

accession of Namibia to independence in accordance with Security Council resolution 435 (1978). Immediately thereafter, he had administered the oath of office to the first elected President of the Republic of

Namibia. Thus had been achieved, in dignity and great rejoicing, the goal of independence for Namibia, for which the United Nations and its Member States had striven for so long.

## 6. Items relating to the situation in Somalia

### Initial proceedings

#### A. Letter dated 20 January 1992 from the Chargé d'affaires a.i. of the Permanent Mission of Somalia to the United Nations addressed to the President of the Security Council

By a letter dated 20 January 1992 addressed to the President of the Security Council,<sup>1</sup> the Chargé d'affaires a.i. of the Permanent Mission of Somalia transmitted a letter dated 11 January 1992 from the interim Prime Minister of Somalia, and requested an immediate meeting of the Council to consider the deteriorating situation in Somalia.

By a letter dated 21 January 1992 addressed to the President of the Security Council,<sup>2</sup> the representative of Morocco transmitted the text of a resolution adopted on 5 January 1992 by the Council of the League of Arab States (LAS) at its extraordinary session concerning the situation in Somalia. The Council expressed deep concern at the developments threatening the national unity and territorial integrity of Somalia, called on all Arab countries to provide emergency relief, and urged all regional and international organizations to support the efforts of the League and to coordinate their activities with those of the League, in order to establish a lasting ceasefire in Somalia.

By a letter dated 23 January 1992 addressed to the President of the Security Council,<sup>3</sup> the representative of Guinea, as Chairman of the Group of African States, transmitted a statement made on 18 December 1991 by the Secretary-General of the Organization of African Unity (OAU) concerning the situation in Somalia. The OAU Secretary-General stated that both parties involved in the fighting in

Mogadishu had a particular responsibility to ensure that there was an immediate ceasefire and that normalcy was restored to the city. He appealed to the international community to use its influence and leverage to encourage the parties to seek a peaceful resolution of the conflict, and to respond to the very urgent humanitarian needs of the victims of the conflict. He reiterated that OAU was available to facilitate an end to the fighting and to bring about a lasting settlement.

#### Decision of 23 January 1992 (3039th meeting): resolution 733 (1992)

At its 3039th meeting, on 23 January 1992, the Council included the letter from the Chargé d'affaires of the Permanent Mission of Somalia in its agenda. Following the adoption of the agenda, the Council invited the representative of Somalia, at her request, to participate in the discussion without the right to vote. The President (United Kingdom) then drew the attention of the Council members to a draft resolution that had been prepared in the course of the Council's prior consultations.<sup>4</sup> The draft resolution was put to the vote and adopted unanimously as resolution 733 (1992), which reads:

*The Security Council,*

*Considering* the request by Somalia for the Security Council to consider the situation in Somalia,

*Having heard* the report of the Secretary-General on the situation in Somalia and commending the initiative taken by him in the humanitarian field,

*Gravely alarmed* at the rapid deterioration of the situation in Somalia and the heavy loss of human life and widespread material damage resulting from the conflict in the country and aware of its consequences on stability and peace in the region,

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<sup>1</sup> S/23445.

<sup>2</sup> S/23448.

<sup>3</sup> S/23469.

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<sup>4</sup> S/23461.

*Concerned* that the continuation of this situation constitutes, as stated in the report of the Secretary-General, a threat to international peace and security,

*Recalling* its primary responsibility under the Charter of the United Nations for the maintenance of international peace and security,

*Recalling also* the provisions of Chapter VIII of the Charter,

*Expressing* its appreciation to the international and regional organizations that have provided assistance to the populations affected by the conflict and deploring that personnel of these organizations have lost their lives in the exercise of their humanitarian tasks,

*Taking note* of the appeals addressed to the parties by the Chairman of the Organization of the Islamic Conference on 16 December 1991, the Secretary-General of the Organization of African Unity on 18 December 1991 and the League of Arab States on 5 January 1992,

1. *Takes note* of the report of the Secretary-General on the situation in Somalia and expresses its concern with the situation prevailing in that country;

2. *Requests* the Secretary-General immediately to undertake the necessary actions to increase humanitarian assistance by the United Nations and its specialized agencies to the affected population in all parts of Somalia in liaison with the other international humanitarian organizations and to this end to appoint a coordinator to oversee the effective delivery of this assistance;

3. *Also requests* the Secretary-General of the United Nations, in cooperation with the Secretary-General of the Organization of African Unity and the Secretary-General of the League of Arab States, immediately to contact all parties involved in the conflict, to seek their commitment to the cessation of hostilities in order to permit the humanitarian assistance to be distributed, to promote a ceasefire and compliance therewith, and to assist in the process of a political settlement of the conflict in Somalia;

4. *Strongly urges* all parties to the conflict immediately to cease hostilities and agree to a ceasefire and to promote the process of reconciliation and of political settlement in Somalia;

5. *Decides*, under Chapter VII of the Charter of the United Nations, that all States shall, for the purposes of establishing peace and stability in Somalia, immediately implement a general and complete embargo on all deliveries of weapons and military equipment to Somalia until the Council decides otherwise;

6. *Calls on* all States to refrain from any action which might contribute to increasing tension and to impeding or delaying a peaceful and negotiated outcome to the conflict in Somalia, which would permit all Somalis to decide upon and to construct their future in peace;

7. *Calls upon* all parties to cooperate with the Secretary-General to this end and to facilitate the delivery by the United Nations, its specialized agencies and other humanitarian organizations of humanitarian assistance to all those in need of it, under the supervision of the coordinator;

8. *Urges* all parties to take all the necessary measures to ensure the safety of personnel sent to provide humanitarian assistance, to assist them in their tasks and to ensure full respect for the rules and principles of international law regarding the protection of civilian populations;

9. *Calls upon* all States and international organizations to contribute to the efforts of humanitarian assistance to the population in Somalia;

10. *Requests* the Secretary-General to report to the Security Council as soon as possible on this matter;

11. *Decides* to remain seized of the matter until a peaceful solution is achieved.

## **B. The situation in Somalia**

### **Decision of 17 March 1992 (3060th meeting): resolution 746 (1992)**

By a letter dated 30 January 1992 addressed to the President of the Council,<sup>5</sup> the Chargé d'affaires of the Permanent Mission of Somalia expressed her gratitude for the Security Council's decision to consider the situation in her country and the unanimous adoption of resolution 733 (1992). In an annex to the letter, she stated that her country had not received any international political assistance to end its protracted crisis. She advocated a two-pronged approach to the conflict: the establishment of a holding ceasefire, maintained if necessary by coercive means; and the convening of a national reconciliation conference under the auspices of the Security Council. She assured the Council that any measure — even a coercive one — taken to resolve the crisis in Somalia could not, and would not, be interpreted as interference in the country's internal affairs, since it would save human lives and restore human dignity.

On 11 March 1992, pursuant to resolution 733 (1992), the Secretary-General submitted to the Council a report on the situation in Somalia,<sup>6</sup> dealing in particular with the efforts to secure a cessation of hostilities to permit the humanitarian assistance to be distributed, to promote a ceasefire, and to assist in the

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<sup>5</sup> S/23507.

<sup>6</sup> S/23693 and Corr.1.

process of a political settlement of the conflict in Somalia. He reported that heavy fighting had persisted in Mogadishu since November 1991. The fighting had resulted in widespread death and destruction, forced hundreds of thousands of civilians to flee the city, caused dire need for emergency humanitarian assistance, and brought about a grave threat of widespread famine. It had also seriously impeded United Nations efforts to deliver much-needed humanitarian assistance to the affected population in and around Mogadishu. Furthermore, the conflict had threatened instability in the Horn of Africa region and its continuation had occasioned threats to international peace and security in the area. He observed that because of the intolerable security situation, it had not been possible to provide food supplies to Mogadishu since December 1991. The prospect of famine deaths was high.

The Secretary-General reported that consultations, aimed at exploring ways of achieving a ceasefire agreement and a political settlement through the convening of a conference of national reconciliation and unity, had been held in New York, from 12 to 14 February 1992. Delegations representing the factions of the Interim President, Ali Mahdi Mohamed, and the Chairman of the United Somali Congress, General Mohamed Farah Aidid, had taken part in the consultations. Representatives of three regional and intergovernmental organizations — LAS, OAU, and the Organization of the Islamic Conference (OIC) — had also participated. On 14 February 1992, the two factions had committed themselves to an immediate cessation of hostilities and to the maintenance of a ceasefire in Mogadishu, and had signed pledges to that effect. They had also agreed to a visit to Mogadishu by a high-level delegation from the United Nations, LAS, OAU and OIC. The joint delegation had arrived in Mogadishu on 29 February. On 3 March, after four days of intensive negotiations, the Interim President and General Aidid had signed an Agreement on the Implementation of a Ceasefire,<sup>7</sup> which provided for the implementation of measures aimed at stabilizing the ceasefire through a United Nations monitoring mechanism.

The Secretary-General observed that the situation in Somalia had so far eluded conventional solutions and that new avenues and innovative methods had to be

explored to facilitate a peaceful settlement. The collaborative effort of the United Nations and the regional and intergovernmental organizations undertaken in the context of Chapter VIII of the Charter had proved to be very effective and had set a useful precedent for future cooperation. A general framework for the implementation of the ceasefire had been worked out; the next step, as agreed by the two principal factions, was to dispatch a technical team to Mogadishu to prepare an operational plan for a United Nations monitoring mechanism. On the basis of the technical team's report, the Secretary-General would make further recommendations to the Council in that regard. Such an arrangement would have to be approved by the Security Council. The Secretary-General also proposed that the technical team look into possible mechanisms to ensure the unimpeded delivery of humanitarian assistance to the displaced persons in and around Mogadishu, as well as Berbera and Kismayo. This aspect of the technical team's task represented an innovation and might require careful consideration by the Council. The Secretary-General added that an understanding had already been reached with the two factions that United Nations civilian police would be required to assist in the delivery of humanitarian assistance in and around Mogadishu. He cautioned, however, that the presence of armed elements not under the control of either of the two protagonists could complicate the implementation and monitoring of the ceasefire.<sup>8</sup>

The Secretary-General concluded by calling on the Council to underline the individual and collective responsibilities of the leaders of the factions to save lives and assist in the distribution of humanitarian assistance. He stressed that the relief programme should not necessarily be dependent upon the implementation of a ceasefire but could not be undertaken without adequate measures to ensure the safety of relief officials. The Council also needed to make clear to those leaders the consequences of any obstruction to the work of international monitors or the operations of any United Nations observer mission that it might set up.

At its 3060th meeting, held on 17 March 1992 in accordance with the understanding reached in its prior consultations, the Council included in its agenda, under the item entitled "The situation in Somalia", the report

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<sup>7</sup> S/23693, annex III.

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<sup>8</sup> S/23693, paras. 72-76.

of the Secretary-General. Following the adoption of the agenda, the Council invited the representatives of Italy, Kenya, Nigeria and Somalia, at their request, to participate in the discussion without the right to vote. It also extended an invitation to Mr. Ahmet Engin Ansay, Permanent Observer of OIC, and Mr. Aboul Nasr, Permanent Observer of LAS, under rule 39 of the Council's provisional rules of procedure. The President (Venezuela) drew the attention of the Council members to a draft resolution that had been prepared in the course of the Council's prior consultations,<sup>9</sup> and read out revisions made to the provisional version of that draft. He also drew their attention to a letter dated 13 March 1992 from the representative of Egypt, addressed to the Secretary-General,<sup>10</sup> concerning Egyptian efforts in connection with the Somali crisis.

Commencing the debate, the Minister of External Affairs of Nigeria, speaking on behalf of the current Chairman of OAU, stated that Africa placed a premium on the responsiveness of the Council to situations that were likely to constitute a threat to international peace and security. In line with its new orientation and thrust, the Council ought to conduct preventive diplomacy and be seen to do so effectively in Somalia. The situation in that country qualified for direct action by the Council in accordance with the provisions of the Charter of the United Nations. At a minimum, the Council ought to establish a United Nations presence in Somalia by deploying a military observer mission to monitor the ceasefire. He stated that OAU welcomed the cooperation between the United Nations and the regional organizations in addressing issues of concern to the international community, which it believed should result in the peaceful resolution of the Somali conflict. Noting with considerable interest the United Nations efforts in crisis management, peacemaking and peacekeeping, he suggested that Africa deserved as much, if not more, attention than other regions because of its weak economic base.<sup>11</sup>

The Permanent Observer of LAS recalled the League's attempts to contain the crisis and its participation in the United Nations efforts. He believed that the joint mission to Mogadishu was a unique example of creative cooperation between the United Nations and regional organizations, in accordance with Chapter VIII of the Charter. He confirmed the League's

full support for the draft resolution before the Council, and its willingness to cooperate with the United Nations in its implementation.<sup>12</sup>

The Permanent Observer of OIC noted that Organization's efforts to restore peace and promote national reconciliation since the inception of the crisis, and its participation in the United Nations efforts. He underlined the OIC members' commitment to the restoration and preservation of the unity, sovereignty, territorial integrity and political independence of Somalia. The international community as a whole ought to reiterate its commitment to those principles. Stressing that a ceasefire agreement should cover all parts of Somalia, he called for a peacekeeping force to ensure its enforcement, monitoring and observance. OIC also believed that consideration should be given to the convening — under the joint sponsorship of the United Nations, OIC, OAU and LAS — of a conference on national reconciliation. With respect to humanitarian assistance, it suggested that zones of peace be established in various parts of Somalia. OIC was ready to explore further ideas and proposals, together with the United Nations and other international and regional organizations, so that a well-coordinated and comprehensive approach to the crisis in Somalia could be evolved.<sup>13</sup>

The representative of India stressed that the sheer magnitude of the Somali problem and its continuation constituted a threat to the peace and security of the region. The situation in Somalia, where there was no single political authority with which the world community could interact, was *sui generis* and had eluded conventional solutions. Nevertheless, the principles drawn from the Charter had to be applied in those circumstances also. Innovative methods commensurate with the humanitarian and political situation had to be explored to facilitate a peaceful settlement. The first task of the technical team proposed by the Secretary-General would be to impress upon the combatants the need to observe the agreed ceasefire. In the light of the humanitarian situation, which was of crisis proportions, the Secretary-General's recommendation that the technical team also be mandated to look into mechanisms to ensure the unimpeded delivery of humanitarian assistance had not come a moment too soon. Ultimately, only political

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<sup>9</sup> S/23722.

<sup>10</sup> S/23718.

<sup>11</sup> S/PV.3060, pp. 8-15.

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<sup>12</sup> *Ibid.*, pp. 24-25.

<sup>13</sup> *Ibid.*, pp. 26-30.

dialogue within the conference of national reconciliation and unity, which would form the second phase of the United Nations involvement, could resolve the conflict in Somalia.<sup>14</sup>

The representative of Italy hailed the forthcoming dispatch of a United Nations technical team to Somalia, but also hoped that the United Nations, OAU, LAS and OIC would cooperate in efforts to convene a conference on national reconciliation and unity.<sup>15</sup>

The representative of Belgium stated that, in view of the distress of the Somali people, his delegation had no difficulty in endorsing proposals that the Secretary-General had described as “innovations”. He pointed out that, in the eventual implementation of a United Nations operation in Somalia, a clear distinction should be drawn between the political and military aspects and the humanitarian aspect, especially because of their specific budgetary implications. He urged continued cooperation between the Secretary-General and the regional and intergovernmental organizations in the convening of a conference on national reconciliation and unity, as provided for by the draft resolution, and in an eventual United Nations monitoring mechanism as was the Secretary-General’s intention.<sup>16</sup>

The representative of China believed that it was mainly for the Somali people to settle peacefully the Somali internal disputes through consultation and dialogue. Only at their request and with their support and cooperation could any external endeavours, including the United Nations monitoring mechanism and humanitarian relief, be genuinely effective. The Chinese delegation hoped that the United Nations activities in Somalia would be conducted in accordance with the purposes and principles of the Charter, and with full respect for Somalia’s independence and sovereignty. Any further peacekeeping operation to be carried out by the United Nations in Somalia would have to be reported in advance to the Council and approved by it.<sup>17</sup>

The representative of France supported the Secretary-General’s initiatives and hoped that they would receive the parties’ cooperation, which was indispensable if they were to succeed. He stressed that all States, in accordance with the Council’s appeal,

ought to refrain from any act likely to increase the tension.<sup>18</sup>

The representative of Zimbabwe recalled that the Council had recently been seized of fratricidal conflicts threatening regional peace and stability, and had taken measures to stabilize the ceasefires in Yugoslavia and Cambodia. He believed that the Somali tragedy, which had been unravelling for almost a year, should be addressed with utmost urgency.<sup>19</sup>

According to the representative of the United States, a ceasefire, the establishment of a process of national reconciliation, and the provision of humanitarian assistance were the primary goals of the international community in Somalia. A more concerted, well-articulated and tightly coordinated humanitarian assistance effort was urgently needed to alleviate human suffering and to ensure the effectiveness of a ceasefire. That ceasefire must be strictly and effectively adhered to before the Security Council could send in United Nations monitors. Prior experience in peacekeeping operations had shown that the United Nations could not perform effectively in situations where the parties to a conflict were unwilling to create the conditions necessary for it to carry out its mandate. No United Nations monitoring mechanism to supervise a ceasefire could be put into a situation where there was no effective ceasefire. Nor could the United Nations deliver humanitarian assistance where an active conflict was under way. Once an effective ceasefire was achieved, all parties had to agree to its international supervision. On the basis of the next report of the Secretary-General, the Council would have to consider seriously whether those conditions could be met.<sup>20</sup>

The representative of the Russian Federation supported the draft resolution in view of the critical nature of the situation in Somalia and the loss of life and suffering caused by the conflict, which harboured a threat to international peace and security. He shared the view that a clear distinction should be drawn between expenditures on peacekeeping and the expenses incurred in providing technical, humanitarian, and other assistance. He stressed the importance of close cooperation between the United Nations and OAU, LAS and OIC, particularly when consulting all the

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<sup>14</sup> Ibid., pp. 31-33.

<sup>15</sup> Ibid., p. 34.

<sup>16</sup> Ibid., pp. 38, 39-40.

<sup>17</sup> Ibid., pp. 43-44.

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<sup>18</sup> Ibid., pp. 44-46.

<sup>19</sup> Ibid., pp. 46-47.

<sup>20</sup> Ibid., pp. 48-50.

Somali parties, movements and factions about convening a conference on national reconciliation and unity in Somalia.<sup>21</sup>

The representative of the United Kingdom emphasized that the will of the parties to honour the ceasefire was absolutely fundamental for a return to more peaceful conditions, and that there could be no peacekeeping if there was no peace to keep. He welcomed the intention of the Secretary-General to devote his humanitarian efforts to the whole of Somalia, and not just the area around Mogadishu. Finally, he hoped that the technical team would induce the parties to move towards a process of reconciliation; otherwise, there was a risk that the United Nations and Somalia would remain “stuck halfway between peace and war”.<sup>22</sup>

The President made a statement in his capacity as the representative of Venezuela. He observed that the consultations held in New York between the parties to the conflict and the sending to Somalia of the special envoy had at last made it possible to establish a certain ceasefire. The cooperation and assistance of the regional organizations, such as OAS, LAS and OIC, had, moreover, contributed to alleviating tension and facilitating dialogue. He pointed to those developments as significant examples of the work the United Nations must do at this new stage in international relations and of the irreplaceable support that regional organizations could provide. The challenge for the international community was to reverse the fratricidal division of the Somali nation. He therefore urged the Secretary-General to turn to a personality of a very high level — widely recognized internationally — who could work with vision towards achieving the delicate political task of national reconciliation, while the technical team carried out its work in respect of the ceasefire and humanitarian assistance.<sup>23</sup>

The other speakers expressed their support for the Secretary-General’s proposals, stressed the need for the parties to cooperate fully with the United Nations, and welcomed the cooperation of the regional and intergovernmental organizations.<sup>24</sup>

The draft resolution, as orally revised in its provisional form, was then put to the vote and adopted unanimously as resolution 746 (1992), which reads:

*The Security Council,*

*Considering* the request by Somalia for the Security Council to consider the situation in Somalia,

*Reaffirming* its resolution 733 (1992) of 23 January 1992,

*Having considered* the report of the Secretary-General of 11 March 1992 on the situation in Somalia,

*Taking note* of the signing at Mogadishu on 3 March 1992 of the ceasefire agreements, including agreements for the implementation of measures aimed at stabilizing the ceasefire through a United Nations monitoring mission,

*Deeply regretting* that the factions have not yet abided by their commitment to implement the ceasefire and thus have still not permitted the unimpeded provision and distribution of humanitarian assistance to the people in need in Somalia,

*Deeply disturbed* by the magnitude of the human suffering caused by the conflict and concerned that the continuation of the situation in Somalia constitutes a threat to international peace and security,

*Bearing in mind* that the factors described in paragraph 76 of the Secretary-General’s report must be taken into account,

*Cognizant* of the importance of cooperation between the United Nations and regional organizations in the context of Chapter VIII of the Charter of the United Nations,

*Underlining* the importance which it attaches to the international, regional and non-governmental organizations, including the International Committee of the Red Cross, continuing to provide humanitarian and other relief assistance to the people of Somalia under difficult circumstances,

*Expressing its appreciation* to the regional organizations, including the Organization of African Unity, the League of Arab States and the Organization of the Islamic Conference, for their cooperation with the United Nations in the effort to resolve the Somali problem,

1. *Takes note with appreciation* of the report of the Secretary-General of 11 March 1992 on the situation in Somalia;

2. *Urges* the Somali factions to honour their commitment under the ceasefire agreements signed at Mogadishu on 3 March 1992;

3. *Urges* all the Somali factions to cooperate with the Secretary-General and to facilitate the delivery by the United Nations, its specialized agencies and other humanitarian organizations of humanitarian assistance to all those in need of it, under the supervision of the coordinator mentioned in resolution 733 (1992);

4. *Requests* the Secretary-General to pursue his humanitarian efforts in Somalia and to use all the resources at

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<sup>21</sup> Ibid., pp. 53-54.

<sup>22</sup> Ibid., pp. 56-57.

<sup>23</sup> Ibid., pp. 59-61.

<sup>24</sup> Ibid., pp. 16-20 (Kenya, on behalf of the African Group); pp. 20-21 (Morocco); pp. 36-38 (Cape Verde); pp. 41-42 (Austria); pp. 51-52 (Ecuador); pp. 54-56 (Hungary); pp. 57-58 (Japan).

his disposal, including those of the relevant United Nations agencies, to address urgently the critical needs of the affected population in Somalia;

5. *Appeals* to all Member States and to all humanitarian organizations to contribute to and to cooperate with these humanitarian relief efforts;

6. *Strongly supports* the Secretary-General's decision urgently to dispatch a technical team to Somalia, accompanied by the Coordinator, in order to work within the framework and objectives outlined in paragraphs 73 and 74 of his report and to submit expeditiously a report to the Security Council on this matter;

7. *Requests* that the technical team also develop a high-priority plan to establish mechanisms to ensure the unimpeded delivery of humanitarian assistance;

8. *Calls on* all parties, movements and factions in Mogadishu in particular, and in Somalia in general, to respect fully the security and safety of the technical team and the personnel of the humanitarian organizations and to guarantee their complete freedom of movement in and around Mogadishu and other parts of Somalia;

9. *Calls upon* the Secretary-General to continue, in close cooperation with the Organization of African Unity, the League of Arab States and the Organization of the Islamic Conference, his consultations with all Somali parties, movements and factions towards the convening of a conference for national reconciliation and unity in Somalia;

10. *Calls upon* all Somali parties, movements and factions to cooperate fully with the Secretary-General in the implementation of the present resolution;

11. *Decides* to remain seized of the matter until a peaceful solution is achieved.

**Decision of 24 April 1992 (3069th meeting):  
resolution 751 (1992)**

On 21 April 1992, pursuant to resolution 746 (1992), the Secretary-General submitted to the Security Council a report on the situation in Somalia and his recommendations.<sup>25</sup> He observed that the situation in the country continued to be of great concern to the international community. Governmental and physical infrastructure were largely non-existent. Although the ceasefire in Mogadishu agreed between the major factions was holding, sporadic fighting and incidents of banditry were putting a strain on it. The port of Mogadishu and the international airport were, moreover, in the control of groups not under the

command of either faction. There was increased fighting in the northern part of the country and the situation in the south remained tense. There was wide proliferation of weapons and various reports indicated that arms continued to flow into the country, despite the arms embargo. The threat of dramatic food shortages among particularly vulnerable groups was becoming increasingly acute: some 1.5 million people had been identified as being at immediate risk, with a further 3.5 million people in need of food, seeds and basic health and water services. The crisis in Somalia also had regional consequences, as evidenced by the flow of Somali refugees into neighbouring countries, and there were grave concerns about the destabilizing effects it could have on the Horn of Africa.

The Secretary-General reported that the technical team he had appointed, which included representatives from LAS, OAU and OIC, had visited Somalia from 23 to 31 March. It had secured, from the Interim President, Ali Mahdi Mohamed and General Mohamed Farah Aidid, letters of agreement on the mechanism for monitoring the ceasefire and arrangements for the equitable and effective distribution of humanitarian assistance in and around Mogadishu, signed on 28 and 27 March 1992, respectively.<sup>26</sup> The team had also obtained letters of agreement from other Somali leaders who had committed themselves to work for peace and ensure the efficient and equitable distribution of humanitarian assistance. The agreements reached with the leaders of the two major factions required the United Nations (a) to deploy United Nations observers to monitor the ceasefire; and (b) to deploy United Nations security personnel to protect its personnel and safeguard its activities in continuing to provide humanitarian and other relief assistance in and around Mogadishu. The Secretary-General recommended that the monitoring task be carried out by 50 unarmed and uniformed military observers whose security would be ensured by the parties; in accordance with the agreements, 25 of the observers would be deployed to northern Mogadishu and 25 to southern Mogadishu. The security force envisaged in the agreements would be required to provide security for United Nations personnel, equipment and supplies at the port of Mogadishu — and, as necessary, at the airports in Mogadishu — and to escort deliveries of humanitarian supplies from there to distribution centres in Mogadishu and its immediate

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<sup>25</sup> S/23829. See also S/23829/Add.1 and 2 of 21 April and 24 April 1992, respectively.

<sup>26</sup> S/23829, annexes I.B and I.A.

environs. The security force would not have any law-and-order responsibilities; its task would be to provide the United Nations convoys of relief supplies with a sufficiently strong military escort to deter attack and to fire in self-defence should deterrence not prove effective. The Secretary-General recommended, accordingly, that the security force take the form of infantry, organized in the normal manner. He estimated that a strength of approximately 500 would be required, but recalled that the agreements provided that the two parties be consulted about the number before the plan was finalized. The Secretary-General recommended that the Security Council establish a mission along those lines, for an initial period of six months, to be known as the United Nations Operation in Somalia (UNOSOM),<sup>27</sup> and to be under the command of the United Nations, vested in the Secretary-General, under the authority of the Security Council.

The Secretary-General reported, further, that, as a result of the request in resolution 746 (1992) to develop a high-priority plan to facilitate the unimpeded delivery of humanitarian assistance, the technical team had established mechanisms to implement the Mogadishu portion of an initial 90-day plan of action,<sup>28</sup> drawn up by the United Nations agencies in collaboration with the International Committee of the Red Cross and non-governmental organizations. It had also made arrangements to facilitate delivery of humanitarian assistance to other parts of the country. He stressed that the effectiveness of the plan and subsequent emergency relief and recovery programmes would depend on the observance by all parties of basic principles of humanitarian assistance and respect for the inviolability of United Nations-flagged ships, aircraft and relief convoys and protection of relief workers passing to and through designated "corridors" and "zones of peace", and appealed to all parties to honour agreements made with the technical team in that regard. He added that implementation of the plan would also depend upon the provision of sufficient resources by the international community. The Secretary-General observed that, although the difficulties of providing relief assistance were fully recognized, the prevailing crisis posed a paradox that

had to be addressed: without security, relief assistance programmes would continue to be severely constrained; but without such programmes, the prospects for security were at best precarious. He emphasized, therefore, the necessity of providing humanitarian assistance even before the full complement of United Nations security personnel and ceasefire modalities were in place.

In view of the precarious security situation outside Mogadishu, the Secretary-General suggested that the Security Council might wish to consider calling for a general ceasefire throughout the country. He also suggested that, in the light of various reports indicating that arms continued to flow into the country, the Council might wish to consider putting into place the appropriate arrangements for monitoring the arms embargo. Finally, he stressed that he would continue to pursue efforts for national reconciliation in Somalia, together with LAS, OAU and OIC. He intended to appoint a Special Representative for Somalia to assist him in the consultations and arrangements for the convening of a conference of national reconciliation and unity in Somalia, in close cooperation with the regional organizations. The Special Representative would also provide overall direction to the United Nations activities recommended in the Secretary-General's report, including those directed at economic recovery and rehabilitation, as well as demobilization and disarmament programmes.

At its 3069th meeting, held on 24 April 1992 in accordance with the understanding reached in its prior consultations, the Council included the Secretary-General's report in its agenda. Following the adoption of the agenda, the Council invited the representative of Somalia, at her request, to participate in the discussion without the right to vote. The President (Zimbabwe) drew the attention of the Council members to a draft resolution that had been prepared during the Council's prior consultations,<sup>29</sup> and, after drawing attention to a change to operative paragraph 3, put the draft resolution, as orally revised, to the vote. The draft resolution, as orally revised in its provisional form, was adopted unanimously as resolution 751 (1992), which reads:

*The Security Council,*

*Considering* the request by Somalia for the Security Council to consider the situation in Somalia,

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<sup>27</sup> For details on the composition and operations of UNOSOM, see chapter V.

<sup>28</sup> Issued as an addendum to the Secretary-General's report (S/23829/Add.1).

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<sup>29</sup> S/23834.



*Reaffirming* its resolutions 733 (1992) of 23 January 1992 and 746 (1992) of 17 March 1992,

*Having considered* the report of the Secretary-General of 21 and 24 April 1992 on the situation in Somalia,

*Taking note* of the signing of the ceasefire agreements in Mogadishu on 3 March 1992, including agreements for the implementation of measures aimed at stabilizing the ceasefire through a United Nations monitoring mission,

*Taking note also* of the signing of letters of agreement in Mogadishu, Hargeisa and Kismayo on the mechanism for monitoring the ceasefire and arrangements for the equitable and effective distribution of humanitarian assistance in and around Mogadishu,

*Deeply disturbed* by the magnitude of the human suffering caused by the conflict and concerned that the continuation of the situation in Somalia constitutes a threat to international peace and security,

*Cognizant* of the importance of cooperation between the United Nations and regional organizations in the context of Chapter VIII of the Charter of the United Nations,

*Underlining* the importance which it attaches to the international, regional and non-governmental organizations, including the International Committee of the Red Cross, continuing to provide humanitarian and other relief assistance to the people of Somalia under difficult circumstances,

*Expressing its appreciation* to the regional organizations, including the Organization of African Unity, the League of Arab States and the Organization of the Islamic Conference, for their cooperation with the United Nations in the effort to resolve the Somali problem,

1. *Takes note with appreciation* of the report of the Secretary-General of 21 and 24 April 1992 on the situation in Somalia;

2. *Decides* to establish under its authority, and in support of the Secretary-General in accordance with paragraph 7 below, a United Nations Operation in Somalia;

3. *Requests* the Secretary-General immediately to deploy a unit of fifty United Nations observers to monitor the ceasefire in Mogadishu in accordance with paragraphs 24 to 26 of the Secretary-General's report;

4. *Agrees*, in principle, also to establish under the overall direction of the Special Representative of the Secretary-General a United Nations security force to be deployed as soon as possible to perform the functions described in paragraphs 27 to 29 of the report of the Secretary-General;

5. *Requests* the Secretary-General to continue his consultations with the parties in Mogadishu regarding the proposed United Nations security force and, in the light of those consultations, to submit his further recommendations to the Security Council for its decision as soon as possible;

6. *Welcomes* the intention expressed by the Secretary-General in paragraph 64 of his report to appoint a Special Representative for Somalia to provide overall direction of United Nations activities in Somalia and to assist him in his endeavours to reach a peaceful resolution of the conflict in Somalia;

7. *Also requests* the Secretary-General as part of his continuing mission in Somalia to facilitate an immediate and effective cessation of hostilities and the maintenance of a ceasefire throughout the country in order to promote the process of reconciliation and political settlement in Somalia and to provide urgent humanitarian assistance;

8. *Welcomes* the cooperation between the United Nations and the League of Arab States, the Organization of African Unity and the Organization of the Islamic Conference in resolving the problem in Somalia;

9. *Calls upon* all parties, movements and factions in Somalia immediately to cease hostilities and to maintain a ceasefire throughout the country in order to promote the process of reconciliation and political settlement in Somalia;

10. *Requests* the Secretary-General to continue as a matter of priority his consultations with all Somali parties, movements and factions towards the convening of a conference on national reconciliation and unity in Somalia in close cooperation with the League of Arab States, the Organization of African Unity and the Organization of the Islamic Conference;

11. *Decides* to establish, in accordance with rule 28 of the provisional rules of procedure of the Security Council, a Committee of the Security Council consisting of all the members of the Council, to undertake the following tasks and to report on its work to the Council with its observations and recommendations:

(a) To seek from all States information regarding the action taken by them concerning the effective implementation of the general and complete embargo on all deliveries of weapons and military equipment to Somalia imposed by paragraph 5 of resolution 733 (1992);

(b) To consider any information brought to its attention by States concerning violations of the embargo, and in that context to make recommendations to the Council on ways of increasing the effectiveness of the embargo;

(c) To recommend appropriate measures in response to violations of the embargo and to provide information on a regular basis to the Secretary-General for general distribution to Member States;

12. *Notes with appreciation* the ongoing efforts of the United Nations, its specialized agencies and humanitarian organizations to ensure delivery of humanitarian assistance to Somalia, particularly to Mogadishu;

13. *Calls upon* the international community to support, with financial and other resources, the implementation of the

ninety-day Plan of Action for Emergency Humanitarian Assistance to Somalia;

14. *Urges* all parties concerned in Somalia to facilitate the efforts of the United Nations, its specialized agencies and humanitarian organizations to provide urgent humanitarian assistance to the affected population in Somalia and reiterates its call for the full respect for the security and safety of the personnel of the humanitarian organizations and the guarantee of their complete freedom of movement in and around Mogadishu and other parts of Somalia;

15. *Calls upon* all Somali parties, movements and factions to cooperate fully with the Secretary-General in the implementation of the present resolution;

16. *Decides* to remain seized of the matter until a peaceful solution is achieved.

**Decision of 27 July 1992 (3101st meeting):  
resolution 767 (1992)**

On 22 July 1992, pursuant to resolution 751 (1992), the Secretary-General submitted to the Council a report on the situation in Somalia.<sup>30</sup> He reported on the activities of his Special Representative in relation to the three major elements of his mandate: the monitoring of the ceasefire in Mogadishu and the cessation of hostilities throughout the country; the effective delivery of humanitarian assistance, as well as the need for rehabilitation and institution-building; and the process of national reconciliation.

With regard to ceasefire monitoring and security, the Secretary-General reported that both principal factions in Mogadishu had formally agreed to the deployment of the 50 military observers, who were due to arrive in the city towards the end of July. In the meantime, the security situation in the city continued to be precarious. While the ceasefire in Mogadishu had held reasonably well, banditry and looting remained a major problem, with most incidents attributable to irregular armed groups; and attacks on United Nations and non-governmental organization personnel had increased. Although the impending deployment of the military observers would assist in efforts to bring about an improvement in the security situation in Mogadishu, the Secretary-General shared the view of his Special Representative that the problem could not be properly addressed unless the United Nations security force called for in paragraphs 4 and 5 of resolution 751 (1992) was deployed. That force would play an important deterrent role, with regard to both the safety

of personnel providing humanitarian assistance and a general stabilization of the situation in Mogadishu. The security situation in most of the other regions of Somalia also called for immediate action. There was an almost total absence of government at any level. A vast quantity of arms had fallen into the hands of individuals, factions and groups, thus fuelling the conflicts as well as the banditry and looting which were taking place all over the country. Such actions by independent armed groups were, possibly, the biggest and most serious threat to those working for United Nations agencies and non-governmental organizations. The Secretary-General informed the Council that he therefore intended to dispatch a technical team to Somalia as soon as possible to examine inter alia: (a) the possible monitoring of the ceasefire arrangements in parts of the country other than Mogadishu; (b) the possible deployment of military observers in the south-west region on Somalia's border with Kenya; (c) the feasibility of an "arms for food" exchange programme; (d) the need for security forces to provide escort and protection for humanitarian aid activities and personnel in other parts of the country; and (e) a possible role for the United Nations in assisting the re-establishment of local police forces. As all political leaders and elders in Somalia had requested United Nations assistance in disarming the population and demobilizing the irregular forces, the Secretary-General stated that his Special Representative, with the help of the technical team, would develop a plan in that regard for application throughout the country. He added that it was also important that the international community continue to enforce the arms embargo as provided for in resolution 733 (1992).

The Secretary-General reported further that the country faced a desperate situation in terms of its needs for humanitarian assistance, recovery programmes and institution-building. Somalia was a country without central, regional or local administration, and without services: it had no electricity, communications, transport, schools or health services. The food situation was critical, with over 1 million children at risk due to malnutrition, and some 4.5 million people in urgent need of food assistance. Observing that the absence of food was both the cause and the result of the lack of security, the Secretary-General suggested that breaking this vicious cycle might be the key to resolving the complex and inextricably linked social and political problems in Somalia. In the face of this situation, and

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<sup>30</sup> S/24343.

in spite of precarious security conditions which continued to hamper relief activities, the United Nations system, working in close cooperation with the International Committee of the Red Cross, and non-governmental organizations, had made a determined effort to bring humanitarian relief assistance to the affected populations in Somalia. The Secretary-General noted that the inter-agency 90-day plan of action for emergency humanitarian assistance to Somalia had provided the initial framework for acceleration of the provision of humanitarian assistance by the United Nations system. In addition, Somalia had figured prominently in the two consolidated inter-agency appeals for the Horn of Africa which he had issued in February and July 1992.

The Secretary-General observed that the complexity of the situation and the inherent dangers of working in Somalia, combined with the almost total absence of government at any level, made it very difficult for the United Nations to establish a large-scale, effective presence. Nonetheless, the threat of mass starvation facing large segments of the population and the potential renewal of hostilities, which could affect peace and stability throughout the Horn of Africa region, required an immediate and comprehensive response from the United Nations and the international community. He had therefore come to the conclusion that the United Nations must adapt its involvement: its efforts had to be expanded so that it could help bring about an effective ceasefire throughout the country, while at the same time pressing forward with parallel efforts to promote national reconciliation. That would require the Organization to establish a presence in all regions, and to adopt an innovative and comprehensive approach dealing with all aspects of the Somalia situation — the humanitarian relief and recovery programme, the cessation of hostilities and security, the peace process and national reconciliation — in a consolidated framework. The Secretary-General proposed the establishment of four operational zones: the north-west (Berbera), the north-east (Bossaso), the central rangelands and Mogadishu (Mogadishu), and the south (Kismayo). In each zone a consolidated United Nations operation would carry out the primary activities envisaged in resolution 751 (1992): (a) humanitarian activities — emergency relief, rehabilitation, reconstruction and institution-building; (b) monitoring of the ceasefire and containment of potential hostilities; (c) security, demobilization and disarmament; and (d) the peace process and national

reconciliation efforts, through conciliation, mediation and good offices. Such a decentralized, zonal approach would, in his view, improve the efficiency and effectiveness of the humanitarian operations in Somalia. To reach areas in the interior of the country, not easily accessible from major ports, he suggested the mounting of an urgent airlift operation.

The Secretary-General pointed out that the conflict in Somalia could only be resolved by the people of Somalia themselves in a process of national reconciliation. As stated in resolution 751 (1992), the objective of the United Nations in this connection was to undertake consultations and make arrangements for the convening of a conference on national reconciliation and unity in the country. He stated that his Special Representative had made important progress on this matter in his consultations with Somali leaders and elders, all of whom had voiced their commitment to national reconciliation. The Secretary-General called upon all the Somali people, leaders of political movements, elders and spiritual leaders, to close ranks and work together in order to achieve the desperately needed national reconciliation of their country. Noting that his Special Representative through his personal intervention had been able to defuse potential local crises, he added that qualified UNOSOM personnel would be located in each of the four zones to assist in mediation and conciliation, and in arranging for consultative conferences as needed. He observed that the States of the Horn of Africa had an essential role in assisting and encouraging the process of national reconciliation and that it was important that the United Nations continue to consult them. He expressed his appreciation, moreover, for the support and cooperation which the regional organizations, including OAU, LAS, and OIC had extended to the United Nations in the joint efforts to restore peace and security to Somalia and to provide humanitarian assistance to those in need. In conclusion, the Secretary-General stated that the new comprehensive approach recommended in his report, for which he had sought the Council's approval, was intended to be a catalyst for achieving the vital objective of national reconciliation and the reconstruction of a peaceful, stable and democratic Somalia.

At its 3101st meeting held on 27 July 1992 in accordance with the understanding reached in its prior consultations, the Council included the report of the Secretary-General in its agenda. Following the

adoption of the agenda, the Council invited the representative of Somalia, at her request, to participate in the discussion without the right to vote. The President (Cape Verde) drew the attention of the Council members to a draft resolution that had been prepared in the course of the Council's prior consultations,<sup>31</sup> as well as to a change that should be made to the draft resolution in its provisional form. The draft resolution, as orally revised in its provisional form, was put to the vote and adopted unanimously as resolution 767 (1992), which reads:

*The Security Council,*

*Considering* the request by Somalia for the Security Council to consider the situation in Somalia,

*Reaffirming* its resolutions 733 (1992) of 23 January 1992, 746 (1992) of 17 March 1992 and 751 (1992) of 24 April 1992,

*Having considered* the report of the Secretary-General of 22 July 1992 on the situation in Somalia,

*Considering* the letter of 23 June 1992<sup>32</sup> from the Secretary-General to the President of the Security Council informing him that all the parties in Mogadishu had agreed to the deployment of the fifty military observers, and that the advance party of observers had arrived in Mogadishu on 5 July 1992 and that the rest of the observers had arrived in the mission area on 23 July 1992,

*Deeply concerned* about the availability of arms and ammunition in the hands of civilians and the proliferation of armed banditry throughout Somalia,

*Alarmed* by the sporadic outbreak of hostilities in several parts of Somalia leading to continued loss of life and destruction of property, and putting at risk the personnel of the United Nations, non-governmental organizations and other international humanitarian organizations, as well as disrupting their operations,

*Deeply disturbed* by the magnitude of the human suffering caused by the conflict and concerned that the situation in Somalia constitutes a threat to international peace and security,

*Gravely alarmed* by the deterioration of the humanitarian situation in Somalia and underlining the urgent need for quick delivery of humanitarian assistance in the whole country,

*Recognizing* that the provision of humanitarian assistance in Somalia is an important element in the effort of the Council to restore international peace and security in the area,

*Responding* to the urgent calls by the parties in Somalia for the international community to take measures in Somalia to ensure the delivery of humanitarian assistance,

*Noting* the Secretary-General's proposals for a comprehensive decentralized zonal approach in the United Nations involvement in Somalia,

*Cognizant* that the success of such an approach requires the cooperation of all parties, movements and factions in Somalia,

1. *Takes note with appreciation* of the report of the Secretary-General of 22 July 1992 on the situation in Somalia;

2. *Requests* the Secretary-General to make full use of all available means and arrangements, including the mounting of an urgent airlift operation, with a view to facilitating the efforts of the United Nations, its specialized agencies and humanitarian organizations in accelerating the provision of humanitarian assistance to the affected population in Somalia, threatened by mass starvation;

3. *Urges* all parties, movements and factions in Somalia to facilitate the efforts of the United Nations, its specialized agencies and humanitarian organizations to provide urgent humanitarian assistance to the affected population in Somalia and reiterates its call for the full respect for the security and safety of the personnel of the humanitarian organizations and the guarantee of their complete freedom of movement in and around Mogadishu and other parts of Somalia;

4. *Calls upon* all parties, movements and factions in Somalia to cooperate with the United Nations with a view to the urgent deployment of the United Nations security personnel called for in paragraphs 4 and 5 of its resolution 751 (1992), and otherwise to assist in the general stabilization of the situation in Somalia, without which cooperation the Council does not exclude other measures to deliver humanitarian assistance to Somalia;

5. *Reiterates* its appeal to the international community to provide adequate financial and other resources for humanitarian efforts in Somalia;

6. *Encourages* the ongoing efforts of the United Nations, its specialized agencies and humanitarian organizations, including the International Committee of the Red Cross, to ensure delivery of humanitarian assistance to all regions of Somalia;

7. *Appeals* to all parties, movements and factions in Somalia to extend full cooperation to the United Nations military observers and to take measures to ensure their security;

8. *Requests* the Secretary-General, as part of his continuing efforts in Somalia, to promote an immediate and effective cessation of hostilities and the maintenance of a ceasefire throughout the country in order to facilitate the urgent delivery of humanitarian assistance and the process of reconciliation and political settlement in Somalia;

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<sup>31</sup> S/24347.

<sup>32</sup> S/24179.

9. *Calls upon* all parties, movements and factions in Somalia immediately to cease hostilities and to maintain a ceasefire throughout the country;

10. *Stresses* the need for the observance and strict monitoring of the general and complete embargo of all deliveries of weapons and military equipment to Somalia, as decided in paragraph 5 of its resolution 733 (1992);

11. *Welcomes* the cooperation between the United Nations, the Organization of African Unity, the League of Arab States and the Organization of the Islamic Conference in resolving the situation in Somalia;

12. *Approves* the Secretary-General's proposal to establish four operational zones in Somalia as part of the consolidated United Nations Operation in Somalia;

13. *Requests* the Secretary-General to ensure that his Special Representative for Somalia is provided with all the necessary support services to enable him to carry out his mandate effectively;

14. *Strongly supports* the decision of the Secretary-General to dispatch urgently a technical team to Somalia, under the overall direction of his Special Representative, in order to work within the framework and objectives outlined in paragraph 64 of his report and to submit expeditiously a report to the Security Council on this matter;

15. *Affirms* that all officials of the United Nations and all experts on mission for the United Nations in Somalia enjoy the privileges and immunities provided for in the Convention on the Privileges and Immunities of the United Nations of 13 February 1946 and in any other relevant instruments and that all parties, movements and factions in Somalia are required to allow them full freedom of movement and all necessary facilities;

16. *Requests* the Secretary-General to continue urgently his consultations with all parties, movements and factions in Somalia towards the convening of a conference on national reconciliation and unity in Somalia in close cooperation with the Organization of African Unity, the League of Arab States and the Organization of the Islamic Conference;

17. *Calls upon* all parties, movements and factions in Somalia to cooperate fully with the Secretary-General in the implementation of the present resolution;

18. *Decides* to remain seized of the matter until a peaceful solution is achieved.

**Decision of 28 August 1992 (3110th meeting):  
resolution 775 (1992)**

On 24 August 1992, pursuant to resolution 767 (1992), the Secretary-General submitted to the Council a report on the situation in Somalia,<sup>33</sup> concerning the

findings of the technical team that had visited Somalia from 6 to 15 August and his recommendations. He reported that United Nations agencies, the International Committee for the Red Cross and non-governmental organizations had continued to implement the 90-day plan of action for emergency humanitarian assistance to Somalia and to intensify and extend their humanitarian assistance to the country. He noted, however, that those efforts were in no way adequate to meet the overall needs of the Somali people, an estimated 4.5 million of whom were in desperate need of food and other assistance. Although the United Nations and its partners were ready and had the capacity to provide substantially increased assistance, they had been prevented from doing so by the lack of security that prevailed throughout the country. Security conditions did not permit the assured delivery of humanitarian assistance by overland transport and were thus the main cause of the food crisis in Somalia. Given the difficulties, the Secretary-General had come to the conclusion that the airlift operations needed to be substantially enhanced. The technical team had recommended that, for the immediate future, those operations should be directed to the areas of particular need. Noting that a number of States had expressed interest in contributing to an urgent airlift, he stressed the need for the relief effort to be carefully coordinated by the United Nations. The Secretary-General reiterated that the critical problem facing the United Nations in its humanitarian activities in Somalia was how to ensure the security of relief supplies at all stages: delivery, storage and distribution. He also stressed that the airlift could not be a substitute for an effective surface-delivered programme of assistance through Somalia's ports and overland routes, for which effective security and ground arrangements were essential.

On security and ceasefire monitoring, the Secretary-General noted that the technical team had confirmed his earlier recommendation that the protection of convoys, supplies and distribution centres should be provided by United Nations security personnel operating on the lines described in his report of 21 April 1992.<sup>34</sup> He reported that the two parties in Mogadishu had agreed, on 12 August, to the earliest possible deployment of a 500-strong security force. The technical team had, moreover, obtained the agreement of those concerned for the deployment of

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<sup>33</sup> S/24480 and Add.1 of 28 August 1992.

<sup>34</sup> S/23829.

similar security units in two other parts of Somalia, the north-east and the south-west. The Secretary-General believed that United Nations security units should also be deployed in two other places — in the north-west and the south-east — but the agreement of those concerned had not yet been obtained. He accordingly requested the Security Council to authorize the deployment of four additional security units, each with strength of up to 750, the first two to be deployed immediately and the other two as soon as consultations with those concerned had reached a successful conclusion. The Secretary-General also reported that the 50 military observers authorized for Mogadishu had been deployed since the end of July and had been able to play a valuable role in helping the two sides to maintain the ceasefire; nevertheless, the security situation in the city remained precarious. The technical team had evaluated the possible extension of the ceasefire activities of UNOSOM at Mogadishu to other parts of the country. However, concern had been expressed by several regional leaders about the implications of such an operation for the balance of military forces within the country. Given that attitude, the lack of an effective ceasefire and the fluidity of the fighting, the Secretary-General concluded that it was not feasible to deploy military observers outside Mogadishu.

The Secretary-General recalled that, in his report of 22 July,<sup>35</sup> he had recommended that UNOSOM establish four operational zones, which would enable the Organization to establish a presence in all parts of the country and adopt an innovative and comprehensive approach to the various components of the Mission. The technical team had confirmed the validity of that concept and he therefore proposed to establish the four zone headquarters as soon as possible. Each headquarters would be headed by a civilian official who would assist the Special Representative in all aspects of his duties.

The Secretary-General stressed that the immediate need was to break the vicious cycle of insecurity and hunger: lack of security prevented the delivery of food, while food shortages contributed significantly to the level of violence and insecurity. There must then be a comprehensive programme of action covering humanitarian relief, the cessation of hostilities, the reduction of organized and random

violence, and national reconciliation. He emphasized, moreover, that a fundamental consideration that should guide all United Nations activities in Somalia was that the Somalis themselves should progressively assume responsibility for establishing conditions and arrangements for the distribution of humanitarian assistance. A stronger United Nations role in securing access, transport and distribution of relief supplies must be paralleled by an effort to involve Somali entities in all aspects of the process. The Secretary-General concluded by noting that much of the action described and recommended in the report was covered by existing mandates. However, it would be necessary for the Council to authorize the increases in UNOSOM strength that he had recommended, which related to the establishment of the four zone headquarters of UNOSOM and to the deployment of four additional security units.

At its 3110th meeting, held on 28 August 1992 in accordance with the understanding reached in its prior consultations, the Council included the Secretary-General's report in its agenda. Following the adoption of the agenda, the Council invited the representative of Somalia, at her request, to participate in the discussion without the right to vote. The President (China) drew the attention of the Council members to a draft resolution that had been prepared during the Council's prior consultations,<sup>36</sup> as well as to a correction that should be made to the draft resolution. The draft resolution, as orally revised in its provisional form, was put to the vote and adopted unanimously as resolution 775 (1992), which reads:

*The Security Council,*

*Considering* the request by Somalia for the Security Council to consider the situation in Somalia,

*Reaffirming* its resolutions 733 (1992) of 23 January 1992, 746 (1992) of 17 March 1992, 751 (1992) of 24 April 1992 and 767 (1992) of 27 July 1992,

*Having considered* the report of the Secretary-General of 24 and 28 August 1992 on the situation in Somalia,

*Deeply concerned* about the availability of arms and ammunition and the proliferation of armed banditry throughout Somalia,

*Alarmed* by the continued sporadic outbreak of hostilities in several parts of Somalia leading to continued loss of life and destruction of property, and putting at risk the personnel of the United Nations, non-governmental organizations and other

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<sup>35</sup> S/24343.

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<sup>36</sup> S/24497.

international humanitarian organizations, as well as disrupting their operations,

*Deeply disturbed* by the magnitude of the human suffering caused by the conflict and concerned that the situation in Somalia constitutes a threat to international peace and security,

*Gravely alarmed* by the deterioration of the humanitarian situation in Somalia and underlining the urgent need for quick delivery of humanitarian assistance in the whole country,

*Reaffirming* that the provision of humanitarian assistance in Somalia is an important element in the effort of the Council to restore international peace and security in the area,

*Welcoming* the ongoing efforts by the United Nations organizations as well as the International Committee of the Red Cross, non-governmental organizations and States to provide humanitarian assistance to the affected population in Somalia,

*Welcoming* in particular the initiatives to provide relief through airlift operations,

*Convinced* that no durable progress will be achieved in the absence of an overall political solution in Somalia,

*Taking note* in particular of paragraph 24 of the report of the Secretary-General,

1. *Takes note with appreciation* of the report of the Secretary-General of 24 and 28 August 1992 on the situation in Somalia on the findings of the technical team and the recommendations of the Secretary-General contained therein;

2. *Invites* the Secretary-General to establish four zone headquarters as proposed in paragraph 31 of the report;

3. *Authorizes* the increase in strength of the United Nations Operation in Somalia and the subsequent deployment as recommended in paragraph 37 of the Secretary-General's report;

4. *Welcomes* the decision of the Secretary-General to increase substantially the airlift operation to areas of priority attention;

5. *Calls upon* all parties, movements and factions in Somalia to cooperate with the United Nations with a view to the urgent deployment of the United Nations security personnel called for in paragraphs 4 and 5 of its resolution 751 (1992) and as recommended in paragraph 37 of the Secretary-General's report;

6. *Welcomes also* the material and logistical support from a number of States and urges that the airlift operation be effectively coordinated by the United Nations as described in paragraphs 17 to 21 of the report of the Secretary-General;

7. *Urges* all parties, movements and factions in Somalia to facilitate the efforts of the United Nations, its specialized agencies and humanitarian organizations to provide urgent humanitarian assistance to the affected population in Somalia and reiterates its call for full respect for the security and safety of the personnel of these organizations and the

guarantee of their complete freedom of movement in and around Mogadishu and other parts of Somalia;

8. *Reiterates* its appeal to the international community to provide adequate financial and other resources for humanitarian efforts in Somalia;

9. *Encourages* ongoing efforts of the United Nations, its specialized agencies and humanitarian organizations, including the International Committee of the Red Cross, and non-governmental organizations to ensure delivery of humanitarian assistance to all regions of Somalia, and underlines the importance of coordination between these efforts;

10. *Requests* the Secretary-General to continue, in close cooperation with the Organization of African Unity, the League of Arab States and the Organization of the Islamic Conference, his efforts to seek a comprehensive political solution to the crisis in Somalia;

11. *Calls upon* all parties, movements and factions in Somalia immediately to cease hostilities and to maintain a ceasefire throughout the country;

12. *Stresses* the need for the observance and strict monitoring of the general and complete embargo on all deliveries of weapons and military equipment to Somalia, as decided in paragraph 5 of its resolution 733 (1992);

13. *Calls upon* all parties, movements and factions in Somalia to cooperate fully with the Secretary-General in the implementation of the present resolution;

14. *Decides* to remain seized of the matter until a peaceful solution is achieved.

**Decision of 8 September 1992: letter from the President of the Security Council to the Secretary-General**

By a letter dated 1 September 1992 addressed to the President of the Council,<sup>37</sup> the Secretary-General requested the Council, through the President, to extend the applicability of the authorization contained in paragraph 3 of resolution 775 (1992) to cover also the logistic support unit of UNOSOM, mentioned in the addendum to his report of 24 August 1992. By a letter dated 8 September 1992,<sup>38</sup> the President of the Council informed the Secretary-General that the members of the Council were in agreement with the proposal contained in his letter.

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<sup>37</sup> S/24531.

<sup>38</sup> S/24532.

**Decision of 16 October 1992: statement by the  
President**

On 16 October 1992, following consultations among the members of the Council, the President made the following statement to the media on behalf of the Council:<sup>39</sup>

The Council heard today a communication from Mr. Sahnoun, the Special Representative of the Secretary-General in Somalia. On this occasion, the members of the Security Council reiterated their full support for the action of the Secretary-General and his Special Representative. They also expressed the wish that the appeal recently made in Geneva for an increase in the humanitarian assistance to Somalia should be heeded.

The members of the Council expressed their deep concern over the information communicated to them by Mr. Sahnoun, particularly regarding the difficulties he is encountering in the delivery of humanitarian assistance. In this regard, the rapid deployment of United Nations Operation in Somalia is essential. The members of the Council consider that persons hampering the deployment of the Operation in Somalia would be responsible for aggravating an already unprecedented humanitarian disaster.

**Decision of 3 December 1992 (3145th meeting):  
resolution 794 (1992)**

By a letter dated 24 November 1992 addressed to the President of the Council,<sup>40</sup> the Secretary-General described a number of disturbing developments and conditions in Somalia which made it exceedingly difficult for UNOSOM to implement its mandate. General Aidid had declared that the Pakistani battalion would no longer be tolerated in the streets of Mogadishu; ordered the expulsion of the UNOSOM Coordinator for Humanitarian Assistance, on the grounds that his activities went counter to the interests of the Somali people and his security could no longer be guaranteed; warned that any forcible UNOSOM deployment would be met with violence and that the deployment of United Nations troops in Kismayo and Berbera was no longer acceptable; and demanded the withdrawal of United Nations troops from Mogadishu airport. The Secretary-General also noted that a widespread perception had developed among Somalis, apparently at the instigation of local faction leaders, that the United Nations had decided to abandon its

policy of cooperation and was planning to “invade” the country.

The Secretary-General stated that a number of factors had inhibited the distribution of food and other humanitarian assistance, especially in areas outside Mogadishu. He referred, in particular, to the lack of a government or governing authority capable of maintaining law and order, to the failure of various factions to cooperate with UNOSOM, to the extortion, blackmail and robbery to which the international relief effort was subjected, and to repeated attacks on the personnel and equipment of the United Nations and other relief agencies. The net result was that, while massive amounts of relief supplies had been readied for the implementation of a 100-day action programme, the assistance reaching the intended beneficiaries was often barely a trickle. The Secretary-General insisted that, unless the problems relating to security and protection of relief were effectively addressed, United Nations agencies and non-governmental organizations would not be able to provide the relief assistance urgently in the amounts needed now in Somalia. To establish security conditions that would permit the distribution of relief supplies, it was of the utmost importance that the four additional UNOSOM battalions be deployed to Somalia as quickly as possible. However, the Secretary-General stated that, despite the intensive efforts of his Special Representative, it had been possible to secure Somali consent to the deployment of only one battalion in one part of the country. He concluded by stating that he was giving urgent consideration to the current state of affairs, and that he did not exclude the possibility that it might become necessary to review the basic premises and principles of the United Nations effort in Somalia.

By a letter dated 29 November 1992 addressed to the President of the Council,<sup>41</sup> the Secretary-General recalled that the members of the Council had discussed his letter of 24 November during informal consultations on 25 November. They had expressed the view that the situation in Somalia that he had described was intolerable and had voiced doubts as to whether the methods employed by the United Nations to date would be capable of bringing the situation under control. Strong support had been expressed for his view that the time had come to move to Chapter VII of the Charter. The members of the Council had therefore

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<sup>39</sup> S/24674; recorded as a Security Council decision in *Resolutions and Decisions of the Security Council, 1992*, pp. 62-63.

<sup>40</sup> S/24859.

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<sup>41</sup> S/24868.



welcomed his reference to a re-examination of basic premises and principles, and had asked him to come forward with specific recommendations on how the United Nations could remedy the situation.

The Secretary-General set out five options for the Council's consideration, all addressed to the immediate humanitarian issue, namely how to create conditions for the uninterrupted delivery of relief supplies to the starving people of Somalia. He stressed, however, that that was only part, albeit the most urgent part, of the problem in Somalia and that efforts were also required to create the political conditions in which Somalia could begin to resolve its political problems and rehabilitate its economy. The latter was an integral part of the UNOSOM mandate and it was important that further measures to protect humanitarian relief supplies should be accompanied by continuing efforts to promote national reconciliation.

The following were the five options set out by the Secretary-General. The first option was to continue and intensify his efforts to deploy UNOSOM in the strength authorized by the Council. UNOSOM would continue to be guided by the existing principles and practices of United Nations peacekeeping operations: it would not deploy without the agreement of the de facto authorities at each location where it was to operate; and it would not use force except in self-defence. The Secretary-General concluded, however, that the situation in Somalia had deteriorated beyond the point where peacekeeping was a viable option. The reality was that there were very few authorities in the country with whom a peacekeeping force could safely negotiate an agreed basis for its operations. The second option was to abandon the idea of using international military personnel to protect humanitarian activities, withdraw the military elements of UNOSOM and leave the humanitarian agencies to negotiate their own arrangements with the various factions and clan leaders. Experience had shown, however, that without international military protection, the agencies had felt obliged to pay protection money to the various factions and clans. If the international community were to allow this to continue, it would be committing itself to a process in which less and less of the aid it provided would reach vulnerable groups and in which lawless trading in that aid would become, increasingly, the foundation of Somalia's economy. Such an outcome would encourage further fragmentation and destroy hopes of national reconciliation. The Secretary-General

was more than ever convinced of the need for international military personnel to be deployed in Somalia. The difficulties being encountered were due not to their presence but to the fact that there were not enough of them and that they did not have the right mandate. He therefore excluded the option of withdrawal.

The above considerations had led the Secretary-General to conclude that the Security Council had no alternative but to adopt more forceful measures to secure the humanitarian operations in Somalia. His last three options, therefore, all involved the possible use of force by the United Nations or by Member States so authorized by the Council. Noting that no government existed in Somalia that could request and allow such use of force, he observed that the Council had to make a determination under Article 39 of the Charter that a threat to the peace existed, as a result of the repercussions of the Somali conflict on the entire region, and to decide what measures should be taken to maintain international peace and security. The Council would also have to determine that non-military measures as referred to in Chapter VII were not capable of giving effect to the Council's decisions.

The purpose of each of the three following options involving the possible use of force would be to ensure, on a lasting basis, that the violence against the international relief effort was brought to an end:

The third option would be to mandate UNOSOM to undertake a show of force in Mogadishu, in order to create conditions for the safe delivery of humanitarian relief and to deter factions and other armed groups there and elsewhere in Somalia from withholding cooperation from UNOSOM. However, the arms at the disposal of the various factions and armed groups in the city were not negligible. Moreover, he was inclined to think that if action were to be effective, a countrywide operation might be required. That would entail a major military undertaking, giving rise to many difficult questions, especially with regard to organization, command and control. The fourth option would thus be a countrywide enforcement operation undertaken by a group of Member States authorized to do so by the Security Council. The Secretary-General informed the members of the Council that the United States had informed him that it would be prepared to take the lead in organizing and commanding such an operation, in which other Member States would also participate. He advised that, if the members of the

Council were to favour this option, the Council should seek to agree with the Member States participating in the operation on ways of recognizing that it had been authorized by the Security Council and that the Security Council therefore had a legitimate interest in the manner in which it was carried out. The fifth option, which would be consistent with the expansion of the Organization's role in the maintenance of international peace and security and which would strengthen its long-term evolution as an effective system of collective security, would entail a countrywide enforcement operation under United Nations command and control. The command and control could be exercised by the Secretary-General, mandated by the Security Council in an arrangement similar to that followed in the Organization's peacekeeping operations, or by some other arrangement which the Council might decide upon. However, the Secretary-General noted that, in that case, as the Secretariat did not have the capability to command and control such an enforcement operation, troop-contributing countries would have to provide staff officers not only for the headquarters in the field but also in New York.

In conclusion, the Secretary-General recommended that the Council take a very early decision to adjust its approach to the crisis in Somalia. The focus of the Council's immediate action should be to create conditions in which relief supplies could be delivered to those in need. Experience had shown that that could not be achieved by a United Nations peacekeeping operation; there was now no alternative but to resort to Chapter VII of the Charter. In parallel, there must also be action to promote national reconciliation and thus remove the main factors that had created the humanitarian emergency. If forceful action were to be taken, the Secretary-General expressed a preference that it be under United Nations command and control. If that were not feasible, an alternative would be an operation undertaken by Member States acting under the authorization of the Council. In either case, the objective of the operation should be precisely defined and limited in time, in order to prepare the way for a return to peacekeeping and post-conflict peacebuilding.

At its 3145th meeting, held on 3 December 1992 in accordance with the understanding reached in its prior consultations, the Council included in its agenda the letters dated 24 and 29 November 1992 from the

Secretary-General to the President of the Council. Following the adoption of the agenda, the Council invited the representative of Somalia, at her request, to participate in the discussion without the right to vote. The President of the Council (India) drew the attention of the Council members to several other letters that had been addressed to him: a letter dated 27 November 1992 from the representative of Canada,<sup>42</sup> anticipating that his country, as a troop-contributing nation, would be consulted by the Security Council and the Secretariat on any measures which might be envisaged in days ahead affecting the mandate of UNOSOM; a letter dated 1 December 1992 from the representative of Egypt to similar effect;<sup>43</sup> and a letter dated 2 December 1992 from the representative of Qatar, as Chairman of the Group of Arab States.<sup>44</sup> The latter expressed the Arab Group's support for the Secretary-General's proposal of a new United Nations operation in Somalia, particularly under Charter VII of the Charter, and stated that that force ought to be managed and supervised by the United Nations. The Arab Group also affirmed the importance of undertaking, in parallel with the military operation, and in cooperation with regional organizations, initiatives aimed at achieving national reconciliation; and requested that the Security Council intensify international efforts to consider ways and means of rebuilding Somalia. The President also drew Council members' attention to a draft resolution that had been prepared in the course of the Council's prior consultations.<sup>45</sup> Before the draft resolution was put to the vote, the representatives of Zimbabwe, Ecuador, China, Cape Verde, Belgium and the Russian Federation made statements.

The representative of Zimbabwe stated that his delegation had followed with increasing horror the fratricidal tragedy that had continued to spiral in Somalia. Particularly unacceptable was the fact that humanitarian assistance was available but could not reach its intended recipients simply because it was being hijacked, stolen or otherwise obstructed by warlords, armed gangs and bandits. Efforts at negotiation had met with intransigence and uncooperativeness, revealing that the humanitarian imperatives of the Somali crisis could not be met through conventional methods. Those considerations

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<sup>42</sup> S/24867.

<sup>43</sup> S/24878.

<sup>44</sup> S/24883.

<sup>45</sup> S/24880.

had convinced the speaker's delegation that the question of Somalia was a unique situation that warranted a unique approach. However, the solution adopted by the Council would necessarily set a precedent against which similar situations would be measured in the future; it was therefore essential that the situation be handled correctly. The political and humanitarian problems of Somalia could not be addressed in the context of one Member State or a group of Member States; they had to be handled in the context of the international community. In the post-cold-war era it was not unreasonable, though, to expect individual States or groups of States to provide the resources to help resolve such a tragic crisis as part of an international effort. However, an effort could be construed as international only if the United Nations was at its centre. It was in that context that his delegation welcomed the draft resolution, which placed the Secretary-General at the centre of the operation. Zimbabwe attached considerable importance to the idea that in any international enforcement action the United Nations must define the mandate, monitor and supervise its implementation, and determine when it has been fulfilled. The draft resolution met those requirements and set an important precedent for future operations under equally unique circumstances.<sup>46</sup>

The representative of Ecuador said his country would be voting in favour of the draft resolution for several reasons. Solidarity and interdependence — principles that underlay the international order — did not permit impassivity in the face of tragedy wherever it occurred. As a member of the Council, Ecuador felt obliged to contribute to a settlement of the Somali conflict. Unfortunately, the resolutions adopted by the Council to facilitate the distribution of humanitarian assistance to the Somali population had not been sufficient to resolve the crisis, despite the great efforts made by humanitarian organizations, the generous contributions made by many countries, and the activities of UNOSOM. The Somali crisis was an exceptional one, which required a fresh kind of analysis: political as well as legal. It had reached the point where it constituted a threat to international peace and security. There was no government in the country that could agree with the United Nations on a humanitarian assistance operation. However, the Somali people — sovereign in respect of its destiny — was the interlocutor of the United Nations, and the

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<sup>46</sup> S/PV.3145, pp. 6-10.

Organization was heeding its call. The operation the Council was about to authorize would have a defined and limited objective — the promotion of a secure environment that would make it possible for humanitarian assistance operations to be carried out. Moreover, the Secretary-General would report to the Council on the progress of the operation. The draft resolution thus properly recognized the fundamental role of the United Nations in political analysis and scrutiny, in that the Security Council was the body that would authorize the start-up, execution and termination of the operation. Furthermore, the unified command and control of the military forces would be subject to arrangements between the Secretary-General and the troop-contributing countries. The speaker observed that the decision the Council was about to take was an important one. It was a response under Chapter VII of the Charter, commensurate with the complex and *sui generis* situation that beset Somalia.<sup>47</sup>

The representative of China stated that his delegation agreed with the Secretary-General's analysis of the Somali situation. He supported the efforts to find ways by which the Somali crisis could be settled within the framework of the United Nations. Taking into account the long-term chaotic situation resulting from the lack of a government, he endorsed the requests of most African countries, and the recommendation of the Secretary-General, that the United Nations should take prompt, strong and exceptional measures to settle the crisis. He noted that the draft resolution reflected, to a certain extent, the Secretary-General's recommendations and incorporated some of the views expressed by many delegations, including his own, regarding such issues as strengthening United Nations control over the proposed operation; his delegation would therefore vote in favour of the draft resolution. He observed, however, that although the draft resolution empowered the Secretary-General to some extent, it took the form of authorizing certain countries to take military action, which might adversely affect the collective role of the United Nations; his delegation wished to express its reservations in that regard. He added that, in the long term, only through dialogue and consultation between the parties concerned could national reconciliation and enduring peace and stability be achieved in Somalia. As his delegation understood it, the proposed military operation was an exceptional action in view of the unique situation in Somalia, whose purpose was to create

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<sup>47</sup> *Ibid.*, pp. 11-14.

promptly a secure environment for the humanitarian relief effort. Once such an environment was achieved, the military operation should cease. Meanwhile, he maintained that the Security Council and the Secretary-General should be empowered to take decisions regarding the control and duration of the operation.<sup>48</sup>

The representative of Cape Verde maintained that the national conflict in Somalia had reached a level of destruction comparable to that of the most ferocious international conflicts, necessitating resolute and effective action by the international community. The conflict had, moreover, an international dimension: because of its repercussions on neighbouring States, it was imperilling the stability and security of the whole region. As existing circumstances did not permit effective execution of the peacekeeping operation, forceful action was necessary on the part of the international community to restore order, disarm the warmongers and ensure the delivery of humanitarian assistance to the population. He stressed that the renewed confidence of all peoples in the United Nations, and in the Council in particular, as a guarantor of peace, international legality and the territorial integrity of States, must be nurtured if the credibility of the Council and of the United Nations were to be preserved. The Council must therefore show imagination and determination to ensure that all its decisions were respected and implemented. The case of Somalia offered the Council an opportunity to prove its determination. Its action would not only help solve the situation but also contribute to giving fresh impetus to United Nations activities in maintaining international peace and security. His delegation would therefore vote in favour of the draft resolution.<sup>49</sup>

The representative of Belgium stated that his delegation shared the conclusion reached by the Secretary-General: the approach adopted so far by the international community and by the Council in particular had proved ineffective. The Council had to make a fresh start in meeting the humanitarian challenge in Somalia, by taking into account the atypical situation there: it was a country without a government, without an administration, with no source of authority, where factions and gangs held sway. While agreeing with the innovative proposals contained in the draft resolution, he stated that his

delegation would have preferred the fifth option proposed by the Secretary-General, namely a purely United Nations operation. Nevertheless, in view of the arguments adduced by the Secretary-General, the option of an enforcement operation undertaken by a group of Member States, duly authorized by the Council, was acceptable. He welcomed a number of elements in the draft resolution that it considered particularly important and which significantly narrowed the distance between the two options. First, the purpose of the operation was clearly a humanitarian one. Secondly, the operation would be under the political control of the United Nations. The coordinating machinery to be set up between the States participating in the operation and the Secretary-General, and the decision-making powers granted to the Council concerning the duration of the operation, were, in the opinion of the Belgian delegation, key elements in the draft resolution.<sup>50</sup>

The representative of the Russian Federation noted that the situation in Somalia was one of total chaos, fraught with the real threat that the country could disintegrate. Millions of Somalis were on the brink of dying from starvation and the considerable efforts made by the international community had failed to yield the needed results. Under such circumstances, it was essential that additional and urgent steps should be taken by the United Nations and the international community as a whole. As the Secretary-General had rightly stressed in his letter of 29 November 1992, the Council had no alternative but to decide to adopt more forceful measures to secure the humanitarian operations in Somalia. He stated that his delegation was convinced that resolution of the crisis required the use of international armed forces under the auspices of the Security Council to ensure the delivery and safe-keeping of the humanitarian assistance and its distribution to the country's starving population. He added that united action by the international community was necessary to put an end to the human tragedy in Somalia. That was why the Council had requested all States, particularly those in the region, to provide appropriate support for the actions taken to implement relevant Council decisions with respect to Somalia, including the draft resolution before the Council.<sup>51</sup>

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<sup>48</sup> Ibid., pp. 16-18.

<sup>49</sup> Ibid., pp. 18-22.

<sup>50</sup> Ibid., pp. 23-25.

<sup>51</sup> Ibid., pp. 25-27.

The draft resolution was then put to the vote and adopted unanimously as resolution 794 (1992), which reads:

*The Security Council,*

*Reaffirming* its resolutions 733 (1992) of 23 January 1992, 746 (1992) of 17 March 1992, 751 (1992) of 24 April 1992, 767 (1992) of 27 July 1992 and 775 (1992) of 28 August 1992,

*Recognizing* the unique character of the present situation in Somalia and mindful of its deteriorating, complex and extraordinary nature, requiring an immediate and exceptional response,

*Determining* that the magnitude of the human tragedy caused by the conflict in Somalia, further exacerbated by the obstacles being created to the distribution of humanitarian assistance, constitutes a threat to international peace and security,

*Gravely alarmed* by the deterioration of the humanitarian situation in Somalia and underlining the urgent need for the quick delivery of humanitarian assistance in the whole country,

*Noting* the efforts of the League of Arab States, the Organization of African Unity, and in particular the proposal made by the current Chairman of the Assembly of Heads of State and Government of the Organization of African Unity at the forty-seventh regular session of the General Assembly for the organization of an international conference on Somalia, and the Organization of the Islamic Conference and other regional agencies and arrangements to promote reconciliation and political settlement in Somalia and to address the humanitarian needs of the people of that country,

*Commending* the ongoing efforts of the United Nations, its specialized agencies and humanitarian organizations and of non-governmental organizations and of States to ensure delivery of humanitarian assistance in Somalia,

*Responding* to the urgent calls from Somalia for the international community to take measures to ensure the delivery of humanitarian assistance in Somalia,

*Expressing grave alarm* at continuing reports of widespread violations of international humanitarian law occurring in Somalia, including reports of violence and threats of violence against personnel participating lawfully in impartial humanitarian relief activities; deliberate attacks on non-combatants, relief consignments and vehicles, and medical and relief facilities; and the impeding of the delivery of food and medical supplies essential for the survival of the civilian population,

*Dismayed* by the continuation of conditions that impede the delivery of humanitarian supplies to destinations within Somalia, and in particular reports of looting of relief supplies destined for starving people, attacks on aircraft and ships bringing in humanitarian relief supplies, and attacks on the

Pakistani contingent in Mogadishu of the United Nations Operation in Somalia,

*Taking note* with appreciation of the letters of 24 and 29 November 1992 from the Secretary-General to the President of the Security Council,

*Sharing* the Secretary-General's assessment that the situation in Somalia is intolerable and that it has become necessary to review the basic premises and principles of the United Nations effort in Somalia, and that the Operation's existing course would not in present circumstances be an adequate response to the tragedy in Somalia,

*Determined* to establish as soon as possible the necessary conditions for the delivery of humanitarian assistance wherever needed in Somalia, in conformity with resolutions 751 (1992) and 767 (1992),

*Noting* the offer by Member States aimed at establishing a secure environment for humanitarian relief operations in Somalia as soon as possible,

*Determined also* to restore peace, stability and law and order with a view to facilitating the process of a political settlement under the auspices of the United Nations, aimed at national reconciliation in Somalia, and encouraging the Secretary-General and his Special Representative for Somalia to continue and intensify their work at the national and regional levels to promote these objectives,

*Recognizing* that the people of Somalia bear ultimate responsibility for national reconciliation and the reconstruction of their own country,

1. *Reaffirms* its demand that all parties, movements and factions in Somalia immediately cease hostilities, maintain a ceasefire throughout the country, and cooperate with the Special Representative of the Secretary-General for Somalia as well as with the military forces to be established pursuant to the authorization given in paragraph 10 below in order to promote the process of relief distribution, reconciliation and political settlement in Somalia;

2. *Demands* that all parties, movements and factions in Somalia take all measures necessary to facilitate the efforts of the United Nations, its specialized agencies and humanitarian organizations to provide urgent humanitarian assistance to the affected population in Somalia;

3. *Also demands* that all parties, movements and factions in Somalia take all measures necessary to ensure the safety of United Nations and all other personnel engaged in the delivery of humanitarian assistance, including the military forces to be established pursuant to the authorization given in paragraph 10 below;

4. *Further demands* that all parties, movements and factions in Somalia immediately cease and desist from all breaches of international humanitarian law including from actions such as those described above;

5. *Strongly condemns* all violations of international humanitarian law occurring in Somalia, including in particular the deliberate impeding of the delivery of food and medical supplies essential for the survival of the civilian population, and affirms that those who commit or order the commission of such acts will be held individually responsible in respect of such acts;

6. *Decides* that the operations and the further deployment of the three thousand five hundred personnel of the United Nations Operation in Somalia authorized by paragraph 3 of resolution 775 (1992) should proceed at the discretion of the Secretary-General in the light of his assessment of conditions on the ground; and requests him to keep the Council informed and to make such recommendations as may be appropriate for the fulfilment of the mandate of the Operation where conditions permit;

7. *Endorses* the recommendation by the Secretary-General in his letter of 29 November 1992 to the President of the Security Council that action under Chapter VII of the Charter of the United Nations should be taken in order to establish a secure environment for humanitarian relief operations in Somalia as soon as possible;

8. *Welcomes* the offer by a Member State described in the Secretary-General's above-mentioned letter concerning the establishment of an operation to create such a secure environment;

9. *Welcomes also* offers by other Member States to participate in that operation;

10. Acting under Chapter VII of the Charter of the United Nations, *authorizes* the Secretary-General and Member States cooperating to implement the offer referred to in paragraph 8 above to use all necessary means to establish as soon as possible a secure environment for humanitarian relief operations in Somalia;

11. *Calls on* all Member States which are in a position to do so to provide military forces and to make additional contributions, in cash or in kind, in accordance with paragraph 10 above and requests the Secretary-General to establish a fund through which the contributions, where appropriate, could be channelled to the States or operations concerned;

12. *Also authorizes* the Secretary-General and the Member States concerned to make the necessary arrangements for the unified command and control of the forces involved, which will reflect the offer referred to in paragraph 8 above;

13. *Requests* the Secretary-General and the Member States acting under paragraph 10 to establish appropriate mechanisms for coordination between the United Nations and their military forces;

14. *Decides* to appoint an ad hoc commission composed of members of the Security Council to report to the Council on the implementation of the present resolution;

15. *Invites* the Secretary-General to attach a small Operation liaison staff to the field headquarters of the unified command;

16. Acting under Chapters VII and VIII of the Charter, *calls upon* States, nationally or through regional agencies or arrangements, to use such measures as may be necessary to ensure strict implementation of paragraph 5 of resolution 733 (1992);

17. *Requests* all States, in particular those in the region, to provide appropriate support for the actions undertaken by States, nationally or through regional agencies or arrangements, pursuant to the present and other relevant resolutions;

18. *Requests* the Secretary-General and, as appropriate, the States concerned to report to the Council on a regular basis, the first such report to be made no later than fifteen days after the adoption of the present resolution, on the implementation of the present resolution and the attainment of the objective of establishing a secure environment so as to enable the Council to make the necessary decision for a prompt transition to continued peacekeeping operations;

19. *Also requests* the Secretary-General to submit a plan to the Council initially within fifteen days after the adoption of the present resolution to ensure that the Operation will be able to fulfil its mandate upon the withdrawal of the unified command;

20. *Invites* the Secretary-General and his Special Representative to continue their efforts to achieve a political settlement in Somalia;

21. *Decides* to remain actively seized of the matter.

After the vote, the representatives of France, Austria, the United Kingdom, the United States, Venezuela, Japan, Morocco and Hungary, and the President, in his capacity as the representative of India, made statements.

The representative of France stated that, given the intolerable situation prevailing in Somalia, the international community had to react vigorously. His Government appreciated the suggestions made by the Secretary-General and welcomed the offer by the United States which would make possible a broad-scale international operation to establish, in a lasting manner, conditions in which humanitarian assistance could be delivered without hindrance. The decision just taken was of major importance. In adopting resolution 794 (1992), which envisaged action under Chapter VII of the Charter, the Council had demonstrated its determination to put an end to the suffering of the Somalis. For France, that commitment was part of the principle of establishing access to victims and of the right to emergency humanitarian assistance, which it

supported. It would, therefore, make a substantial contribution to the operation. He noted that the operation would be carried out in close liaison with the United Nations and clearly as part of the Organization's humanitarian and political sphere of action. The role devolving upon the Secretary-General with respect to all aspects of the operation — its establishment, follow-through, and implementation through UNOSOM, which would eventually take it over — was thus essential. His delegation was also pleased that the resolution provided for regular reports to the Council, not only by the Secretary-General, but also by an ad hoc commission composed of some Council members. He stated that it was not surprising that, given the unprecedented situation prevailing in Somalia, the Council had at that stage determined upon an approach different from the usual form of peacekeeping operations. By the present resolution, the United Nations had demonstrated its capacity to adapt to new challenges and was acting in line with the proposals put forward in the Secretary-General's report entitled "An Agenda for Peace". He added that, in tandem with United Nations intervention and humanitarian action, he appealed to the international community, and above all to the States of the region and to the African States, to work together for a political settlement in Somalia and for the re-establishment of a State, which required national reconciliation.<sup>52</sup>

The representative of Austria said that, by taking a more determined approach under Chapter VII of the Charter, the Council was fulfilling its responsibility towards the afflicted population in Somalia and was acting upon its claim on international solidarity. This bold new step was a further development of steps the Council had taken already in resolutions 678 (1990), 688 (1991) and 770 (1992). He recalled that, in speaking in the Council on a previous occasion, he had mentioned possible lessons from the Gulf conflict and the United Nations response. One suggestion had been to look more closely into possible "fine print" for enforcement action under the auspices of the United Nations. The resolution just adopted advanced in a pragmatic manner a number of important elements of which the following could be singled out: the Secretary-General's role in the use of all necessary means and in making the arrangements for the unified command and control of the forces involved; the

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<sup>52</sup> *Ibid.*, pp. 28-31.

appointment of the ad hoc commission of the Council; the creation of a liaison staff; and the improved reporting requirements.<sup>53</sup>

The representative of the United Kingdom shared the Secretary-General's analysis that action under Chapter VII of the Charter had to be taken to establish a secure environment for the distribution of humanitarian relief. His country welcomed the offer of the United States to make available very substantial resources to achieve that objective. It would be essential that the United Nations and the unified command deal effectively and forcefully with the elements that had hitherto obstructed the United Nations relief efforts. However, those parts of the country not affected by looting and anarchy but where the need for international assistance was still very real should not be forgotten. Those areas also required the sustained attention and support of the international community. He stressed that the United Kingdom attached importance to the continuing mandate of UNOSOM to operate in those regions where security conditions permitted and the consent of the parties had been obtained. He stressed also the importance of ensuring that the Somalis were aware that the international community had no desire to intervene in the internal affairs of their country, but that it could not stand by and permit a humanitarian crisis of such magnitude to continue. That was a unique set of circumstances which required special measures.<sup>54</sup>

The representative of the United States emphasized that the measures authorized by the resolution and supported by his Government had one objective: to achieve a secure environment for the delivery of humanitarian relief to the Somali people in the areas of greatest need. Although the resolution authorized the use of "all necessary means", the United States mission was essentially a peaceful one; force would be used only if it were necessary to achieve that objective. By acting in response to the tragic events in Somalia, the international community was also taking an important step in developing a strategy for dealing with the potential disorder and conflicts of the post-cold-war world. That step must entail unprecedented levels of cooperation among the international community in response to urgent humanitarian needs and to peacekeeping, utilizing the military forces of its

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<sup>53</sup> *Ibid.*, pp. 31-32.

<sup>54</sup> *Ibid.*, pp. 33-35.

members, if necessary, to do so. Cooperation would have to occur on a case-by-case basis, given the complexity of the post-cold-war order. He emphasized that, in offering to contribute to the effort authorized by the resolution, his country had no objective beyond enabling the United Nations to confront a challenge to international peace and security. Once deployed, his country's military forces would remain in Somalia no longer than was necessary. His country looked forward to the early transition to an effective United Nations peacekeeping force. Military intervention was no substitute for political reconciliation, and that task belonged firmly in the hands of Somalis. By acting to provide a secure environment for the delivery of humanitarian relief to the people of Somalia, the Council had once again taken an essential step to restore international peace and security. He believed that that courageous decision by the Council strengthened the United Nations and affirmed the ideas upon which it was based. In concluding, he noted that the international community in the post-cold-war era was being confronted with problems which were quite different from the threat that had hung over the world for the past 45 years. There could be no simple solution to those problems. However, it was important to send the unambiguous message that the international community had the intent and will to act decisively regarding peacekeeping problems that threatened international stability.<sup>55</sup>

The representative of Venezuela characterized the decision the Council had just taken as an attempt to respond to an extraordinary humanitarian emergency with equally extraordinary measures. Despite efforts to mediate a ceasefire, the imposition of an arms embargo, a United Nations operation, an airlift, the humanitarian activities of intergovernmental bodies and non-governmental organizations, and the political efforts of regional organizations, the situation had gradually and tragically worsened, with the result that the state of affairs in Somalia constituted an affront to the dignity and conscience of the international community. Although the Council had been confident that it was possible to act in a conventional manner, that had not been the case. The Secretary-General's judgement that there was no national authority in Somalia could not be disputed. A critical point had been reached. His country had no doubt that the situation required exceptional measures. All the values

and purposes of the Organization would have been without foundation if the Council had not taken that decision. The resolution was aimed at meeting an urgent need: creating the necessary conditions for the delivery of humanitarian assistance throughout Somalia. He reiterated his country's view that the crisis in Somalia would be resolved only if that nation recognized the need for its own reconciliation. The future of Somalia was, moreover, intimately connected with the political circumstances of the countries of the Horn of Africa; hence, the search for machinery to establish regional stability had to be uppermost in the minds of the Council members when undertaking future action.<sup>56</sup>

The representative of Japan considered that the situation demanded that urgent and effective action be taken to establish a secure environment for humanitarian relief operations in Somalia. His country welcomed the initiative of the United States to meet that challenge, and supported the new operation provided for in the resolution just adopted. He added that it was important that the United Nations and the new military operation maintain close cooperation and coordination, and that the Council be kept fully informed of the implementation of the resolution.<sup>57</sup>

The representative of Morocco supported the Secretary-General's innovative approach, observing that an extraordinary situation required an exceptional response. There was no alternative but to launch a large-scale operation within the framework of Chapter VII of the Charter, in order to restore a situation that was worsening daily, a situation characterized by terror, blackmail, banditry and devastation. That action — whose first objective was to protect humanitarian assistance — must at the same time pave the way for national reconciliation in Somalia and an international reconstruction effort. The operation should not, therefore, reduce or overshadow the laudable role of UNOSOM, which must still achieve the objectives set by the Council in its resolutions. By authorizing the urgent and exceptional operation, the Security Council was responding to the expectations of the international community as a whole, particularly those of the Arab, African and Muslim community. Morocco had thus voted without hesitation in favour of the resolution just

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<sup>55</sup> Ibid., pp. 36-38.

<sup>56</sup> Ibid., pp. 39-42.

<sup>57</sup> Ibid., pp. 42-43.



adopted and would be taking an active part in the operation.<sup>58</sup>

The representative of Hungary considered the resolution just adopted to be of fundamental importance in the life of the United Nations, in that it opened up the possibility of joint, determined and innovative action by which it would be possible to put an end to the hardship of an entire people, and to the dangers that were threatening it with extermination. The Security Council had demonstrated that it was quite feasible to adapt to the realities of the world and to undertake an international operation that would make it possible to carry out wide-scale and extraordinary humanitarian actions. The resolution just adopted might, moreover, provide inspiration and guidelines for the future. In the light of the newly authorized operation in Somalia, it seemed to Hungary that it would be even more difficult, confronted with world public opinion, for the international community to avoid its responsibility to meet the challenges arising in hotbeds of crisis as serious as the one that was continuing to tear Somalia apart. His country was pleased that the new type of action had been planned and formulated in such a way as to establish an organic link with the United Nations. It demonstrated how far the United Nations had come since adopting resolution 678 (1990) on the Gulf crisis; the distance covered demonstrated the more effective and dynamic role the United Nations could play in the creation of a new international environment.<sup>59</sup>

The President, in his capacity as the representative of India, stated that the resolution just adopted recognized the uniqueness of the Somali crisis. The rapidly deteriorating complex and extraordinary

situation, with no Government in control, demanded an immediate and exceptional response from the international community. His delegation had favoured the fifth option put forward by the Secretary-General, namely a countrywide enforcement operation carried out under United Nations command and control. In the light of the positions taken by the United States, France and Morocco, which had offered to contribute to the operation, the Indian delegation had favoured an arrangement under which the United Nations would keep effective political command and control while leaving enough flexibility for the contributing States to retain on the ground the operational autonomy they had requested. The views of the non-aligned members of the Council on that important point had been accommodated to a considerable extent in the resolution, notably in paragraphs 10, 12 and 19. India could therefore go along with it, particularly in view of the compelling need for speedy action. He stressed, however, that the present action should not set a precedent. India expected that, should situations arise in the future requiring action under Chapter VII, the action would be carried out in full conformity with the Charter provisions and in the spirit of the Secretary-General's report entitled "An Agenda for Peace". This would also be consistent, as was noted in the Secretary-General's letter of 29 November 1992, with the recent expansion of the Organization's role in the maintenance of international peace and security and with its long-term evolution as an effective system of collective security. It was India's hope that Member States would develop the necessary political will and confidence in the Organization so that they would be able to contribute to and participate in full-scale United Nations operations.<sup>60</sup>

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<sup>58</sup> Ibid., pp. 43-47.

<sup>59</sup> Ibid., pp. 47-49.

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<sup>60</sup> S/PV.3145, pp. 49-52.

## 7. The question of South Africa

### **Decision of 16 July 1992 (3096th meeting): resolution 765 (1992)**

By a letter dated 2 July 1992 addressed to the President of the Security Council,<sup>1</sup> the representative of Madagascar, on behalf of the Group of African States, requested an urgent meeting of the Council to

consider the situation in South Africa. He also transmitted the text of a resolution adopted by the Council of Ministers of the Organization of African Unity (OAU) meeting at its fifty-sixth ordinary session, held at Dakar, from 22 to 28 June 1992. In the resolution, the Ministers, inter alia, expressed grave concern over the escalation of violence in South Africa targeted at black communities, in particular the recent massacre at Boipatong Township; called for the urgent

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<sup>1</sup> S/24232.