



# Security Council

## SC/9396

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Security Council  
5933<sup>rd</sup> Meeting (PM)

### **SECURITY COUNCIL FAILS TO ADOPT SANCTIONS AGAINST ZIMBABWE LEADERSHIP**

#### **AS TWO PERMANENT MEMBERS CAST NEGATIVE VOTES**

A Security Council measure intended to impose sanctions against Zimbabwe's President Robert Mugabe failed today when two of the 15-member body's permanent members — China and the Russian Federation — voted against a draft resolution that would also have imposed an arms embargo on the country, as well as a travel ban and financial freeze against the President and 13 senior Government and security officials considered most responsible for the violent crisis there.

The result of the Council's vote was 9 in favour (Belgium, Burkina Faso, Costa Rica, Croatia, France, Italy, Panama, United Kingdom, United States), to 5 against (China, Libya, Russian Federation, South Africa, Viet Nam), with Indonesia abstaining.

The draft text would have determined, under Chapter VII of the United Nations Charter, that the situation in Zimbabwe posed a threat to international peace and security in the region, and would have demanded that the country's Government immediately cease attacks against and intimidation of opposition members and supporters, while beginning a "substantive and inclusive political dialogue" between the parties with the aim of arriving at a peaceful solution that "reflects the will of the Zimbabwean people and respects the results of the 29 March elections".

At the outset of the meeting, Zimbabwe's representative said his country was "at peace with itself and its neighbours", but the British and their allies had used their media to "viciously portray Zimbabwe as a lawless, disorderly and undemocratic country". There had been adverse, over-dramatized reports of inter-party violence, but only 10 per cent of the country had witnessed some violence, which did not justify tabling the draft resolution. Zimbabwe had suffered under sanctions imposed by the United States and the European Union, which had caused much suffering to the people and put the economy under siege. "The current sanctions are basically an expression of imperialist conquest and no amount of propaganda or denial can ever wish this away."

He continued: "This resolution is a clear abuse of Chapter VII, as it seeks to impose sanctions under the pretext that the country is now a threat to international peace and security, simply because the elections held did not bring out a result favourable to the UK and her allies." Moreover, adoption of the text would disregard Africa's position. "Trying to impose a solution from outside will be unfair to Zimbabweans, to SADC (the Southern African Development Community) and to the African Union. Zimbabwe's problems can be solved by Africans working together," he said.

The representative of the Russian Federation said there had lately been some attempts to take the Council beyond its Charter prerogatives of maintaining international peace and security. Such illegitimate and dangerous attempts could "unbalance" the whole United Nations system.

Stressing that the differences in Zimbabwe could not be resolved by artificially elevating them to the level of a threat against peace and security, he called such action excessive. The draft was an attempt to interfere in the country's internal affairs and ignored the dialogue launched between the parties. Mediation efforts by President Thabo Mbeki of South Africa and Jose Eduardo dos Santos of Angola were under way, and the draft resolution's co-sponsors had not considered the position of regional States, which were calling for the continued search for a solution.

The representative of the United States expressed disappointment with the fact that the

Council had been prevented from adopting a strong resolution condemning and sanctioning the violent regime of Robert Mugabe. “China and Russia stand with Mugabe against the people of Zimbabwe. A majority of the Council stand with the people of Zimbabwe.”

Recalling that the Russian Federation had only recently supported the Group of Eight (G-8) statement recommending the appointment of a special envoy of the Secretary-General and further steps, including financial measures, he said the Russian U-turn was particularly disturbing. “The Russian performance has raised questions about its reliability as a G-8 partner.” There should be no doubt that the situation in Zimbabwe affected security and stability in the region. No serious substantive negotiations were under way between the Mugabe regime and the opposition. The draft would have supported, not undercut, regional and international mediation efforts.

The representative of South Africa said talks were continuing in his country as the Zimbabwean political parties continued their search for a political solution to the challenges they faced. The African Union had expressed deep concern about the situation in Zimbabwe, but had not called for sanctions. Instead, it had “appealed to States and all parties concerned to refrain from any action that may negatively impact on the climate for dialogue”. The Zimbabwean parties’ commitment to dialogue was encouraging. It would lead to the improvement of the humanitarian and economic situation, thereby contributing to a better life for all Zimbabweans.

Burkina Faso’s representative said Africa’s history had shown instances of a small spark causing great conflagrations, adding that the situation in Zimbabwe should, therefore, be regarded as a potential danger and a threat to peace in Southern Africa. In order to prevent the conflict from spreading to the wider subregion, the African Union had encouraged the leaders of the parties to engage in dialogue in order to achieve peace and democracy. Burkina Faso endorsed that initiative, but as a member of the Council, it must shoulder its responsibility regarding any threat to international peace and security.

Echoing other members who had voted in favour of the text, France’s representative said the situation in Zimbabwe threatened to destabilize Southern Africa. While supporting mediation efforts by SADC and President Mbeki, France noted that the 29 March elections had seen victory go to Morgan Tsvangirai and his opposition Movement for Democratic Change (MDC) party. In order for a true dialogue to begin, pressure was necessary to protect the people. France and other European Union member States, therefore, supported a reversible sanctions regime and also called for an arms embargo.

Other speakers today were representatives of Libya, Indonesia, Viet Nam, United Kingdom, Costa Rica, Croatia, China, Belgium, Panama and Italy.

Also addressing the Council were representatives of Angola (in his capacity as Chair of the SADC Organ on Politics, Defence and Security Cooperation) and the United Republic of Tanzania, in addition to the Permanent Observer of the African Union.

The meeting began at 4:10 p.m. and ended at 5:50 p.m.

### Background

The Security Council met this afternoon to consider peace and security in Africa and take action on a draft resolution concerning the situation in Zimbabwe (document S/2008/447). The text – co-sponsored by Australia, Belgium, Canada, Croatia, France, Italy, Liberia, New Zealand, Netherlands, Sierra Leone, United Kingdom and the United States – reads as follows:

*“The Security Council,*

*“Affirming* its commitment to the independence and territorial integrity of Zimbabwe,

*“Reaffirming* the statement of its President of 23 June 2008 concerning the situation in Zimbabwe (S/PRST/2008/23),

*“Reaffirming* the 2005 World Summit Outcome Document that acknowledges that peace and security, development

and human rights are the pillars of the United Nations system and the foundations for collective security and well being, and recognizing that development, peace and security and human rights are interlinked and mutually reinforcing,

*“Recalling*

the African Union resolution on Zimbabwe of 1 July 2008, which expressed its concern with the loss of life and violence in Zimbabwe, the need to prevent a worsening of the situation to avoid the spread of the conflict across the subregion, the need to create an environment conducive for democracy, and which encouraged Zimbabwean leaders to initiate dialogue with a view to promoting peace, stability, democracy and reconciliation,

*“Recalling* the statements of the Southern African Development Community (SADC), Pan-African Parliament, and African Union Observer missions to Zimbabwe on 29 June 2008, which found that the elections fell short of accepted African Union standards, did not give rise to free, fair or credible elections, and did not reflect the will of the Zimbabwean people,

*“Expressing strong concern*

at the irregularities during the 27 June presidential election, the violence and intimidation perpetrated in the run up to the election that made impossible the holding of free and fair elections, and the creation of an environment that did not permit international election observers to operate freely before and during the 27 June vote,

*“Expressing strong concern*

over the grave humanitarian situation in Zimbabwe which has been exacerbated by the Government of Zimbabwe’s misuse of food aid as a political tool and its suspension of humanitarian relief programmes, conducted by international and non-governmental organizations, and that this suspension is depriving the Zimbabwean people, in particular vulnerable people, including those displaced by violence and women, children and orphans, of basic humanitarian assistance,

*“Condemning*

the violence and loss of life that has caused the displacement of thousands of Zimbabweans, many of whom have been driven to take refuge in neighbouring countries,

*“Condemning also* the arbitrary arrests, restrictions on the right of assembly, seizure of vehicles, threats, intimidation and violence directed against supporters of the opposition political party, as well as the repeated detention of its leaders,

*“Taking note*

of the statements and expressions of concern by African regional organizations and current and former Heads of State about the impact of the situation in Zimbabwe on the stability of the wider region, and expressing its grave concern over that impact,

*“Recognizing*

that the destabilizing impact of the situation in Zimbabwe on the wider region is reflected in the burden placed on States in the region by the presence of Zimbabwean economic migrants and refugees,

*“Recalling*

its resolution 1809 (2008) on peace and security in Africa, and reaffirming its support for Southern African Development Community and African Union efforts to resolve the crisis in Zimbabwe in such a way that reflects the will of the Zimbabwean people as expressed in the 29 March elections, and calling on the Government of Zimbabwe to cooperate with these efforts,

*“Reaffirming*

its support for the good offices mission of the Secretary-General, led by Assistant Secretary-General Haile Menkerios, and expressing strong support for the continuing efforts of the Secretary-General and his representatives,

*“Urging*

all parties to immediately take the necessary steps to prevent and put an end to abuses of human rights and *underlining* that those responsible for such abuses should be held accountable,

*“Determining*

that the situation in Zimbabwe poses a threat to international peace and security in the region,

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

“1. *Condemns*

the Government of Zimbabwe’s campaign of violence against the political opposition and the civilian population, which has resulted in scores of deaths, thousands of injuries, and displacement of thousands of civilians, making it impossible for a free and fair election to occur, and expresses strong concern with the decision of the Government of Zimbabwe to go forward with the 27 June elections;

“2. *Demands* that the Government of Zimbabwe:

(a) Immediately cease attacks against and intimidation of opposition members and supporters, including those by non-government agents affiliated with the ZANU-PF party, and in particular end the abuse of human rights, including widespread beatings, torture, killings, sexual violence, and displacement, and release all political prisoners;

(b) Begin without delay a substantive and inclusive political dialogue between the parties with the aim of arriving at a peaceful solution that reflects the will of the Zimbabwean people and respects the results of the 29 March elections;

(c) Accept the good offices offered by the African Union, the Southern African Development Community, and the Secretary-General, giving such representatives full access to the country, security, and all requested authority over negotiation processes;

(d) Cooperate fully with investigations of the political violence experienced by the country between March and June 2008 and hold accountable those who have carried out abuses of human rights;

(e) End immediately all restrictions on international humanitarian assistance and support international aid organizations’ access to all parts of the country for distribution of food, medical assistance, and other humanitarian aid;

“3. *Requests*

the Secretary-General to appoint as soon as possible an individual of international standing and expertise to serve as his Special Representative on the situation in Zimbabwe who would:

(a) support the negotiation process between the political parties in Zimbabwe;

(b) report to the Council on the political, humanitarian, human rights and security situation in Zimbabwe;

“4. *Decides*

that all Member States shall take the necessary measures to prevent the direct or indirect supply, sale or transfer to Zimbabwe, through their territories or by their nationals, or using their flag vessels or aircraft, and whether or not originating in their territories, of arms or related material of all types, including weapons and ammunition, military vehicles and equipment, paramilitary equipment, and spare parts for the aforementioned;

“5. *Decides also*

that all Member States shall also take the necessary measures to prevent any provision to Zimbabwe by their nationals or from their territories of technical assistance or training, financial assistance, investment, brokering or other services, and the transfer of financial resources or services, related to the supply, sale, transfer, manufacture or use of the items specified in paragraph 4 above;

“6. *Decides further* that the measures imposed by paragraphs 4 and 5 above shall not apply to:

(a) Supplies of non-lethal military equipment intended solely for humanitarian or protective use, and related technical assistance or training; and

(b) Supplies of protective clothing, including flak jackets and military helmets, for the personal use of United Nations personnel, representatives of the media and humanitarian and development workers and associated personnel;

“7. *Decides*

that all States shall take the following measures with respect to individuals and entities designated in the Annex to this resolution or designated by the Committee established pursuant to paragraph 10 below (“the Committee”) as having engaged in or provided support for actions or policies to subvert democratic processes or institutions in Zimbabwe since May 2005, including having ordered, planned, or participated in acts of politically motivated violence, or as providing support to individuals or entities designated pursuant to this paragraph:

(a) prevent the entry into or transit through their territories of these individuals, provided that nothing in this paragraph shall obligate a State to refuse entry into or require departure from its territory of its own nationals;

(b) freeze without delay all funds, other financial assets and economic resources that are in their territories on the date of adoption of this resolution or at any time thereafter, that are owned or controlled, directly or indirectly, by these individuals or entities, or by individuals or entities acting on their behalf or at their direction, and ensure that no funds, other financial assets or economic resources are made available by their nationals or by any persons within their territories to or for the benefit of such individuals or entities;

“8. *Decides*

that the measures imposed by paragraph 7 (a) above do not apply where the Committee determines on a case-by-case basis that such travel is justified on the ground of humanitarian need, including religious obligation, or where the Committee concludes that an exemption would otherwise further the objectives of this resolution;

“9. *Decides*

that the measures imposed by paragraph 7 (b) of this resolution do not apply to funds, other financial assets or economic resources that have been determined by relevant States:

(a) to be necessary for basic expenses, including payment for foodstuffs, rent or mortgage, medicines and medical treatment, taxes, insurance premiums, and public utility charges or exclusively for payment of reasonable professional fees and reimbursement of incurred expenses associated with the provision of legal services, or fees or service charges, in accordance with national laws, for routine holding or maintenance of frozen funds, other financial assets and economic resources, after notification by the relevant States to the Committee of the intention to authorize, where appropriate, access to such funds, other financial assets or economic resources and in the absence of a negative decision by the Committee within three working days of such notification;

(b) to be necessary for extraordinary expenses, provided that such determination has been notified by the relevant States to the Committee and has been approved by the Committee; or

(c) to be the subject of a judicial, administrative or arbitral lien or judgement, in which case the funds, or other financial assets and economic resources may be used to satisfy that lien or judgement provided that the lien or judgement was entered prior to the date of the present resolution, is not for the benefit of a person or entity designated by the Committee pursuant to paragraph 7 above, and has been notified by the relevant States to the Committee;

“10. *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:

(a) to seek from all States, in particular those in the region, information regarding the actions taken by them to implement effectively the measures referred to in paragraphs 4, 5 and 7 of this resolution and whatever further information it may consider useful in this regard;

(b) to examine and take appropriate action on information regarding alleged violations of measures imposed by paragraphs 4, 5 and 7 of this resolution;

(c) to designate individuals and entities subject to the measures imposed by paragraph 7 of this resolution;

(d) to consider and decide upon requests for exemptions set out in paragraphs 8 and 9 of this resolution;

(e) to establish guidelines as may be necessary to facilitate the implementation of the

measures imposed by this resolution;

(f) to report at least every 90 days to the Security Council on its work and on the implementation of this resolution, with its observations and recommendations, in particular on ways to strengthen the effectiveness of the measures imposed in this resolution;

(g) to assess reports from the Panel of Experts established pursuant to paragraph 11 below, and from Member States on specific steps they are taking to implement the measures imposed by paragraphs 4, 5 and 7 above;

(h) to encourage a dialogue between the Committee and interested Member States, in particular those in the region, including by inviting representatives of such States to meet with the Committee to discuss implementation of the measures;

*“11. Requests*

the Secretary-General to establish, within 30 days of the adoption of this resolution, in consultation with the Committee, for a period of twelve months a Panel of Experts comprised of four members with the range of expertise necessary to fulfil the Panel’s mandate described in this paragraph, to operate under the direction of the Committee to undertake the following tasks:

(a) to assist the Committee in monitoring implementation of the measures in paragraphs 4, 5 and 7 of this resolution, and to make recommendations to the Committee on actions the Council may want to consider; and

(b) to provide a midterm briefing on its work to the Committee, and an interim report no later than 90 days after adoption of this resolution, and a final report no later than 30 days prior to the termination of its mandate to the Council through the Committee with its finding and recommendations;

*“12. Expresses*

its readiness to review the measures imposed in paragraphs 4, 5, and 7 of this resolution in 12 months following the date of adoption of this resolution or sooner if before such time an inclusive political settlement is agreed, which respects the will of the Zimbabwean people and the results of the 29 March 2008 elections;

*“13. Requests*

the Secretary-General to submit a report to the Council regarding the situation in Zimbabwe, whether the Government of Zimbabwe has complied with the demands in paragraph 2 above, and what additional measures may contribute to improving the security, humanitarian, and human rights situation in Zimbabwe;

*“14. Decides*

that all States shall report to the Committee established by the Council within 90 days of the adoption of this resolution on the steps they have taken with a view to implementing effectively the measures imposed in paragraphs 4, 5 and 7 above;

*“15. Decides to remain seized of the matter.”*

**Resolution Annex**

1. Mugabe, Robert  
(Member/Head of Government responsible for activities that seriously undermine democracy, repress human rights and disrespect the rule of law)
2. Chiwenga, Constantine  
(Member of security forces who directed repressive State policy and has committed human rights abuses)
3. Mnangagwa, Emmerson  
(Member of Government responsible for activities that seriously undermine democracy, repress human rights and disrespect the rule of law)
4. Gono, Gideon  
(Reserve Bank Governor who is responsible for funding repressive State policies)
5. Chihuri, Augustine  
(Member of security forces who bears wide responsibility for serious violations of the freedom of peaceful assembly)

6. Chinamasa, Patrick  
(Member of Government responsible for activities that seriously undermine democracy, repress human rights and disrespect the rule of law)
7. Shiri, Perence  
(Member of security forces complicit in forming or directing oppressive State policy)
8. Parirenyatwa, David  
(Member of Government responsible for activities that seriously undermine democracy, repress human rights and disrespect the rule of law)
9. Mutasa, Didymus  
(Member of Government responsible for activities that seriously undermine democracy, repress human rights and disrespect the rule of law)
10. Charamba, George  
(Member of Government complicit in forming or directing oppressive State policy)
11. Zimondi, Paradzi  
(Member of security forces complicit in forming oppressive State policy)
12. Bonyongwe, Happyton  
(Member of security forces complicit in forming or directing oppressive State policy)
13. Sekeremayi, Sydney Tigere  
(Member of Government complicit in forming or directing oppressive State policy)
14. Made, Joseph Mtakwese  
(Member of Government complicit in forming or directing oppressive State policy)

### Statements

BONIFACE G. CHIDYAUSIKU ( Zimbabwe), speaking before action, said that his country, at peace with itself and its neighbours, posed absolutely no threat to international peace and security. Zimbabwe had been a victim of incessant meddling, including through declared and undeclared economic sanctions, merely because the Government had embarked upon a process of equitable land distribution after the former colonial Power had reneged on its responsibilities. The British and their allies had used their media to “viciously portray Zimbabwe as a lawless, disorderly and undemocratic country”. The root cause of the crisis, land ownership, had been lost in the hype about so-called human rights violations.

He said there had been adverse, over-dramatized reports of inter-party violence, but only 10 per cent of the country had witnessed some violence, which did not justify the tabling of the resolution. The cases of those who had claimed to be victims of political violence would be investigated and the law would take its course. It was astounding that some Western Powers were pushing for more sanctions. Zimbabwe had suffered from sanctions imposed by the United States and the European Union, which had caused much suffering to the people. The world was made to believe that Mr. Mugabe’s policies had precipitated the economic problems, but sanctions had put the economy under siege. Many people were moving to neighbouring countries in search of greener pastures. It would be the first time that the movement of people seeking opportunity elsewhere had been used as a reason for Chapter VII sanctions. “The current sanctions are basically an expression of imperialist conquest and no amount of propaganda or denial can ever wish this away.”

Political dialogue was ongoing between the contending parties, he said, adding that President Mugabe had reached out to the opposition and called for all political parties to enter into a comprehensive inter-party dialogue sooner rather than later. Reconciliation was not a new concept to Zimbabwe, which fully welcomed the recent African Union resolution. In line with the mandate from the Southern African Development Community (SADC) and supported by the African Union, President Thabo

Mbeki had been in Zimbabwe over the weekend to consult with President Mugabe and the political parties on charting the way forward. Any separate initiatives would be counterproductive and serve to undermine the role of SADC and President Mbeki.

He continued: “This resolution is a clear abuse of Chapter VII, as it seeks to impose sanctions under the pretext that the country is now a threat to international peace and security simply because the elections held did not bring out a result favourable to the UK and her allies.” It was not the role of the Council to certify the national elections of a Member State. “Zimbabweans have a right to choose their own leaders.” Seven African leaders who had attended the Group of Eight (G-8) Summit had stated that sanctions were not the way forward and expressed the view that Zimbabwe was not a threat to regional peace and security. Adoption of the text would be in disregard of Africa’s position. “Trying to impose a solution from outside will be unfair to Zimbabweans, to SADC and to the AU. Zimbabwe’s problems can be solved by Africans working together,” he said.

DUMISANI KUMALO ( South Africa) said talks were continuing in his country as the Zimbabwean political parties continued the search for a political solution to the challenges they faced, complicated by the holding of an election that had been preceded by violence and political intimidation. That had resulted in a process that was unfair and declared not transparent by observers from SADC, the African Union and the Pan-African Parliament. South Africa had been appointed as facilitator at the SADC Extraordinary Summit of Heads of State and Government of the Organ on Politics, Defence and Security Cooperation in the United Republic of Tanzania on 28-29 March 2007. At the time, the Summit had appealed for the lifting of all forms of sanctions against Zimbabwe.

The African Union Assembly of Heads of State and Government, in its extraordinary session on 30 June–1 July 2008 in Sharm el-Sheikh, Egypt, had expressed deep concern about the situation in Zimbabwe, he continued. However, when considering the matter, the African Union Summit had not called for sanctions against Zimbabwe. Instead, it had “appealed to States and all parties concerned to refrain from any action that may negatively impact on the climate for dialogue”. The Summit had also decided “to encourage President Mugabe and MDC leader Morgan Tsvangirai to honour their commitments to initiate dialogue, with a view to promoting peace, stability, democracy and reconciliation of the Zimbabwe people”.

He said the Summit had also expressed its appreciation to SADC and its Organ for Politics, Defence and Security Cooperation, as well as the facilitator of the intra-Zimbabwe dialogue, Thabo Mbeki, President of South Africa, and Jean Ping, Chair of the African Union Commission, for the ongoing work aimed at reconciling all political parties. Accordingly, South Africa, as a member of both SADC and the African Union, was obliged to follow the decision of those regional bodies. For that reason, the South African delegation would vote against the draft. Nonetheless, the Zimbabweans parties’ commitment to dialogue was encouraging. It would lead to the improvement of the humanitarian and economic situation, thereby contributing to a better life for all Zimbabweans. The Security Council must give space for implementation of the African Union Summit’s decision.

IBRAHIM O. A. DABBASHI (Libya) said his country was concerned about the situation in Zimbabwe, and was striving, in cooperation with the African Union and its member States, to defuse the crisis, in keeping with the decisions of the African Union at its recent Summit in Egypt, which had confirmed the complex nature of the situation and expressed concern about it. At the same time, the Summit had expressed appreciation to the President of South Africa and the Chair of the African Union Commission for their efforts to bring about reconciliation in Zimbabwe. The Summit had adopted a decision expressing a wish for resumed dialogue and the formation of a Government of national unity. Talks were under way, with the facilitation of President Mbeki, and Libya was glad that the dialogue had resumed yesterday.

The African Union had decided to support SADC’s efforts and recommended that those efforts should continue to assist in resolving the problem, he continued. The African Union had appealed to the parties to avoid any action likely to have a negative impact on the climate of dialogue. Zimbabwean people were capable of resolving their own problems, given the united support of SADC, the African Union and the international community at large. SADC and the African Union now supported the Zimbabwean people as they strove to preserve national unity and territorial integrity. However, the draft before the Council did not serve those objectives. It conflicted with Article 52 of the Charter concerning regional groupings and especially paragraph 3, which provided that the Security Council encourage the peaceful settlement of local disputes through such regional arrangements, either on the initiative of the States concerned or through reference by the Security Council.

The draft was based on the assumption that the situation in Zimbabwe represented a threat to peace and security in the region, he said. That assumption was undermined by the fact that the dispute was between Zimbabwean parties and the neighbouring countries had affirmed that the situation in no way threatened peace and security in the region. That was why the situation did not fall under the Council’s purview. The draft was also a violation of Zimbabwe’s sovereignty and interfered in its internal affairs. Its first paragraph deliberately neglected any reference to Zimbabwe’s sovereignty, especially since Council resolutions had always confirmed its adherence to the principle of sovereignty and territorial integrity of States.

Imposing sanctions on Zimbabwe would be an obstacle to African efforts, through SADC, to resolve the crisis. Sanctions would have serious consequences for the people of Zimbabwe and create a climate of tension, which would not be conducive to finding a solution. They would be contrary to the international consensus that sanctions were a measure of last resort, once other measures had been exhausted. Libya feared that one of the parties would regard the resolution as

support for its position. That might empower that party to step up its demands and prompt it to refuse to enter into dialogue. Libya, whose leadership had always worked for the consolidation of the African Union and striven to resolve African conflicts in the context of African good offices, could not approve the draft before the Council and would vote against it.

MICHEL KAFANDO ( Burkina Faso ) said Africa's history had shown instances of a small spark causing great conflagrations. The situation in Zimbabwe should, therefore, be regarded as a potential danger and a threat to peace in Southern Africa. The second round of elections had been marked by intimidation and violence, compromising the honesty of the balloting and the results. According to observers for SADC, the African Union and the Pan-African Parliament, the elections had not been fair or credible and did not reflect the wishes of the Zimbabwean people.

In order to prevent the conflict from spreading to the wider subregion, the African Union had encouraged the leaders of the parties to engage in dialogue in order to achieve peace and democracy, he said. Burkina Faso endorsed that initiative, but, as a member of the Council, it must shoulder its responsibility regarding any threat to international peace and security. Keeping in mind the fact that the draft resolution provided for an arms embargo designed to prevent a large-scale military conflict, Burkina Faso would vote in favour of the draft resolution. Its adoption would neither compromise nor undermine any move to bring about a fair settlement. It could, on the contrary, help encourage the parties to agree, as soon as possible, to a consensus political settlement.

HASAN KLEIB ( Indonesia ) underlined the significance of the negative reports by observers for SADC, the African Union and the Pan-African Parliament on the presidential run-off election of 27 June. Clearly, the conduct of that election had to be undertaken in a free and fair manner. Indonesia had been appalled by the political violence, intimidation and loss of life that had occurred, and was also concerned about the dire humanitarian situation. It was fervently to be hoped that the people of Zimbabwe would be able to resolve the difficult situation they faced in a peaceful and democratic manner, and in accordance with their country's constitutional process. Zimbabwe's leaders, in particular, must recognize the burden of responsibility on their shoulders and leave no stone unturned in the quest to extricate their country from its present predicament. In that endeavour, the Zimbabwean people deserved international support.

Acknowledging and reaffirming the pivotal role of SADC, the facilitator of the intra-Zimbabwe dialogue and the African Union, he said the recently concluded African Union Summit in Sharm el-Sheikh had been unequivocal in its support for dialogue and reconciliation. The Security Council, in synergy with regional efforts, must also support the people of Zimbabwe in tackling the challenges before them. The promotion of peace, stability, reconciliation and democracy should guide its endeavours. In that, one could not overemphasize the importance of the Council working together with SADC and the African Union. Indonesia emphasized the importance of Council unity and common purpose in addressing the issue. The Council had proven able to speak with one voice through its presidential statement of 23 June, and it was preferable that all Council decisions on the matter be made in the same spirit.

Expressing deep regret that insufficient time had been allocated to discussing the draft and that flexibility had not been exercised fully to enable all Council members to engage fully in trying to reach a compromise, he said any action by the Council must serve to promote dialogue and reconciliation in Zimbabwe. It must provide encouragement and incentives for the political leaders to set aside their differences and place national interest above anything else. The Council must also act in synergy with, and build on, regional efforts to address the issue. In short, the Council must exert a positive influence and contribute to the establishment of sufficient space, the necessary conducive atmosphere, to allow dialogue to succeed. At the present juncture, Indonesia doubted whether the measures contained in the draft would promote dialogue. Applying sanctions would also jeopardize ongoing mediation efforts by regional organizations and neighbouring countries. For those reasons, Indonesia would abstain from the vote.

Council President LE LUONG MINH ( Viet Nam ), speaking in his national capacity, said that his country, although concerned about the situation, did not consider the situation a threat to international peace and security, which was a view shared by a great majority of Member States. The situation was, therefore, not in the Council's mandated purview. Subjecting Zimbabwe to sanctions would not only fail to facilitate measures to find a solution, but also constitute an intervention in the internal affairs of a sovereign State. Viet Nam could therefore not support the draft.

#### Action

The Council then proceeded to take action on the draft resolution. The result of the vote was 9 in favour to 5 against ( China, Libya, Russian Federation, South Africa, Viet Nam), with 1 abstention ( Indonesia). Due to a negative vote by a permanent member, the Council did not adopt the draft resolution.

### Statements

JOHN SAWERS ( United Kingdom ) recalled that, some days ago, the Deputy Secretary-General had said that the situation in Zimbabwe was a challenge to the world. Today, the Council had failed to rise to that challenge. It had failed to shoulder its responsibility to do what it could to prevent a national situation deepening and spreading to other countries. The draft resolution did not represent a judgement on the recent elections. That judgement had been given in the presidential statement of 23 June (See Press Release [SC/9369](#)). Local and regional observers had made clear that the election outcome had not been free and fair, that it did not respect the will of the people and that the March elections must be respected.

While supporting President Mbeki's efforts, he said those efforts had, so far, come to naught. The text was not a foray into internal affairs. History had shown that, in Africa, political violence in one country often had consequences for neighbouring countries. Today, the Council had missed an opportunity to impose a legal obligation on President Mugabe to end the violence and to strengthen mediation efforts by the addition of a United Nations envoy. The Council had missed an opportunity to back up mediation efforts with more than words, as the targeted sanctions would be lifted once a settlement had been achieved. The Council had missed an opportunity to impose an arms embargo. The last thing Zimbabwe needed was more arms.

He said the resolution had only failed because of a veto by China and the Russian Federation. Russia's action was inexplicable, in light of its statement at the G-8 Summit, where it had recommended a United Nations envoy and steps against individuals responsible for the situation. The United Kingdom viewed the decision by China and the Russian Federation as deeply damaging to the long-term interests of the Zimbabwean people. Zimbabwe not only faced a political crisis, but also a humanitarian one, for which the authorities were responsible. The Council had failed to require Mr. Mugabe to allow humanitarian aid. Because the people of Zimbabwe must be allowed to find their own way forward, the outcome of the March elections must be respected. A new way forward must now be found, because the Zimbabwean people must be given hope that an end to their suffering was in sight. The Council had failed to give them that hope.

VITALY CHURKIN ( Russian Federation ) said that, in his irresponsible and factually inaccurate statement, the representative of the United Kingdom had interpreted the Russian position with reference to the position of the G-8. At the G-8, however, there had been no reference to the actions of the Security Council.

Turning to the outcome of today's vote, he said it had been largely predictable, due to a number of circumstances. Lately, there had been some obvious attempts to take the Council beyond its Charter prerogatives of maintaining international peace and security. Such illegitimate and dangerous attempts could "unbalance" the whole United Nations system, and the Russian Federation intended to counter such trends, so that all States complied firmly with the Charter.

The differences in Zimbabwe could not be resolved by artificially elevating them to the level of a threat against peace and security, he continued. Such action had no foundation and was excessive. The draft was an attempt to interfere in the internal affairs of a country and ignored the dialogue launched between the parties. Mediation efforts by the Presidents of South Africa and Angola were under way, and the draft's co-sponsors had not considered the position of regional States that were calling for a continued search for a solution. The text had, in fact, ignored a consensus decision of the African Union, which appealed to all parties to refrain from any actions that could have a negative impact on the promotion of dialogue. Adopting the text could lead to a worsening of the situation in the region and exacerbate existing problems. The co-sponsors had been warned about that by the countries of the region.

Reiterating that his delegation had voted against the draft, he said that, by not heeding the voices of the "sceptical and the disagreeing", the co-sponsors had missed an opportunity to coordinate the Council response, which would have promoted dialogue and found a way out of the current crisis. At the same time, the failure to adopt the draft did not mean the issue was outside the realm of international attention. The Russian Federation called on the leaders of Zimbabwe and the opposition to continue their dialogue in order to find a formula for a political settlement in the shortest possible time.

JEAN-MARIE RIPERT ( France) recalled that, on 23 June, the Council had stated that conditions were not present for fair elections in Zimbabwe. The Government had not heeded appeals by the international community and the elections had been a parody. Political violence continued and a growing number of refugees were fleeing the country. The situation threatened to destabilize Southern Africa. France supported mediation efforts by SADC and President Mbeki, but noted that the 29 March elections had seen victory go to Mr. Tsvangirai and his party. In order for a true dialogue to begin, pressure was necessary to protect the people. France and other member States of the European Union, therefore, supported a reversible sanctions regime and also called for an arms embargo. With the draft resolution having garnered nine votes in favour, it was now important to ensure the victory of democracy in Zimbabwe.

SAÚL WEISLEDER ( Costa Rica) said his delegation had voted in favour of the text because the situation in Zimbabwe represented a threat to international peace and security. During preceding months, Costa Rica had underscored the role of regional organizations and hoped the situation could be resolved through those channels. However, the levels of violence and intimidation were far from decreasing and, in fact, were increasing. The alarming humanitarian situation, the unwillingness of the Government to accept the view of the Council, the international community and its own people had led Costa Rica to support the draft.

Fair and just elections were essential for the protection of human rights and the rule of the law, he continued. Despite the will of the international community, the Government of Zimbabwe had decided to go ahead with the elections, which did not meet even minimum requirements for fair elections. That was the view of the regional bodies that had sent observers. Given those circumstances, the official results did not reflect the wishes of the Zimbabwean people and, for that reason, a large number of countries, including several neighbouring ones, did not recognize the legitimacy of the elections or Mugabe.

He said he supported the imposition of sanctions, but the Council must implement clear procedures and parameters for their application. In paragraph 12 of the draft, the Council should have clearly expressed its readiness to review the measures imposed if an inclusive political settlement was agreed. Those words would have made it clear that the sanctions were not punitive. Hopefully, the country's leadership would heed the will of the international community and its own people and enter into negotiations to reach a political solution, even though the draft resolution had not been adopted. Also, given the continuing serious violations of human rights, Costa Rica welcomed the inclusion of language on the need to establish responsibility for such abuses.

A distinctive feature of Zimbabwe's case was the total lack of respect for the wishes of the people, expressed in legitimate elections, he said. The Security Council had considered the lack of democracy as justification for action in Haiti and Sierra Leone. Given the characteristics of Zimbabwe's case, the Council should have undertaken something new and established a precedent. Costa Rica would have welcomed such an innovation. Given that an explanation had been provided by those who had exercised the right of veto today, it was to be hoped that democracy would return soon to Zimbabwe.

NEVEN JURICA ( Croatia) said a majority of Council members had voted in favour of the draft resolution, but regrettably, due to a veto, it had not been adopted. Council action would have been timely, not only because the situation was a clear-cut case for conflict prevention, but also because the worsening of the political and humanitarian situation represented a threat to international peace and security. The proposed measures had never been aimed at the people of Zimbabwe, only against those responsible for the violence and intimidation used against those people. Sanctions would have contributed to the stabilization of the situation in the country and the wider region. Croatia, therefore, deplored the results of today's vote.

GUANGYA WANG ( China) said his country had encountered insurmountable difficulties with the text and had voted against it. Since the March elections, China had been following the situation in Zimbabwe closely and had called on all parties to heed the will of the people, keep calm and exercise restraint. The recent African Union Summit had conducted serious discussions on the matter and called upon all parties to start dialogue and establish a Government of national unity. It had also supported the good offices of SADC and the African Union, calling upon all parties not to take any action that might have a negative impact on the situation. The African Union resolution represented an important position and reflected the position of African countries. The Security Council should give it full respect.

Recently, during the dialogue between G-8 and developing countries in Hokkaido, African

leaders had clearly stated their position against imposing sanctions on Zimbabwe at the current stage, he recalled. During the Council's consultations, many countries, including China, had urged respect for the African position and for more time to be given to the good offices and mediation efforts. Regrettably, the sincere appeals and reasonable proposals of those countries had not been accepted. China had long believed that negotiations and dialogue were the best approach to solving problems.

A threat of sanctions was not conducive to that goal, he continued. The situation in Zimbabwe had not exceeded the context of domestic affairs and did not constitute a threat to international peace and security. It was also important to take into account that the situation was highly complex and negotiations had already started. Had the Council adopted the sanctions, it would have interfered with the negotiations and led to deterioration of the situation. The situation in Zimbabwe had attracted wide attention, and the settlement was in the interest not only of Zimbabwe, but also of the wider region. China hoped the opposing parties would exercise restraint, avoiding any action that might lead to a further deterioration of the situation.

OLIVIER BELLE ( [Belgium](#) ) said his country "sincerely regretted" that the draft resolution could not be adopted, a fact that reflected the differences in position as to the means to be used. However, there was unanimity about the gravity of the situation and the necessity of a political transition. Belgium had voted in favour of the text because it was a vital incentive for negotiations, which could not occur without pressure. It was to be hoped that the people of Zimbabwe understood that their appeals had been heard and that there was support for their desire for democracy.

RICARDO ALBERTO ARIAS ( [Panama](#) ) said everyone was aware of the horrible economic situation and human rights violations in Zimbabwe, all caused chiefly by the Government. However, those issues had not given rise to any great discussion during negotiations on the draft resolution before the Council today. There were differences of opinion as to whether the Council was authorized to adopt sanctions under the Charter, with some arguing that the situation was strictly an internal matter that posed no risk to international peace and security. While it was true that the Charter had initially given the Council responsibility for maintaining international peace and security, which meant chiefly conflicts between States, today, the concept of threat to peace and security had evolved to encompass violations of human rights, such as those in Zimbabwe. The Secretary-General had recently pointed out that the development of the situation could affect neighbouring countries, representing a threat to regional peace. For those reasons, Panama had voted in favour of the draft.

ALDO MANTOVANI ( [Italy](#) ) said the people of Zimbabwe should be enabled to express their will and conditions of democracy and human rights should be quickly restored in their country.

ZALMAY KHALILZAD ( [United States](#) ) expressed disappointment that the Russian Federation and China had prevented the Council from adopting a strong resolution condemning and sanctioning the violent regime of Robert Mugabe. "China and Russia stand with Mugabe against the people of Zimbabwe. A majority of the Council stand with the people of Zimbabwe."

Calling the U-turn by the Russian Federation particularly disturbing, he recalled that, only a few days ago, that country had supported the G-8 statement recommending the appointment of a special envoy of the Secretary-General and the adoption of further steps, including financial measures. "The Russian performance has raised questions about its reliability as a G-8 partner."

There should be no doubt that the situation affected security and stability in the region, he said, noting that the African Union had adopted a resolution expressing its concern about the "urgent need to prevent further worsening of the situation with a view to avoid the spread of conflict with the consequential negative impact on the country and the subregion". Moreover, some African States had co-sponsored the draft before the Council today.

He said no serious substantive negotiations were under way between the Mugabe regime and the opposition, contrary to what the representative of South Africa had reported. The draft would have supported, not undercut, regional and international mediation efforts. Although the draft had not been adopted, the United States would continue to work with all Security Council delegations in monitoring closely the situation in Zimbabwe and urging the Secretary-General to appoint a special representative to support the negotiation process.

TETE ANTONIO ( [Angola](#) ), speaking in his capacity as Chair of the SADC Organ on Politics, Defence and Security Cooperation, said the group had spared no effort in encouraging the parties to initiate dialogue to promote democracy and reconciliation. Fortunately, the dialogue was now ongoing under South African mediation. Angola's Minister for Foreign Affairs had gone to Zimbabwe this

week, and the Presidents of Angola and South Africa were also sparing no effort in helping to find a viable solution.

He said the adoption of a resolution sanctioning one of the parties would have complicated the situation and exacerbated tensions. It was important to recognize the role of mediation efforts. Several public Council meetings had been held on the role of regional and subregional organizations, and recently, resolution 1809 (2008) had been adopted following the Council's meeting with the African Union Council for Peace and Security. It would not be logical for the Security Council to create exceptions in order to give the impression that it was not listening to the region when it suited certain members. Everybody was concerned about the situation in Zimbabwe, but there was a difference in approach. It was important to give dialogue a chance.

AUGUSTINE P. MAHIGA (United Republic of Tanzania) said the African Union had expressed its heightened concern and engagement in a resolution adopted on 1 July, which encouraged dialogue by all parties and called for the formation of a Government of national unity. It merited the serious consideration of the Council in order to enable it to work in tandem with the African Union in creating a more conducive atmosphere in Zimbabwe and the region for a negotiated settlement.

He said the African Union resolution had the full political backing of the entire membership. It was advancing the peace process through President Mbeki's mediation efforts in the post-election period. The document also called upon SADC to form a mediation mechanism for the exclusive purpose of initiating a dialogue between the parties. President Mbeki had started fresh efforts to prepare for the SADC mediation. The resolution further called for undivided support from the entire international community for the new political process initiated by SADC and the African Union. In light of those developments, the Council should consider focusing on support for the new political initiative. It could consider the option of sanctions if the peace process did not work within a reasonable timeline. "At this stage, the political option should take precedence over the punitive option."

LILA HANITRA RATSIFANDRIHAMANANA, Permanent Observer of the African Union, said that, during its recent Summit in Sharm el-Sheikh, the regional body had taken full responsibility for strengthening democratic governance throughout the continent. Working with SADC and the Pan-African Parliament, it had been closely engaged in the Zimbabwe elections, deploying almost 1,000 election observers, while President Mbeki of South Africa was involved as a mediator. The former President of Sierra Leone had led the African Union observer team and Jean Ping, Chair of the African Union Commission had provided his good offices.

Both the Executive Council of the African Union and the Assembly of 53 Heads of State and Government had devoted serious attention to the question of Zimbabwe, she continued. Considering the urgent need to prevent a further worsening of the situation and avoid a spreading of the conflict, and considering as well the need to create an environment conducive to peace and democracy, the African Union had decided to encourage the parties to honour their commitment to initiate dialogue, to support the call for the creation of a Government of National Unity and to support SADC facilitation.

She expressed the hope that, in the spirit of African initiatives and with the support of SADC, the African Union and the world at large, the people of Zimbabwe could resolve their differences. The regional body appealed to the Council to lend its full support and give a chance to current efforts in the region. Cognizant of the situation in Zimbabwe, the African Union had taken full responsibility for finding an acceptable and lasting solution there, and the Council's support would be an expression of solidarity with the African community and, indeed, the people of Zimbabwe.

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