

8. *Invites* the Secretary-General to consult the countries of the region and regional organizations concerned on means of further reinvigorating the reconciliation process;

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9. *Approves* the recommendations of the Secretary-General contained in annex I to his report of 17 August 1993<sup>21</sup> relating to the re-establishment of the Somali police, judicial and penal systems in accordance with resolution 814 (1993), and requests the Secretary-General to take the necessary steps on an urgent and accelerated basis to implement them;

10. *Welcomes* the Secretary-General's intention to convene at the earliest possible date a meeting of Member States interested in supporting the United Nations Operation in Somalia II in the re-establishment of the police, judicial and penal systems, for the purpose of determining specific requirements and identifying specific sources of support;

11. *Requests* the Secretary-General to undertake actively and as a matter of great urgency an international recruiting programme for staffing the Operation's Justice Division with police, judicial and penal system specialists;

12. *Also welcomes* the Secretary-General's intention to maintain and utilize the fund established pursuant to resolution 794 (1992), and maintained in resolution 814 (1993), for the additional purpose of receiving contributions for the re-establishment of the Somali judicial and penal systems in addition to the establishment of the Somali police, other than for the cost of international staff;

13. *Urges* Member States, on an urgent basis, to contribute to that fund or otherwise to provide assistance for the re-establishment of the Somali police, judicial and penal systems, including personnel, financial support, equipment and training to help attain the objectives outlined in annex I to the report of the Secretary-General;

14. *Encourages* the Secretary-General to take the necessary steps to ensure continuation of the current police, judicial and penal programme from October to the end of December 1993 until additional funding from Member States is forthcoming, and to make recommendations as appropriate to the General Assembly;

15. *Requests* the Secretary-General to keep the Council fully informed on a regular basis on the implementation of the present resolution;

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

*Adopted unanimously at the 3280th meeting.*

## Decisions

In a letter dated 1 October 1993,<sup>24</sup> addressed to the President of the Security Council, the Secretary-General reported about the decision of the authorities of north-west Somalia ("Somaliland") that all United Nations personnel should withdraw from the region by 29 September 1993, a deadline which was later extended to 2 October 1993. A message to that effect had been communicated to the Secretary-General's Special Representative for Somalia, Admiral Jonathan Howe. Mr. Mohamed Ibrahim Egal, the "President" of "Somaliland", also had asked the Special Representative to inform him about the intention of

the United Nations towards the region, both in the political and economic areas. The Acting Zone Director had advised the United Nations Operation in Somalia II (UNOSOM II) that he expected the security situation for United Nations personnel in the north-west to deteriorate if Mr. Egal did not receive a reply to his communication to the Secretary-General's Special Representative. The United Nations Security Coordinator had concurred with this assessment. In view of the security concerns and given the fact that the mandate of UNOSOM II was under Chapter VII of the Charter, the Secretary-General sought the guidance of the Security Council on how to proceed on the matter.

In a letter dated 1 October 1993,<sup>25</sup> the President of the Security Council informed the Secretary-General as follows:

"The members of the Security Council have been apprised of the contents of your letter dated 1 October 1993 regarding the presence of UNOSOM II in north-west Somalia ('Somaliland')."<sup>24</sup>

"The members of the Council express the hope that UNOSOM II will be able in due course to continue its work under its mandate in north-west Somalia ('Somaliland') using all peaceful means for the benefit of the population there.

"The members of the Council are confident that you will take the necessary precautions for the safety and protection of all United Nations personnel deployed in north-west Somalia ('Somaliland')."

At its 3299th meeting, on 29 October 1993, the Council discussed the item entitled "The situation in Somalia: letter dated 28 October 1993 from the Secretary-General addressed to the President of the Security Council (S/26663)".<sup>26</sup>

## Resolution 878 (1993) of 29 October 1993

*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, 775 (1992) of 28 August 1992, 794 (1992) of 3 December 1992, 814 (1993) of 26 March 1993, 837 (1993) of 6 June 1993 and 865 (1993) of 22 September 1993,

*Having considered* the letter dated 28 October 1993 from the Secretary-General to the President of the Security Council,<sup>27</sup>

*Stressing* the need for all the parties in Somalia to exercise maximum restraint and to work towards national reconciliation,

*Expressing once again its commitment* to a future concerted strategy in Somalia for the United Nations Operation in Somalia II and, in that context, to the undertaking of an in-depth consideration of its humanitarian, political and security activities on the basis of the concrete suggestions to be submitted by the Secretary-General as requested in resolution 865 (1993),

<sup>25</sup> S/26527.

<sup>26</sup> See *Official Records of the Security Council, Forty-eighth Year, Supplement for October, November and December 1993.*

<sup>27</sup> Ibid., document S/26663.

<sup>24</sup> S/26526.

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

1. *Decides* to extend the mandate of the United Nations Operation in Somalia II for an interim period terminating on 18 November 1993;

2. *Requests* the Secretary-General, in his report to the Council concerning the further extension of the Operation's mandate, which should be submitted in good time before 18 November 1993, to report also on recent developments in Somalia in order to enable the Council to take appropriate decisions;

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

*Adopted unanimously at the 3299th meeting.*

#### **Decisions**

At its 3315th meeting, on 16 November 1993, the Council decided to invite the representative of Somalia to participate, without vote, in the discussion of the item entitled:

"The situation in Somalia:

"Report of the Secretary-General on the implementation of Security Council resolution 837 (1993) (S/26022);<sup>28</sup>

"Report pursuant to paragraph 5 of Security Council resolution 837 (1993) on the investigation into the 5 June 1993 attack on United Nations forces in Somalia conducted on behalf of the Secretary-General (S/26351)".<sup>29</sup>

#### **Resolution 885 (1993)** of 16 November 1993

*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, 775 (1992) of 28 August 1992, 794 (1992) of 3 December 1992, 814 (1993) of 26 March 1993, 837 (1993) of 6 June 1993, 865 (1993) of 22 September 1993, and 878 (1993) of 29 October 1993,

*Also reaffirming* its resolution 868 (1993) of 29 September 1993 on the need to ensure the safety and protection of United Nations personnel,

*Recognizing* the critical need for broad-based consultations among all parties and consensus on basic principles to achieve national reconciliation and the establishment of democratic institutions in Somalia,

*Stressing* that the people of Somalia bear the ultimate responsibility for achieving these objectives, and in this context noting in particular resolution 837 (1993), in which it condemned the 5 June 1993 attack on personnel of the United Nations Operation in Somalia II and called for an investigation,

*Noting* proposals made by Member States, and noting in particular proposals from the Organization of African Unity, including those in document S/26627 of 25 October 1993, in which the establishment of an impartial commission of inquiry is recommended to investigate armed attacks on the Operation,

*Having received and considered* the reports of the Secretary-General of 1 July and 24 August 1993<sup>28</sup> on the implementation of resolution 837 (1993),

1. *Authorizes* the establishment of a Commission of Inquiry, in further implementation of resolutions 814 (1993) and 837 (1993), to investigate armed attacks on personnel of the United Nations Operation in Somalia II which led to casualties among them;

2. *Requests* the Secretary-General, having conveyed his views to the Security Council, to appoint the Commission at the earliest possible time and to report to the Council on its establishment;

3. *Directs* the Commission to determine procedures for carrying out its investigation, taking into account standard United Nations procedures;

4. *Notes* that members of the Commission will have the status of experts on mission within the meaning of the Convention on the Privileges and Immunities of the United Nations,<sup>29</sup> which shall apply to the Commission;

5. *Urges* the Secretary-General to provide the Commission with all assistance necessary to facilitate its work;

6. *Calls* on all parties in Somalia fully to cooperate with the Commission;

7. *Requests* the Commission to report its findings through the Secretary-General to the Security Council as soon as possible, taking into consideration the need for a thorough inquiry;

8. *Requests* that the Secretary-General, under his authority in resolutions 814 (1993) and 837 (1993), pending completion of the report of the Commission, suspend arrest actions against those individuals who might be implicated but are not currently detained pursuant to resolution 837 (1993), and make appropriate provision to deal with the situation of those already detained under the provisions of resolution 837 (1993);

9. *Decides* to remain seized of this matter.

*Adopted unanimously at the 3315th meeting.*

#### **Decisions**

At its 3317th meeting, on 18 November 1993, the Council decided to invite the representatives of Ethiopia and Somalia to participate, without vote, in the discussion of the item entitled "The situation in Somalia: further report of the Secretary-General submitted in pursuance of paragraph 19 of resolution 814 (1993) and paragraph 5 of resolution 865 (1993) (S/26738)".<sup>26</sup>

#### **Resolution 886 (1993)** of 18 November 1993

*The Security Council,*

*Reaffirming* its resolutions 733 (1992) of 23 January 1992 and all subsequent relevant resolutions,

<sup>28</sup> Ibid., *Supplement for July, August and September 1993*, documents S/26022 and S/26351, respectively.

<sup>29</sup> General Assembly resolution 22 A (I) of 13 February 1946.