbers of

¹ S/PV.4100, pp. 2-5.