

entitled "The question concerning Haiti: report of the Secretary-General (S/26573)".²⁵

Resolution 873 (1993)
of 13 October 1993

The Security Council,

Recalling its resolutions 841 1993 of 16 June 1993, 861 (1993) of 27 August 1993, 862 (1993) of 31 August 1993 and 867 (1993) of 23 September 1993,

Deeply disturbed by the continued obstruction of the arrival of the United Nations Mission in Haiti, dispatched pursuant to resolution 867 (1993), and the failure of the armed forces of Haiti to carry out their responsibilities to allow the Mission to begin its work,

Having received the report of the Secretary-General of 13 October 1993²⁶ informing the Council that the military authorities of Haiti, including the police, have not complied in good faith with the Governors Island Agreement,⁶

Determining that their failure to fulfil obligations under the Agreement constitutes a threat to peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

1. *Decides*, in accordance with paragraph 2 of resolution 861 (1993), to terminate the suspension of the measures set out in paragraphs 5 to 9 of resolution 841 (1993) as of 2359 hours eastern standard time on 18 October 1993, unless the Secretary-General, having regard for the views of the Secretary-General of the Organization of American States, reports to the Council that the parties to the Governors Island Agreement and any other authorities in Haiti are implementing in full the agreement to reinstate the legitimate Government of President Jean-Bertrand Aristide and have established the necessary measures to enable the United Nations Mission in Haiti to carry out its mandate;

2. *Decides also* that funds that are required to be frozen pursuant to paragraph 8 of resolution 841 (1993) may be released at the request of President Aristide or Prime Minister Malval of Haiti;

3. *Decides further* that the Committee of the Security Council established pursuant to paragraph 10 of resolution 841 (1993) shall have the authority, in addition to that set forth in the aforementioned paragraph, to grant exceptions to the prohibitions (other than those referred to in paragraph 2 above) referred to in paragraph 1 above on a case-by-case basis under the no-objection procedure in response to requests by President Aristide or Prime Minister Malval;

4. *Confirms its readiness* to consider urgently the imposition of additional measures if the Secretary-General informs the Security Council that the parties to the Governors Island Agreement or any other authorities in Haiti continue to impede the activities of the Mission or interfere with the freedom of movement and communication of the Mission and its members as well as the other rights necessary for the performance of its mandate, or have not complied in full with relevant Council resolutions and the provisions of the Agreement;

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

Adopted unanimously at the 3291st meeting.

²⁵ See *Official Records of the Security Council, Forty-eighth Year, Supplement for October, November and December 1993.*

²⁶ Ibid., document S/26573.

Decision

At its 3293rd meeting, on 16 October 1993, the Council decided to invite the representatives of Canada and Haiti to participate, without vote, in the discussion of the item entitled "The question concerning Haiti".

Resolution 875 (1993)
of 16 October 1993

The Security Council,

Reaffirming its resolutions 841 (1993) of 16 June 1993, 861 (1993) of 27 August 1993, 862 (1993) of 31 August 1993, 867 (1993) of 23 September 1993 and 873 (1993) of 13 October 1993,

Taking note of resolutions MRE/RES.1/91, MRE/RES.2/91, MRE/RES.3/92 and MRE/RES.4/92 adopted by the Ministers for Foreign Affairs of the member countries of the Organization of American States, and resolution CP/RES.594 (923/92) and declarations CP/DEC.8 (927/93), CP/DEC.9 (931/93), CP/DEC.10 (934/93) and CP/DEC.15 (967/93), adopted by the Permanent Council of the Organization of American States,

Deeply disturbed by the continued obstruction to the dispatch of the United Nations Mission in Haiti, pursuant to resolution 867 (1993), and the failure of the armed forces of Haiti to carry out their responsibilities to allow the mission to begin its work,

Condemning the assassination of officials of the legitimate Government of President Jean-Bertrand Aristide,

Taking note of the letter dated 15 October 1993 from President Aristide to the Secretary-General,²⁷ in which he requested the Council to call on Member States to take the necessary measures to strengthen the provisions of resolution 873 (1993),

Mindful of the report of the Secretary-General of 13 October 1993²⁶ informing the Council that the military authorities in Haiti, including the police, have not complied in full with the Governors Island Agreement,⁶

Reaffirming its determination that, in these unique and exceptional circumstances, the failure of the military authorities in Haiti to fulfil their obligations under the Agreement constitutes a threat to peace and security in the region,

Acting under Chapters VII and VIII of the Charter of the United Nations,

1. *Calls upon* Member States, acting nationally or through regional agencies or arrangements, cooperating with the legitimate Government of Haiti, to use such measures commensurate with the specific circumstances as may be necessary under the authority of the Council to ensure strict implementation of the provisions of resolutions 841 (1993) and 873 (1993) relating to the supply of petroleum or petroleum products or arms and related matériel of all types, and in particular to halt inbound maritime shipping as necessary in order to inspect and verify their cargoes and destinations;

2. *Confirms* that it is prepared to consider further necessary measures to ensure full compliance with the provisions of relevant Council resolutions;

²⁷ Ibid., document S/26587.

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

Adopted unanimously at the 3293rd meeting.

Decisions

At its 3298th meeting, on 25 October 1993, the Council discussed the item entitled "The question concerning Haiti".²⁸

At the same meeting, following consultations held earlier among members of the Security Council, the President made the following statement on behalf of the Council:²⁸

"The Security Council reaffirms the necessity of full compliance with the Governors Island Agreement.⁶ It condemns the acts of the military authorities in Haiti, who continue to hamper the full implementation of the Agreement, in particular by permitting the development of acts of violence in violation of their obligations under the Agreement. It gives full support to the efforts of the Special Representative of the Secretary-General, Mr. Dante Caputo, to put an end to the crisis and to ensure the return, without delay, of democracy and the rule of law in Haiti.

"The Council, recalling points 7 and 8 of the Agreement concerning the departure of the Commander-in-Chief of the Haitian Armed Forces and the appointment of a new Commander of the police force, insists that these provisions be implemented without further delay.

"The Council reiterates its support for the legitimate Government of Haiti and recalls that it holds the military authorities responsible for the security of that Government and of the members of Parliament. It also continues to hold the military authorities responsible for the safety and security of all United Nations personnel in Haiti.

"The Council warns that, should the Agreement not be fully implemented, it will consider imposing measures additional to those imposed by resolutions 841 (1993) of 16 June 1993, 873 (1993) of 13 October 1993 and 875 (1993) of 16 October 1993.

"The Council underlines the importance of the full implementation of the measures contained in the above-mentioned resolutions by all States, including nearby countries.

"The Council will continue to monitor closely the situation in Haiti in the coming days."

At its 3301st meeting, on 30 October 1993, the Council discussed the item entitled "The question concerning Haiti".

At the same meeting, following consultations held earlier among members of the Council, the President made the following statement on behalf of the Council:²⁹

"The Security Council continues to insist on full and unconditional compliance with the Governors Island Agreement⁶ and the early return of President Aristide and full democracy to Haiti, in accordance with the relevant resolutions and statements by the President of the Council. It reaffirms that the Agreement remains

²⁸ S/26633.

²⁹ S/26668.

fully in force as the only valid framework for the solution of the crisis in Haiti, which continues to threaten peace and security in the region.

"The Council is deeply concerned by the suffering of the Haitian people, which is a direct result of the refusal by the military authorities to comply with the Governors Island process.

"The Council stresses that the signatories to the Agreement remain obligated to comply in full with its provisions. The Council condemns the fact that General Cedras and the military authorities have not so far fulfilled their obligations under that Agreement. It moreover deplores the fact that the Haitian military leaders have fostered and perpetuated in Haiti a political and security environment which prevents the return of President Aristide to Haiti as provided for in point 9 of the Agreement.

"The Council expresses its support for the invitation by the Special Representative of the Secretary-General of the United Nations and the Secretary-General of the Organization of American States to all parties to meet next week solely to resolve the remaining obstacles to full implementation of the Agreement. Further, it reaffirms its determination to maintain and effectively enforce sanctions on Haiti until the commitments made on Governors Island are honoured, and to consider strengthening them, in accordance with its resolutions 873 (1993) of 13 October 1993 and 875 (1993) of 16 October 1993 and the statement of the President of the Council of 25 October 1993,²⁸ if the military authorities continue to interrupt the democratic transition. In this regard, it requests the Secretary-General to report urgently to the Council."

At its 3314th meeting, on 15 November 1993, the Council discussed the item entitled "The question concerning Haiti: report of the Secretary-General (S/26724)".²⁵

At the same meeting, following consultations held earlier among members of the Council, the President made the following statement on behalf of the Council:³⁰

"The Security Council takes note of the report of the Secretary-General of 11 November 1993 on the question concerning Haiti³¹ and the letter dated 12 November 1993 addressed to the President of the Security Council from the representative of Haiti.³²

"The Council commends the efforts of the Special Representative of the Secretary-General of the United Nations and the Secretary-General of the Organization of American States, Mr. Dante Caputo, takes note of his oral report made to the Council on 12 November 1993, and confirms its full support for his continued active diplomacy for resolving the crisis in Haiti.

"The Council condemns the military authorities in Port-au-Prince for failing to comply fully with the Governors Island Agreement⁶ and in particular with points 7 to 9. It reaffirms that the Agreement constitutes the only valid framework for resolving the crisis in Haiti, which continues to threaten peace and security in the region.

"The Council also reaffirms its support for the democratically-elected President of Haiti, Mr. Jean-Bertrand Aristide, and for the legitimate Government of Mr. Robert Malval. It recalls that it holds

³⁰ S/26747.

³¹ *Official Records of the Security Council, Forty-eighth Year, Supplement for October, November and December 1993*, document S/26724.

³² *Ibid.*, document S/26725.