

51. Kimberley Process Certification Scheme

Initial proceedings

Decision of 28 January 2003 (4694th meeting): resolution 1459 (2003)

At its 4694th meeting, on 28 January 2003, the Security Council included in its agenda the item entitled “Kimberley Process Certification Scheme”. The President (France) drew the attention of the Council to a draft resolution,¹ it was put to the vote and adopted unanimously as resolution 1459 (2003), by which the Council, *inter alia*:

Strongly supported the Kimberley Process Certification Scheme, as well as the ongoing process to refine and implement the regime, adopted at the Interlaken conference as a valuable contribution against trafficking in conflict diamonds, looked forward to its implementation, and strongly encouraged the participants to further resolve outstanding issues;

Welcomed the voluntary system of industry self-regulation, as described in the Interlaken Declaration;

Stressed that the widest possible participation in the Kimberley Process Certification Scheme was essential and should be encouraged and facilitated, and urged all Member States to participate actively in the Scheme.

¹ S/2003/54.

52. The Security Council and regional organizations: facing the new challenges to international peace and security

Initial proceedings

Deliberations of 11 April 2003 (4739th meeting)

At its 4739th meeting, on 11 April 2003, the Security Council included in its agenda the item entitled “The Security Council and regional organizations: facing the new challenges to international peace and security”.¹

During the meeting, there was an interactive discussion, and statements were made by most members of the Council,² the Secretary-General, the representative of Greece (on behalf of the European Union³), and the representatives of the Organization of

American States, the African Union, the League of Arab States, the Organization for Security and Cooperation in Europe (OSCE) and the Economic Community of West African States (ECOWAS).⁴

In his statement, the Secretary-General stressed the joint interest of regional organizations and the United Nations in addressing current challenges to peace and security. He stated that, in its endeavours to deal with a range of crises, the United Nations had relied on regional partners in Africa, Asia, Europe and Latin America, and that from those experiences, a great

¹ For more information on the discussion at this meeting, see chap. XII, part III, sect. A, with regard to general considerations of the provisions of Chapter VIII of the Charter.

² The representative of Mexico did not make a statement.

³ Bulgaria, Cyprus, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Romania, Slovakia and

Slovenia aligned themselves with the statement.

⁴ Mexico was represented by its Minister for Foreign Affairs; the European Union by the Deputy Minister for Foreign Relations of Greece; and the African Union by the Minister for Provincial and Local Government of South Africa. Also present were a group of parliamentarians from Mexico and the President of the General Assembly.

deal had been learned about the need to transform a sense of collective insecurity into a system of collective security. He added that this was precisely the purpose of Chapter VIII of the Charter of the United Nations.⁵

The Secretary-General of the Organization of American States pointed out that the principal challenges to security in the Americas lay in non-military threats such as terrorism, drug trafficking, illicit trade in arms or natural disasters. He detailed the different regional instruments that had been created to tackle those threats and that dealt with prevention of conflicts primarily through peaceful means.⁶

Referring to the questions of Iraq and the Middle East as cases in point, the Secretary-General of the League of Arab States detailed the engagement by his organization and discussed the role of the Council vis-à-vis such efforts. He regretted that the Council had remained silent after the war in Iraq had started since that had affected its credibility and role. He also regretted that the Council did not act on the League's peace initiative to bring an end to the Arab-Israeli dispute. While agreeing with the importance of peacekeeping, peacemaking and peacebuilding operations, he pressed for different and quicker mechanisms to deal with the current reality. In view of the deteriorating situation in the Middle East, as accentuated by the invasion of Iraq, and the failure by the Council and the General Assembly to address the conflict, he proposed the convening of an international conference under the auspices of the United Nations on international peace, its maintenance and the challenges facing it.⁷

The Secretary-General of the Organization for Security and Cooperation in Europe stated that to increase the organization's responsiveness to modern security challenges, OSCE had decided to develop a strategy to address threats in the twenty-first century and to identify options for potential OSCE involvement in peacekeeping in the OSCE region. He highlighted a number of examples of cooperation and operational flexibility with multiple partners, including United Nations missions in the region such as those in Kosovo and Georgia, where OSCE had paid special attention to the complementarity of its efforts with those of the

United Nations which was indeed the vital cornerstone of multilateral responsibility and action.⁸

The representative of the African Union pointed out that initiatives taken in the spirit of Africans taking responsibility for the stability of their own region, including the establishment of the Peace and Security Council, must be encouraged as an important development. In the light of those developments, he stated that the African Union would work with the Council to assume collective responsibility for the identification of problems and the formulation of appropriate strategies to solve them.⁹

The representative of Greece, speaking on behalf of the European Union, stated that the European Union aimed to support the primary responsibility of the Council for the maintenance of international peace and security by developing a crisis management capacity. He further added that the European Union had made a concerted effort to develop its organizational capacity to respond effectively to the challenges posed by internal disputes. He elaborated on the ways in which the European Union was intensifying practical cooperation in crisis management operations with the United Nations system, which included the European Union Police Mission in Bosnia and Herzegovina.¹⁰

The Executive Secretary of the Economic Community of West African States stated that the major challenge facing the West African region was the spate of conflicts to which ECOWAS was responding within the context of its Mechanism for Conflict Prevention, Management, Resolution, Peacekeeping and Security. He referred to the situations in Côte d'Ivoire and Liberia to illustrate the pressing need for collaboration between ECOWAS and the Council in the area of conflict resolution. In the case of Côte d'Ivoire, the Executive Secretary called for the Council to provide the necessary support to sustain the operations of the ECOWAS mission. Regarding Liberia, whose instability posed a threat to neighbouring countries, he urged the Council to consider an appropriate monitoring mechanism for the ceasefire.¹¹

In their statements, all representatives agreed that in addressing new challenges and threats, regional organizations had an essential role to play and that

⁵ S/PV.4739 and Corr.1, pp. 3-4.

⁶ *Ibid.*, pp. 7-8.

⁷ *Ibid.*, pp. 13-17.

⁸ *Ibid.*, pp. 19-21.

⁹ *Ibid.*, pp. 25-26.

¹⁰ *Ibid.*, pp. 29-31.

¹¹ *Ibid.*, pp. 33-34.

cooperation between them and the United Nations, particularly the Council, had to be strengthened. The main challenges that the United Nations and regional organizations must face together had been identified as terrorism¹² and conflict prevention and management, in particular in Africa.¹³

Many speakers touched on the primary responsibility of the Council for the maintenance of international peace and security. Some considered it indisputable that regional security operations remained mandated by the Council.¹⁴ The representative of Pakistan was of the view that regional organizations could be helpful and viable only so long as they acted on the basis of the principles of the Charter and in response to the legality established by Council resolutions.¹⁵ In a similar vein, the representative of Chile opined that the work of regional organizations should be done through a dynamic and energetic relationship with the Council in the framework of Chapter VIII of the Charter of the United Nations.¹⁶ At

the same time, several speakers pointed out the importance of complementarity between the United Nations and regional organizations.¹⁷ In that context, the representative of France stressed that each organization should intervene first and foremost in the area where it could provide real added value.¹⁸ The representative of China stated that before taking any decision on African issues, the Security Council should strive to coordinate and cooperate with the respective regional organizations so that its decisions better reflected the positions of those organizations and the countries involved, given they had the first say in the settlement.¹⁹

Some representatives outlined concrete proposals on how to strengthen the relationship between regional organizations and the United Nations system, including information exchange through a structured dialogue on a regular and substantive basis²⁰ and capacity development for local and regional dispute settlement.²¹

In closing, the President (Mexico) indicated his intention to circulate the conclusions of the meeting.²²

¹² Ibid., p. 9 (Chile); p. 11 (United States); p. 18 (United Kingdom); p. 22 (Russian Federation); p. 23 (Bulgaria); and p. 27 (Cameroon).

¹³ Ibid., p. 5 (Germany); p. 9 (Chile); pp. 10-11 (United States); p. 27 (Cameroon); p. 28 (China); p. 31 (Spain); and p. 35 (France).

¹⁴ Ibid., p. 5 (Germany); p. 22 (Russian Federation); and p. 23 (Bulgaria).

¹⁵ Ibid., p. 17.

¹⁶ Ibid., p. 9.

¹⁷ Ibid., p. 5 (Germany); p. 22 (Russian Federation); p. 28 (China); and p. 35 (France).

¹⁸ Ibid., p. 35.

¹⁹ Ibid., p. 28.

²⁰ Ibid., p. 5 (Germany); p. 18 (United Kingdom); and p. 35 (France).

²¹ Ibid., p. 18 (United Kingdom).

²² Ibid., p. 37; see S/2003/506, annex.

53. The role of the Security Council in the pacific settlement of disputes

Initial proceedings

Decision of 13 May 2003 (4753rd meeting): statement by the President

At its 4753rd meeting,¹ on 13 May 2003, the Security Council included the item entitled “The role

of the Security Council in the pacific settlement of disputes” in its agenda. At the meeting, statements were made by the Secretary-General, Sir Brian Urquhart (former Under-Secretary-General for Political Affairs), Mr. Jamsheed Marker (former Personal Representative of the Secretary-General for East Timor), Mr. Nabil Elraby (judge of the International Court of Justice) and by all Council members and the representatives of Armenia, Azerbaijan, Colombia, Ethiopia, Greece (on behalf of the European Union²), Honduras, India and Indonesia.

¹ For more information on the discussion at this meeting, see chap. X, part III, sect. A, with regard to the decisions of the Security Council concerning the pacific settlement of disputes; and part IV, with regard to the constitutional discussion bearing on the interpretation or application of the provisions of Chapter VI of the Charter, sections relating to the relevance of the provisions of Chapter VI in relation to the prevention of conflicts and the relevance of the provisions of Chapter VI in comparison to the provisions of Chapter VII.

² Bulgaria, Cyprus, the Czech Republic, Estonia, Hungary, Iceland, Latvia, Lithuania, Malta, Poland, Romania,