

11. *Urges* all States to refrain from any action which directly or indirectly could jeopardize the implementation of the Peace Accords, especially from providing any form of direct or indirect military assistance to the National Union, or any other support to the National Union inconsistent with the peace process;

12. *Expresses its readiness* to consider the imposition of measures under the Charter of the United Nations, including a mandatory embargo on the sale or supply to the National Union of arms and related *matériel* and other military assistance, to prevent it from pursuing its military actions, unless by 15 September 1993 the Secretary-General has reported that an effective cease-fire has been established and that agreement has been reached on the full implementation of the Peace Accords and relevant Security Council resolutions;

13. *Recognizes* the legitimate rights of the Government of Angola, and in this regard welcomes the provision of assistance to the Government in support of the democratic process;

14. *Welcomes* the steps taken by the Secretary-General to implement the emergency humanitarian assistance plan;

15. *Takes note* of statements by the National Union that it will cooperate in ensuring the unimpeded delivery of humanitarian assistance to all Angolans and demands that it act accordingly;

16. *Calls upon* all Member States, United Nations agencies and non-governmental organizations to respond swiftly and generously to the Secretary-General's appeal in implementation of the above-mentioned plan and to accord or increase humanitarian relief assistance to Angola, and encourages the Special Representative of the Secretary-General to continue to coordinate the provision of humanitarian assistance;

17. *Demands* that the National Union continue to extend its cooperation in ensuring the immediate evacuation of foreign nationals and their family members from Huambo and other locations which it has occupied;

18. *Reiterates its strong condemnation* of the attack by National Union forces on 27 May 1993 on a train carrying civilians, and reaffirms that such criminal attacks are clear violations of international humanitarian law;

19. *Reiterates its appeal* to both parties strictly to abide by applicable rules of international humanitarian law, including to guarantee unimpeded access for humanitarian assistance to the civilian population in need, and commends in particular the efforts of the Secretary-General and his Special Representative to establish agreed humanitarian relief corridors;

20. *Also reiterates its appeal* to both parties to take all necessary measures to ensure the security and safety of personnel of the United Nations Angola Verification Mission II, as well as of the personnel involved in humanitarian relief operations;

21. *Requests* the Secretary-General to submit to it as soon as the situation warrants, and in any case before 15 September 1993, a report on the situation in Angola with his recommendation for the further role of the United Nations in the peace process and, in the meantime, to keep the Council regularly informed of developments;

22. *Also requests* the Secretary-General to submit as soon as possible the budgetary implications of bringing the Mission up to its full strength as mandated in resolution 696 (1991);

23. *Decides* to remain seized of the matter.  
*Adopted unanimously at the 3254th meeting.*

## Decision

At its 3277th meeting, on 15 September 1993, the Council decided to invite the representatives of Angola, Egypt, Nigeria and Portugal to participate, without vote, in the discussion of the item entitled "The situation in Angola: further report of the Secretary-General on the United Nations Angola Verification Mission II (UNAVEM II) (S/26434 and Add.1)"<sup>14</sup>

### Resolution 864 (1993) of 15 September 1993

#### *The Security Council,*

*Reaffirming* its resolutions 696 (1991) of 30 May 1991, 747 (1992) of 24 March 1992, 785 (1992) of 30 October 1992, 793 (1992) of 30 November 1992, 804 (1993) of 29 January 1993, 811 (1993) of 12 March 1993, 823 (1993) of 30 April 1993, 834 (1993) of 1 June 1993 and 851 (1993) of 15 July 1993,

*Having considered* the further report of the Secretary-General of 13 and 14 September 1993,<sup>19</sup>

*Expressing grave concern* at the continuing deterioration of the political and military situation, and noting with consternation the further deterioration of an already grave humanitarian situation,

*Deeply concerned* that, despite its previous resolutions and the efforts undertaken by the Secretary-General and his Special Representative, the peace talks remain suspended and a cease-fire has not been established,

*Welcoming* the joint statement issued in Lisbon on 10 September 1993 by the representatives of Portugal, the Russian Federation and the United States of America,<sup>20</sup> the three observer States to the Angolan peace process,

*Welcoming also and supporting* to that end the efforts of the Secretary-General and his Special Representative aimed at the earliest resolution of the Angolan crisis through negotiations, and stressing the importance it attaches thereto,

*Welcoming further* the efforts of the Ad Hoc Committee on Southern Africa of the Organization of African Unity and of heads of State of neighbouring countries to facilitate the resumption of the peace process in Angola,

*Emphasizing* the importance of a continued and effective United Nations presence in Angola with a view to fostering the peace process and advancing the full implementation of the Peace Accords for Angola,

*Reaffirming its commitment* to preserve the unity and territorial integrity of Angola,

#### A

1. *Welcomes* the further report of the Secretary-General of 13 and 14 September 1993, and decides to extend the existing mandate of the

<sup>19</sup> Ibid., documents S/26434 and Add.1.

<sup>20</sup> Ibid., document S/26488.

United Nations Angola Verification Mission II for a period of three months, until 15 December 1993;

2. *Reiterates its readiness* to consider taking action promptly, at any time within the period of the mandate authorized by the present resolution, on the recommendation of the Secretary-General, to expand substantially the United Nations presence in Angola in the event of significant progress in the peace process;

3. *Reaffirms* the importance of the functions of good offices and mediation by the Mission and the Special Representative, with the goal of restoring a cease-fire and reinstating the peace process for the full implementation of the Peace Accords for Angola;

4. *Welcomes* the continued disposition of the Government of Angola to reach a peaceful settlement of the conflict in conformity with the Peace Accords and relevant resolutions of the Security Council;

5. *Reaffirms its recognition* of the legitimate rights of the Government of Angola and in this regard welcomes the provision of assistance to the Government in support of the democratic process;

6. *Reiterates once again its demand* that the National Union for the Total Independence of Angola accept unreservedly the results of the democratic elections of 30 September 1992 and abide fully by the Peace Accords;

7. *Condemns* the National Union for continuing military actions, which are resulting in increased suffering for the civilian population of Angola and damage to the Angolan economy, and again demands that it immediately cease such actions;

8. *Also condemns* the repeated attempts by the National Union to seize additional territory and its failure to withdraw its troops from the locations which it has occupied since the resumption of the hostilities, and demands once again that it immediately do so and agree without delay to return its troops to United Nations-monitored areas as a transitional measure pending full implementation of the Peace Accords;

9. *Reaffirms* that such occupation is a grave violation of the Peace Accords and is incompatible with the goal of peace through agreements and reconciliation;

10. *Stresses once again* the fundamental need to re-initiate without delay the peace talks under United Nations auspices with a view to the immediate establishment of a cease-fire throughout the country and the full implementation of the Peace Accords and Security Council resolutions;

11. *Takes note* of statements by the National Union that it is prepared to resume peace negotiations and demands that it act accordingly;

12. *Welcomes* the further steps taken by the Secretary-General to implement the emergency humanitarian assistance plan;

13. *Strongly condemns* the repeated attacks carried out by the National Union against United Nations personnel working to provide humanitarian assistance and reaffirms that such attacks are clear violations of international humanitarian law;

14. *Takes note* of statements by the National Union that it will cooperate in ensuring the unimpeded delivery of humanitarian assistance to all Angolans and demands that it act accordingly;

15. *Reiterates its appeal* to both parties to take all necessary measures to ensure the security and safety of personnel of the United Nations Angola Verification Mission II as well as of the personnel

involved in humanitarian relief operations, and strictly to abide by applicable rules of international humanitarian law;

16. *Demands* that the National Union proceed immediately to the release of all foreign citizens held against their will and to abstain from any action which might cause damage to foreign property;

## B

*Strongly condemning* the National Union for the Total Independence of Angola and holding its leadership responsible for not having taken the necessary measures to comply with the demands made by the Security Council in its previous resolutions,

*Determined* to ensure respect for its resolutions and the full implementation of the Peace Accords for Angola,

*Urging* all States to refrain from providing any form of direct or indirect assistance, support or encouragement to the National Union,

*Determining* that, as a result of the National Union's military actions, the situation in Angola constitutes a threat to international peace and security,

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

17. *Decides* that the provisions set forth in paragraphs 19 to 25 below shall come into force ten days after the date of adoption of the present resolution unless the Secretary-General notifies the Council that an effective cease-fire has been established and that agreement has been reached on the implementation of the Peace Accords and relevant Security Council resolutions;

18. *Decides also* that if, at any time after the submission of the above-mentioned report of the Secretary-General, the Secretary-General reports to the Council that the National Union for the Total Independence of Angola has broken the cease-fire or ceased to participate constructively in the implementation of the Peace Accords and the relevant Council resolutions, the provisions set forth in paragraphs 19 to 25 below shall come into force immediately;

19. *Decides further*, with a view to prohibiting all sale or supply to the National Union of arms and related *matériel* and military assistance, as well as petroleum and petroleum products, that all States shall prevent the sale or supply, by their nationals or from their territories or using their flag vessels or aircraft, of arms and related *matériel* of all types, including weapons and ammunition, military vehicles and equipment and spare parts for the afore-mentioned, as well as of petroleum and petroleum products, whether or not originating in their territory, to the territory of Angola other than through named points of entry on a list to be supplied by the Government of Angola to the Secretary-General, who shall promptly notify the Member States of the United Nations;

20. *Calls upon* all States, and all international organizations, to act strictly in accordance with the provisions of the present resolution, notwithstanding the existence of any rights or obligations conferred or imposed by any international agreement or any contract entered into or any license or permit granted prior to the date of adoption of the present resolution;

21. *Calls upon* States to bring proceedings against persons and entities violating the measures imposed by the present resolution and to impose appropriate penalties;

22. *Decides* to establish, in accordance with rule 28 of its provisional rules of procedure, 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 examine the reports submitted pursuant to paragraph 24 below;

(b) To seek from all States further information regarding the action taken by them with a view to effectively implementing the measures imposed by paragraph 19 above;

(c) To consider information brought to its attention by States concerning violations of the measures imposed by paragraph 19 and to recommend appropriate measures in response thereto;

(d) To make periodic reports to the Council on information submitted to it regarding alleged violations of the measures imposed by paragraph 19, identifying where possible persons or entities, including vessels, reported to be engaged in such violations;

(e) To promulgate guidelines that may be necessary to facilitate the implementation of the measures imposed by paragraph 19;

23. *Calls upon* all States to cooperate fully with the committee established by paragraph 22 above in the fulfilment of its tasks, including supplying such information as may be sought by the committee in pursuance of the present resolution;

24. *Requests* all States to report to the Secretary-General by 15 October 1993 on the measures they have adopted in order to meet the obligations set out in paragraph 19 above;

25. *Requests* the Secretary-General to provide all necessary assistance to the committee established by paragraph 22 above and to make the necessary arrangements in the Secretariat for this purpose;

26. *Expresses its readiness* to consider the imposition of further measures under the Charter of the United Nations, including, *inter alia*, trade measures against the National Union for the Total Independence of Angola and restrictions on the travel of its personnel, unless by 1 November 1993 the Secretary-General has reported that an effective cease-fire has been established and that agreement has been reached on the full implementation of the Peace Accords for Angola and relevant Security Council resolutions;

### C

27. *Expresses also its readiness* to review the measures in the present resolution if the Secretary-General reports to the Council that an effective cease-fire has been established and that substantial progress has been achieved towards the full implementation of the Peace Accords for Angola and relevant Council resolutions;

28. *Requests* the Secretary-General to submit to it as soon as the situation warrants, and in any case in good time before 1 November 1993 and again before 15 December 1993, a report on the situation in Angola and the implementation of the present resolution, with his recommendation for the further role of the United Nations in the peace process and, in the meantime, to keep the Council regularly informed of developments;

29. *Decides* to remain seized of the matter.

*Adopted unanimously at the 3277th meeting.*

### Decisions

At its 3302nd meeting, on 1 November 1993, the Council decided to invite the representative of Angola to participate, without vote, in the discussion of the item entitled "The situation in Angola: further report of the Secretary-General on the United Nations Angola Verification Mission II (UNAVEM II) (S/26644)".<sup>21</sup>

At the same meeting, following consultations held earlier with the members of the Security Council, the President made the following statement on behalf of the Council:<sup>22</sup>

"The Security Council has considered the report of the Secretary-General of 27 October 1993<sup>23</sup> submitted in response to paragraph 28 of resolution 864 (1993). It notes the exploratory talks in Lusaka under the auspices of the United Nations, to which both the Government of Angola and the National Union for the Total Independence of Angola (UNITA) have sent delegations. It affirms its complete support for the Secretary-General and his Special Representative in their efforts aimed at the earliest resolution of the Angolan crisis through negotiations within the framework of the Peace Accords for Angola and Security Council resolutions. It calls upon the Angolan parties to cooperate fully with the Secretary-General and his Special Representative to this end.

"The Council notes recent actions taken by both parties, including the lessening of hostilities, and considers it essential that the two parties take the necessary steps to resume direct negotiations towards a peaceful settlement and agree without delay on the modalities for an effective cease-fire in accordance with Council resolutions.

"The Council notes UNITA's communiqué of 6 October referred to in paragraph 11 of the report of the Secretary-General. It expresses its concern that the Secretary-General has reported that not enough progress has yet been made towards the full implementation of the Peace Accords and relevant Council resolutions. It demands that UNITA take the necessary steps to comply with its previous resolutions. It expresses its readiness to consider the immediate imposition of further measures under the Charter of the United Nations, including, *inter alia*, trade measures against UNITA and restrictions on the travel of UNITA personnel, at any time that it observes that UNITA is not cooperating in good faith to make the cease-fire effective and implement the Peace Accords and relevant Council resolutions, or upon a report from the Secretary-General to that effect.

"The Council expresses its grave concern at the serious deterioration in the humanitarian situation in Angola. It is encouraged, however, by the Secretary-General's report that the United Nations system, working with humanitarian agencies, has now been able significantly to increase the rate of delivery of relief aid to all parts of the country. It welcomes the resumption of humanitarian relief deliveries to the cities of Cuito and Huambo. It calls upon the parties to cooperate fully in ensuring the unimpeded delivery of humanitarian assistance to all Angolans throughout the country, to take all necessary measures to ensure the security and safety of United Nations and other personnel involved in humanitarian relief

<sup>21</sup> See *Official Records of the Security Council, Forty-eighth Year, Supplement for October, November and December 1993*.

<sup>22</sup> S/26677.

<sup>23</sup> *Official Records of the Security Council, Forty-eighth Year, Supplement for October, November and December 1993*, document S/26644.