

Monthly Forecast

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31 May 2013

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Overview

The United Kingdom will preside over the Security Council in June.

A ministerial-level open debate on women, peace and security, focusing on [prevention of sexual violence](#) is planned, with UK Foreign Secretary William Hague presiding. Secretary-General Ban Ki-moon and Zainab Bangura, the Special Representative on Sexual Violence in Conflict, are expected to brief. An open debate on the linkages between [conflict prevention and natural resources](#) is planned, with briefings by Deputy Secretary-General Jan Eliasson and a representative of the World Bank. The semi-annual debate on the [ad hoc international criminal tribunals](#) may be open to the membership at large to mark the 20th anniversary of the establishment of the International Criminal Tribunal for the former Yugoslavia. Briefers will be the presidents and prosecutors of the ICTY and ICTR.

Debates are planned on:

- [Afghanistan](#), with a briefing by Jan Kubiš, the Special Representative of the Secretary-General and head of the UN Assistance Mission in Afghanistan;
- [Kosovo](#), with a briefing by Farid Zarif, the Special Representative of the Secretary-General and head of the UN Interim Administration Mission in Kosovo (postponed from May); and
- [children and armed conflict](#), with the Special Representative for Children and Armed Conflict, Leila Zerrougui, among the likely briefers. Briefings are expected on:
- [Somalia](#), by Eliasson, most likely with UK Minister for Africa Mark Simmonds presiding;
- [Sudan and the work of the International Criminal Court](#), by Prosecutor Fatou Bensouda;
- the work of the [1737 Iran Sanctions Committee](#), by its chair, Ambassador Gary Quinlan (Australia); and
- [peacekeeping operations](#), by Under-Secretary-General for Peacekeeping Hervé Ladsous and three UN force commanders.

Briefings, followed by consultations, are likely on:

- [Libya](#), by the Special Representative of the

Secretary-General and head of the UN Support Mission in Libya, Tarek Mitri, and on the work of the [1970 Libya Sanctions Committee](#), by its chair, Ambassador Eugène-Richard Gasana (Rwanda);

- [Yemen](#), by the Secretary-General's Special Adviser, Jamal Benomar;
- the security situation in the area of responsibility of the [UN Multidimensional Integrated Stabilization Mission in Mali](#) by its head Albert Koenders;
- the [Sahel strategy](#), by Special Envoy Romano Prodi; and
- the [Middle East](#), by Under-Secretary-General for Political Affairs Jeffrey Feltman. Briefings in consultations are likely on:
- ["horizon scanning"](#) by Feltman;
- [Iraq-Kuwait issues](#) by Feltman;
- [Sudan-South Sudan issues](#), twice, respectively by the Secretary-General's Special Envoy Haile Menkerios and Ladsous;
- the [UN Disengagement Observer Force \(UNDOF\)](#) by Ladsous; and
- the Panel of Experts midterm report to the [1521 Liberia Sanctions Committee](#), by its chair, Ambassador Masood Khan (Pakistan).

Formal sessions will need to be held to adopt resolutions to:

- renew the mandate of [UNDOF](#); and
- renew the mandate of the [Panel of Experts](#) assisting the [1737 Iran Sanctions Committee](#).

A [wrap-up session](#) in a private meeting is planned at the end of the month.

Throughout the month, Council members will be following closely the developments in the [Central African Republic](#), the [Democratic Republic of the Congo](#) and [Syria](#) and meetings on these issues may be scheduled. •

In Hindsight: Security Council Visiting Missions

A visiting mission has been a tool the Council has used—since it first travelled to Cambodia and Viet Nam in 1964—for a number of purposes, including preventive diplomacy, gathering first-hand information, supporting peace processes and mediation. Through 1992, the Council undertook fewer than a dozen missions. There is little guidance regarding Council traveling missions in the Charter or the Provisional Rules of Procedure. Missions have been deployed under the broad powers granted by Article 29 of the UN Charter, according to which the Council “may establish such subsidiary organs as it deems necessary for the performance of its functions”. An examination of the Council’s 43 missions since 1993 reveals a rich body of practices and working methods to pursue a wide range of goals and purposes.

The 22-27 April 1993 mission to the war-torn former Yugoslavia comprised visits to several locations, including Sarajevo and Srebrenica. It was initiated and presided by Ambassador Diego Arria (Venezuela) and also included France, Hungary, Pakistan and Russia. The broad mandate of the mission, set out in resolution 819, was fact-finding and reporting back to the Council, while the terms of reference were left to the delegation itself. The process was remarkably fast: resolution 819 was adopted on 16 April, the visiting mission took place from 22-27 April and its 19-page mission report was issued on 30 April.

The next six missions, undertaken in 1994 and 1995, were all to Africa and led, with one exception, by African Council members and included between four and nine Council members. The intention to undertake the 7-12 August 1994 trip to Mozambique, in support of the implementation of a peace agreement, was first signalled in a presidential statement and subsequently agreed in consultations. While the delegation was already travelling in Africa, the Council, during consultations, decided to deploy four of its members to Burundi, a country experiencing a serious crisis following the death of its president, Cyprien Ntaryamira, whose plane was shot down over Kigali, Rwanda,

on 6 April 1994. The Council followed up on this trip with a 10-13 February 1995 mission to Burundi and Rwanda, with Ambassador Ibrahim Gambari (Nigeria) in the lead. Among the trip’s purposes was to convey support for the governments and for the processes of national reconciliation and signal rejection of all attempts to destabilise the region. In Rwanda the mission focused also on the problem of refugees and on issues of justice and accountability. The other trips in this period were a 26-27 October 1994 visit to Somalia to address the future of the UN presence there, and a 3-9 June 1995 mission to Western Sahara seeking to accelerate the implementation of the settlement plan.

The next trip, the 8-12 September 1999 mission to Indonesia and East Timor, shows the Council acting quickly and effectively. In light of the widespread violence following the results of the Council-authorized referendum in which East Timor overwhelmingly opted for independence from Indonesia, a five-member delegation was dispatched to stress to Indonesia that the will of the Timorese must be respected and that the international community looked forward to working with the government of Indonesia in bringing East Timor to independence. The delegation visited the devastated and still not entirely calm capital of East Timor, Dili, and while in Jakarta, also met with Xanana Gusmão, the resistance leader and future president of Timor-Leste, who at the time was serving a 20-year prison sentence. The Council dispatched a second visiting mission on 9-17 November 2000 to review progress.

The US became the first permanent member to lead a mission with the 4-8 May 2000 trip to the Democratic Republic of the Congo (DRC) and Eritrea and Ethiopia. The UK followed suit with the 7-14 October 2000 trip to Sierra Leone, while France did so with the 15-26 May 2001 trip to the DRC and Burundi. The 16-18 June 2001 trip to Kosovo led by Bangladesh was the first in which all 15 members participated, a practice that since became the norm with some exceptions, as when the Council has dispatched so-called mini-missions or when Russia did

not participate in the 20-29 June 2004 trip to West Africa. On one occasion, the chairman of the Working Group on Peacekeeping Operations, Ambassador Kenzo Oshima (Japan), was dispatched to Ethiopia and Eritrea on 6-9 November 2005 in an effort to salvage the peacekeeping operation there. There have also been two joint missions undertaken with subsidiary bodies of the ECOSOC, the 27-28 June 2003 mission to Guinea-Bissau and the 13-16 April 2005 mission to Haiti. There have also been missions involving multiple destinations with different leads for different segments, following on the example set during the 26 June to 5 July 2003 trip to West Africa co-led by the UK and Mexico.

For several years the Council made a point of visiting situations of high concern repeatedly. Such was the case with Burundi (1994, 1995, 2001, 2002, 2004, 2005), Rwanda (1995, 2001, 2002, 2003, 2004, 2005, 2009), East Timor (1999, 2000, 2007, 2012), Kosovo (2000, 2001, 2002, 2007), Liberia (2003, 2004, 2009, 2012) and Sierra Leone (2000, 2003, 2004, 2012). The situation with the most Council visits is the DRC. Between 2000 and 2010, the Council visited the DRC every year, yet the Council has not returned since its 13-16 May 2010 mission.

An emerging pattern in recent years has to do with timing. In the first several years it seems that the decision to undertake the mission, the actual trip and the subsequent publication of the mission’s report happened in quick succession. The reports, in particular, were literally written on the flight back and were published within days of the return to New York. More recently, the whole process tends to be less efficient, with some mission reports coming out a year or more after the trip.

Overall, however, the variety and changeability of the missions over the years suggest that this remains a very flexible tool for the Council, and that it is up to the creativity of the lead(s) as to how to get the most value added from the missions.

Status Update since our May Forecast

DRC

On 6 May, Mary Robinson, Special Envoy of the Secretary-General for the Great Lakes Region briefed the Council on her first visit to the region (S/PV.6960). Council members then held consultations with Robinson. On 8 May, Council members issued a press statement condemning a 7 May attack that resulted in the death of a Pakistani peacekeeper in South Kivu (SC/11001). On 29 May, the Secretary-General briefed Council members in consultations on the first meeting of the regional oversight mechanism of the DRC peace and security framework agreement, which took place on 26 May in Addis Ababa.

OSCE

Leonid Kozhara, Minister of Foreign Affairs of the Ukraine and Chair of the Organization for Security and Cooperation in Europe (OSCE), briefed the Council on 7 May (S/PV.6961). He emphasised the OSCE's on-going efforts to resolve the Transnistrian dispute in Moldova, humanitarian and security issues in Georgia, and the Nagorno-Karabakh conflict involving Armenia and Azerbaijan. Kozhara noted the significance of conventional arms control and confidence-building measures while highlighting several memorandums of understanding between the OSCE and the UN Office for Disarmament Affairs. He also mentioned that 2015 would mark the 40th anniversary of the Helsinki Final Act (which is seen as having established the initial foundation for the creation of the OSCE) and drew Council attention to the current "Helsinki+40" process for clarifying the OSCE's future role and goals.

Lebanon

On 8 May, Council members were briefed in consultations by Special Envoy Terje Rød-Larsen on the Secretary-General's latest report on the implementation of resolution 1559 (S/2013/234). The destabilising effects of the spillover from the conflict in Syria on the political and security situation in Lebanon, and the region, was a key area of discussion. Sectarian tensions in Tripoli, the influx of Syrian refugees and Israeli aerial attacks on Syria, reportedly from Lebanese air space, have all challenged Lebanon's stated policy of disassociation from the conflict in Syria. It seems there was also a pessimistic assessment that Lebanese parliamentary elections slated for June would take place given the impasse on an election law.

Kenya-ICC

On 8 May, a note verbale from Kenya dated 2 May and requesting termination of proceedings against its nationals before the International Criminal Court was discussed under "any other business". On 13 May, Kenya sent a follow-up letter to the President of the Council, requesting an informal interactive dialogue with Council members on the issue, which was discussed under "any other business" on 16 May. The dialogue was held with Kenyan representatives on 23 May where Council members showed no inclination to intervene in the proceedings.

Guinea-Bissau

On 9 May, the Council was briefed by the Special Representative of the Secretary-General and Head of UNIOGBIS, José Ramos Horta, regarding the 6 May report of the Secretary-General (S/2013/262) and other recent developments in the country (S/PV.6963). Representatives of Guinea-Bissau, the Peacebuilding Commission, the Economic Community of West African States and the Community of Portuguese-Speaking Countries also addressed the Council. On 22 May, the Council adopted resolution 2103, which extended the mandate of UNIOGBIS for a year. In revising the mandate and structure of UNIOGBIS, resolution 2103 closely follows the recommendations of the Secretary-General in his report of 6 May. Among other areas, UNIOGBIS has been tasked with assisting with the holding of free, fair and transparent elections by the end of 2013. Resolution 2103 also includes substantial content on measures to combat drug trafficking, such as requesting the Secretary-General to ensure a sufficient anti-drug component within UNIOGBIS and encouraging international actors to support the future operation of the UN Office on Drugs and Crime in Guinea-Bissau.

Terrorism

On 10 May, the Council held its semi-annual briefing by the chairs of its counterterrorism-related committees. The briefers were Ambassador Gary Quinlan (Australia), who chairs the 1267/1989 Al-Qaida Sanctions Committee, Ambassador Mohammed Loulichki (Morocco), who chairs the 1373 Counter-Terrorism Committee (CTC), and Ambassador Kim Sook (Republic of Korea), who chairs the 1540 Committee, concerning the

non-proliferation of weapons of mass destruction (S/PV.6964). On 13 May, Council members issued a press statement condemning in the strongest terms the deadly attacks that occurred in Reyhanli, Turkey, which resulted in the deaths of at least 46 people and dozens of injuries (SC/11006). On 24 May, Council members also issued a press statement condemning the terrorist attacks in Agadez and Arlit, Niger, on 23 May, for which the *Mouvement pour l'Unification et le Jihad en Afrique de l'Ouest* has claimed responsibility. The attack resulted in numerous deaths and injuries (SC/11014).

Peace and Security in Africa

On 13 May, the Council held a debate on "The challenges of the fight against terrorism in Africa in the context of maintaining international peace and security" (S/PV.6965). President Faure Essozimna Gnassingbé of Togo presided over the meeting and the Secretary-General and Abdullahi Shehu, Director General of the Intergovernmental Action Group against Money Laundering in West Africa briefed. The debate was an initiative of Togo as President of the Council for May. Togo had circulated a concept note on 30 April in preparation for the debate (S/2013/264). A presidential statement was adopted at the conclusion of the meeting highlighting the connection between terrorism and transnational organised crime in Africa and the need for a comprehensive approach beyond the military dimension to counter it (S/PRST/2013/5).

Bosnia and Herzegovina

On 14 May, High Representative Valentin Inzko briefed the Council at its debate on the latest report on implementation of the peace agreement in Bosnia and Herzegovina (S/2013/263) and other recent developments (S/PV.6966). He stressed that the country is at a critical juncture, where progress is still attainable but there is also a strong risk of failing to escape a "zero-sum approach" to politics. Critically, national leaders failed to reach an agreement regarding implementation of a European Court of Human Rights ruling affirming the right of minorities outside the three constituent peoples of Bosnia and Herzegovina to stand for political office. This remains a principle obstacle toward further progress on integration with the EU. In addition to Council members,

Status Update since our *May Forecast* (con't)

representatives of Bosnia and Herzegovina, Croatia, Serbia and the EU also participated in the discussion.

CAR

On 15 May, the Council was briefed (S/PV.6967) by the Secretary-General's Special Representative and head of BINUCA, Margaret Vogt, on the latest BINUCA report (S/2013/261). Prime Minister Nicolas Tiangaye of the Central African Republic also addressed the Council. The meeting was followed by consultations.

North Korea (DPRK)

On 16 May, the chair of the 1718 Democratic People's Republic of Korea Sanctions Committee, Ambassador Sylvie Lucas (Luxembourg), briefed Council members in consultations on the work of the Committee. The Panel of Experts assisting the Committee submitted its final report under resolution 2050 on 13 May. At press time, the report was scheduled to be discussed in the Committee on 31 May.

Israel/Palestine

On 22 May, Special Coordinator Robert Serry briefed the Council at its regular monthly meeting on the Middle East followed by informal consultations (S/PV.6969). Serry reported on US efforts to reengage Israel and Palestine in direct talks and on the 29 April visit of Arab leaders to Washington, D.C. to reaffirm the importance of the 2002 Arab Peace Initiative. Serry also expressed concern about rising tensions around the sensitive issue of Jerusalem due to Israeli restrictions on access by Palestinians to holy sites. On 15 May, representatives of Palestine, Jordan and the Arab League met the President of the Council, Togo, requesting that the Council pronounce itself as actively engaged in efforts to revive the peace process. The request was brought to Council members' attention under "any other business" during 16 May consultations. However, there was no outcome following the 22 May briefing.

UNOCA/LRA

On 29 May, the Council was briefed on the Secretary-General's report on the Lord's Resistance Army (LRA) and on UNOCA

(S/2013/297) by Abou Moussa, the Special Representative of the Secretary-General and head of UNOCA (S/PV.6971). The Council adopted a presidential statement condemning the actions of the LRA and requesting that the Secretary-General keep it informed through a single report on UNOCA and the LRA by 15 November 2013 (S/PRST/2013/6).

Cyprus

At press time, Council members were expected to be briefed in consultations on 30 May by Alexander Downer, the Special Adviser to the Secretary-General on Cyprus, in advance of a dinner he planned to host that would include the President of the Republic of Cyprus, Nicos Anastasiades, and Turkish Cypriot leader Dervis Eroglu.

Wrap-up Session

On 30 May, the Council held a "wrap-up session" for May under the agenda item "Implementation of Note S/2010/507 (Wrap-up Session)". Non-Council members were invited to attend the private meeting.

Women, Peace and Security

Expected Council Action

With the UK holding the presidency of the Security Council in June, Foreign Secretary William Hague will preside over a ministerial-level open debate on women, peace and security, focusing on prevention of sexual violence. The Secretary-General and Zainab Bangura, the Special Representative on Sexual Violence in Conflict, are expected to brief.

At press time, it was expected that a draft resolution reflecting many of the Secretary-General's recommendations from the 14 March report on sexual violence in conflict (S/2013/149) would be circulated among Council members in late May with a view towards adoption at the open debate.

Key Recent Developments

Hague announced in May 2012 a UK initiative

on preventing sexual violence in conflict and said that the UK would work to draw attention to this issue during its lead of the G8 in 2013, the presidency of the Security Council in June and at the upcoming General Assembly in September. The initiative has led to the establishment of a UK team of experts ready to be deployed to conflict-affected countries to gather evidence and testimony to support investigations and prosecutions of perpetrators of sexual violence and to assist in capacity-building for countries to combat such violations. This UK team is available to support UN missions, assist NGOs working on the ground or respond to requests from national authorities. On 30 January, Hague announced that part of this team had already been sent to Syria's borders and that four other countries would also receive assistance in 2013: Bosnia

and Herzegovina, the Democratic Republic of Congo (DRC), Libya and South Sudan.

On 10-11 April, the G8 foreign ministers met in London and issued a declaration calling for urgent action to address impunity and hold perpetrators of sexual violence in armed conflict accountable. The declaration also emphasised the need to promote justice and accountability by strengthening existing frameworks for prosecutions and to provide support to prevent and respond to sexual violence in armed conflict. Bangura attended the G8 meeting, which specifically welcomed her work and her focus on national ownership and responsibility to address issues of sexual violence.

- On 17 April, the Council held an open debate on the Secretary-General's annual report on sexual violence in conflict. The report provided several recommendations

UN DOCUMENTS ON WOMEN, PEACE AND SECURITY Security Council Resolution S/RES/1960 (16 December 2010) requested listing parties credibly suspected of bearing responsibility for patterns of rape and other forms of sexual violence. S/RES/1889 (5 October 2009) requested a set of indicators to track implementation of resolution 1325. S/RES/1888 (30 September 2009) established the mandate of the Special Representative. S/RES/1820 (19 June 2008) addressed sexual violence in conflict and post-conflict situations. S/RES/1325 (31 October 2000) recognised that conflict has a disproportionate impact on women and promoted women's participation in peace and security processes. **Secretary-General's Report S/2013/149** (14 March 2013) was the second annual report on sexual violence in conflict. **Security Council Meeting Records S/PV.6949** (18 April 2013) was on the humanitarian situation in Syria in which Bangura briefed. **S/PV.6948** (17 April 2013) was an open debate on sexual violence in conflict.

Women, Peace and Security (con't)

for the Security Council, including:

- imposing targeted sanctions on those who commit, command or condone sexual violence;
- referring situations to the ICC and establishing commissions of inquiry in the context of accountability for sexual violence perpetrators; and
- establishing a mechanism to systematically monitor commitments by parties to conflict under resolution 1960, including issuing clear orders through chains of command and codes of conduct to prohibit sexual violence, investigating abuses and holding perpetrators accountable. (The Special Representative has secured such commitments via joint communiqués from parties to conflict in Angola, the Central African Republic, the DRC, Guinea and Somalia.)

As for mandates of political or peacekeeping missions authorised by the Council, the report's recommendations include:

- systematically considering the deployment of women protection advisers to UN missions in all relevant situations;
- addressing sexual violence concerns in the context of security sector reform (SSR) and disarmament, demobilisation and reintegration (DDR) efforts, particularly vetting arrangements; and
- addressing sexual violence concerns in the context of justice sector reform and legislative reforms.

No outcome was adopted following the 17 April open debate. However, Bangura said that she hoped the Security Council would show resolve in June and adopt a new resolution on sexual violence in conflict focused on accountability and prevention.

The following day, 18 April, Bangura addressed the Council again, along with the Under-Secretary-General for Humanitarian Affairs, the High Commissioner for Refugees and the Special Representative on Children and Armed Conflict. They spoke about the humanitarian situation in Syria. Bangura detailed instances of sexual violence alleged against both the opposition and government forces, adding that her message to the perpetrators of such abuses is that "justice may be delayed, but it will not be denied". Following the briefing, the Council agreed on elements to the press that focused on humanitarian assistance but also strongly condemned incidents of sexual violence and stressed the need

to ensure that there was no impunity.

On 17 May, Australia and Guatemala organised an Arria formula meeting to hear from gender experts in peacekeeping operations. One of the priorities of the meeting was to get an update on the deployment of women protection advisers in light of the fact that only the UN Mission in South Sudan has such advisers. In particular, there were several questions regarding the planning for such advisers in the new UN mission in Mali as specifically requested in resolution 2100.

Key Issues

A key issue for the Council is maintaining consensus around the importance of the overall women, peace and security framework and ensuring that it is integrated into all of its work. In this regard, a specific issue for any new draft resolution will be how to ensure a focus on sexual violence in conflict does not ignore the participation aspects of the broader women, peace and security agenda.

Another issue is how to best respond to the recommendation contained in the Secretary-General's report to put in place a mechanism to monitor commitments by parties to conflict under resolution 1960.

Options

The likely option for the Council is to adopt a resolution that could include any of the following elements:

- expressing the intention to consider appropriate action when renewing or establishing mission mandates, especially in the context of DDR and SSR processes and the deployment of gender expertise, in particular women protection advisers;
- encouraging the Special Representative's work in engaging with governments and armed groups to establish commitments for accountability for sexual violence and form procedures to allow for the systematic monitoring of such commitments;
- encouraging continued cooperation by the Special Representative with the UK team of experts to identify areas where it can fill gaps and add value;
- encouraging cooperation by the Special Representative with the ICC;
- directing relevant sanctions committees to harmonise designation criteria for listed individuals by including any relevant charges from international justice mechanisms

(for example, in the case of the 1533 DRC Sanctions Committee, Bosco Ntaganda has been on the sanctions list since 2005, but the justification for his designation has not been updated to include sexual violence despite an ICC arrest warrant that included charges for such violations);

- directing relevant sanctions committees to consider whether parties named in the report's annex should be subject to existing sanctions or whether designation criteria should be expanded to include sexual violence;
- committing to regularly including sexual violence considerations as part of its terms of reference for Council visiting missions; and
- committing to calling for the inclusion of sexual violence concerns in mediation and peace processes, particularly in the context of security arrangements and transitional justice mechanisms.

Council Dynamics

It has been difficult over the past two years to advance women, peace and security in the Council, particularly due to the pushback by China and Russia against both the protection and participation aspects of this thematic issue. However, many Council members feel that there is fresh momentum in 2013 for a resolution on women, peace and security, with new Council members Argentina, Australia, Luxembourg, the Republic of Korea and Rwanda all supportive of the issue. Irrespective of this optimism, many Council members nevertheless expect negotiations over any new resolution to be difficult and protracted.

The US is drafting the resolution to put into practice some recommendations from the report on sexual violence in conflict. However, the US seems to be more circumspect about the prospects to establish the recommended "mechanism", especially without any clear indication what the precise structure and tasks would be. At press time, it seemed unlikely the draft resolution would include any concrete reference to such a mechanism. But the resolution is expected to address the other key issue of linking the prevention of sexual violence to the women's participation agenda.

The UK is the penholder on women, peace and security in the Council. The US is the penholder on sexual violence issues.

Conflict Prevention and Natural Resources

Expected Council Action

In June, the UK is planning to hold an open debate on conflict prevention and natural resources. Briefers are likely to include Deputy Secretary-General Jan Eliasson, a high-level representative of the World Bank and possibly also a representative of the extractive industries. A presidential statement is a possible outcome.

Key Recent Developments

On 15 April, at the initiative of Rwanda, the Council had a briefing on conflict prevention with a specific focus on addressing the root causes of conflict in Africa (S/PV.6946). The resulting presidential statement included language about the illegal exploitation of natural resources as a cause of conflict, the potential role for the UN in capacity-building toward the effective national management of natural resources, and the importance of multilateral mechanisms for commodity tracking and revenue transparency as conflict prevention tools (S/PRST/2013/4).

Previously, under the presidency of Belgium, the Council held an open debate on natural resources and conflict on 25 June 2007. The ensuing presidential statement (S/PRST/2007/22) covered several important themes, including:

- the contribution of the illegal exploitation of natural resources toward the outbreak, escalation and prolonging of conflict;
- the need to improve the work of sanctions committees and associated panels and groups of experts;
- the potential role of peace operations to assist with natural-resource management;
- the function of the Peacebuilding Commission in assisting transitions from natural-resource conflict;
- the importance of the private sector and the need for corporate social responsibility;
- how security sector reform could contribute to more effective customs controls;
- the regional and international dimensions of the trade in conflict commodities;
- the significance of national legislation and

regulation for the effective management of natural resources; and

- the need for better coordination with regional organisations.

Background

A substantial body of academic research indicates a correlation between natural resource dependence and the incidence of intrastate conflict, the prevalence of corruption, poor economic performance, low societal welfare and the absence of democracy. The effect of what has been termed the “resource curse” is particularly pronounced with non-renewable, point-source resources, such as oil, gas and minerals.

The dynamics of intrastate conflict and international intervention interrelated with natural resources are numerous. Prominent recurring patterns include:

- chronic national mismanagement of the extractive industries leading to state weakness and a structural opportunity for rebellion;
- grievances related to environmental damage, social fragmentation or revenue distribution providing motivation for the formation of rebel groups;
- the financing of insurgent and state war economies, particularly arms transfers, through natural resource exports;
- facilitating the individual pursuit of economic incentives, whether the looting of commodities by combatants or corruption related to resource revenue;
- influencing relations between central governments and resource-rich regions, including secessionist and irredentist movements;
- illicit natural resource exports through adjacent countries impacting the political economy of military intervention by neighbouring states;
- the exploitation of natural resources increasing the difficulty and complexity of UN peace operations, particularly peace-keeping and mediation; and

- strategic commodities affecting the foreign policies of powerful states which may have either national or commercial interests at stake.

Much of the Council’s agenda concerns countries in various stages of either conflict or post-conflict peacebuilding involving natural resources. The Central African Republic (CAR), Democratic Republic of the Congo (DRC), Sudan, South Sudan and Somalia each demonstrate certain aspects of recent or current conflict linked with natural resources. In Mali, the present significance of uranium extraction is less clear, but it has been interrelated with conflict between the Tuareg community and the government in the past. Côte d’Ivoire, Liberia, Libya and Sierra Leone are each in different modes of post-conflict peacebuilding largely financed by natural resource exports. Meanwhile, Iraq faces disputes over oil rights between the central government and the semi-autonomous Kurdish region, and Afghanistan is on the brink of a massive expansion of mining and oil operations. Both present risks of future conflict.

Thus far, the Council’s most common response to natural resource-related conflict has been to authorise commodity sanctions, often in conjunction with a Panel of Experts or a Monitoring Group, but this has been an imperfect solution at best. The limitations of commodity sanctions as a tool of prevention are readily apparent as they are almost always applied after an armed conflict has already started.

Key Issues

Devising a preventive means of addressing the “resource curse” in vulnerable countries is a key issue for the Council.

Determining precisely where the Council may have an institutional comparative advantage and what are the most useful entry points for the prevention of conflict linked to the exploitation of natural resources is a related issue.

Harmonising the Council’s policymaking

UN DOCUMENTS ON CONFLICT PREVENTION AND NATURAL RESOURCES Security Council Resolutions S/RES/2101 (25 April 2013) extended sanctions for one year on the export of rough diamonds from Côte d’Ivoire. S/RES/2036 (22 February 2012) imposed a ban on the export of charcoal from Somalia. Security Council Presidential Statements S/PRST/2013/4 (15 April 2013) concerned the prevention of conflict in Africa. S/PRST/2007/22 (25 June 2007) concerned natural resources and conflict. Security Council Letters S/2013/239 (19 April 2013) transmitted the Secretary-General’s report on the technical assessment mission conducted in Somalia. S/2013/204 (2 April 2013) transmitted the concept note for a briefing on the prevention of conflict in Africa. S/2007/334 (6 June 2007) transmitted the concept note for an open debate on natural resources and conflict. Security Council Meeting Records S/PV.6946 (15 April 2013) was a briefing on the prevention of conflict in Africa. S/PV.5705 and Resumption 1 (25 June 2007) was an open debate on natural resources and conflict. Sanctions Committee Documents S/2013/228 (12 April 2013) was a Group of Experts report on Côte d’Ivoire. S/2012/544 (11 July 2012) was a Monitoring Group report on Somalia. Human Rights Council Document A/HRC/17/31 (21 March 2011) included the Guiding Principles on Business and Human Rights.

USEFUL ADDITIONAL RESOURCES 2013 Resource Governance Index: A Measure of Transparency and Accountability in the Oil, Gas and Mining Sector, Revenue Watch Institute, 2013. Africa Progress Report 2013: Equity in Extractives, Stewarding Africa’s natural resources for all, Africa Progress Panel, 2013. Philippe Le Billon, Wars of Plunder: Conflicts, Profits and the Politics of Resources (New York: Columbia University Press, 2012). Michael L. Ross, The Oil Curse: How Petroleum Wealth Shapes the Development of Nations (Princeton: Princeton University Press, 2012).

Conflict Prevention and Natural Resources (con't)

NATURAL RESOURCES AND UN SANCTIONS

Country	Natural Resources	UN Sanctions on Commodities
Afghanistan	oil, minerals	none
CAR	diamonds	none
Côte d'Ivoire	diamonds	15 December 2005 – 30 April 2014
DRC	coltan, gold, diamonds	none
Iraq*	oil	14 April 1995 – 21 November 2003
Liberia	diamonds, timber	7 March 2001 – 27 April 2007 (diamonds); 6 May 2003 – 20 June 2006 (timber)
Libya**	oil, gas	17 March 2011 – 16 September 2011
Mali	uranium	none
Sierra Leone	diamonds	5 July 2000 – 4 June 2003
Somalia	charcoal	22 February 2012 –
South Sudan	oil	none
Sudan	oil	none

*=Oil-for-Food Programme **=asset freeze on oil corporations

short-term goals with the long-term nature of the processes of peacebuilding and statebuilding in conflict-prone natural resource dependent countries is a further issue.

Options

The open debate and a potential presidential statement are likely to reference existing multilateral mechanisms that may facilitate the prevention of natural resource conflict, such as:

- the Extractive Industries Transparency Initiative;
- the Kimberley Process Certification Scheme;

- the UN Guiding Principles on Business and Human Rights; and
- the Organization for Economic Co-operation and Development Due Diligence Guidance for Responsible Supply Chains of Minerals from Conflict-Affected and High-Risk Areas.

Following up on the Secretary-General's identification of the need for a multi-disciplinary task team on the "economic drivers of conflict" within the UN Assistance Mission in Somalia and looking at the feasibility of a similar approach within other Council-mandated operations is another option.

A further option would be recommending

an accelerated development of institutional capacity within the UN Secretariat specifically regarding: analysing the economic dimensions of conflict; assessing the influence of natural resources and the extractive industries on conflict; and designing effective mechanisms for conflict prevention and resolution in natural resource dependent states.

Council and Wider Dynamics

There is a risk that divisions could emerge in the Council that mirror policy differences between the so-called traditional donors of developed countries and certain emerging economies in terms of how they approach development assistance. There is a perception among some countries that reform of the extractive industries is a primarily western-driven agenda. In order for the Council to make progress on natural resource conflict prevention initiatives, there may need to be a shared understanding that both resource exporting countries and resource importing countries—whether developed, emerging or developing—benefit from stability.

Commercial interests among Council members could also influence decision-making. Many of the world's largest oil and mining companies are headquartered in Australia, China, France, Russia, the UK or the US. Council members may be wary of initiatives that they perceive could potentially put their corporations at a competitive disadvantage. In this sense, the UN could become a preferred multilateral forum for negotiation as agreements would be globally applicable. Council members may also be supportive of conflict-prevention initiatives in countries where their nations' corporations invest, in which case natural resource dependent countries where the UN deploys peacekeeping, peacebuilding and political missions could benefit.

International Criminal Tribunals

Expected Council Action

In June, the Security Council will hold its semi-annual debate on the ad hoc international criminal tribunals. The presidents and prosecutors of the International Criminal Tribunal for the former Yugoslavia (ICTY) and the International Criminal Tribunal for

Rwanda (ICTR) are expected to brief the Council. This debate may be open to wider membership participation to mark the 20th anniversary of the ICTY.

ICTY President, Judge Theodor Meron, will also brief the Council as President of the Mechanism for International Criminal

Tribunals, which was established to complete the work of the tribunals. ICTR Prosecutor, Hassan Bubacar Jallow, will also brief the Council as prosecutor of the residual mechanism.

The Council may adopt a resolution appointing a permanent judge to the appeals

International Criminal Tribunals (con't)

chamber of the ICTY.

The Council's informal working group on international tribunals may meet with the presidents and prosecutors prior to their appearance in the Council.

Key Recent Developments

The ICTY President sent a letter on 29 October 2012 to the Secretary-General, asking that the Council extend the terms of 13 permanent judges until 31 December 2014, in order to complete the trial and appeals process (S/2012/845). The letter also asked for extension of terms for one ad-litem judge until 31 December 2013, four ad-litem judges until 1 June 2013 and three other ad-litem judges until 31 December 2014.

The last debate on the two tribunals took place on 5 December 2012. The presidents of the ICTY and the ICTR—Judges Meron and Vagn Joensen, respectively—and the prosecutors—Serge Brammertz and Jallow, respectively—briefed the Council (S/PV.6880). The debate came soon after the appeals chamber of the ICTY overturned the convictions of Generals Ante Gotovina and Mladen Markač on 16 November and ordered that they be released immediately. (On 15 April 2011, they were found guilty of committing crimes against humanity and war crimes by participating in a joint criminal enterprise to permanently and forcibly remove the Serb civilian population from the Krajina region of Croatia. Gotovina was sentenced to 24 years in prison and Markač to 18 years. A majority of the appeals chamber reversed the convictions.)

During the debate, Russia criticised the acquittal of the two generals claiming that justice was not done for their Serb victims. Russia also commented on an extension of judges' terms requested by the tribunal, claiming that its work had not been timely and effective, with no justification for the amount of time the cases took. Russia asked the ICTY to produce a consolidated plan of action for finishing its work under resolution 1966 (2010) and provide an extended individual timetable for the prosecution of each case.

During negotiations over the resolution on the judges' terms, Russia took the position that

independent experts should be used to review the ICTY's work and that terms should not be extended for more than six months, the tribunal's requests notwithstanding. On 17 December, the Council adopted resolution 2081 extending the terms of 13 permanent judges and four ad-litem judges of the ICTY until 31 December 2013. It extended the terms of four other ad-litem judges until 1 June 2013 and asked the ICTY to submit a consolidated comprehensive plan for the completion strategy by 15 April 2013, to be considered by the Council before 30 June. Russia abstained in the vote. (The ICTY submitted the report, with detailed assessments of the lengths of the remaining cases, on 15 April.)

The 12 December 2012 adoption of resolution 2080 extending the terms of five permanent ICTR judges until 31 December 2014, as requested by the tribunal, was unanimous.

In February the Council received a letter from the ICTY regarding the urgent need for the appointment of an appeals chamber judge. According to the tribunal, a replacement is to be filled by appointment of the Secretary-General after consultations with the Presidents of the Council and the General Assembly.

Russia has posed questions to the ICTY through the chair of the working group (Guatemala), questioning the procedure suggested by the tribunal, indicating that the vacancy should be filled in accordance with the election procedure for new judges. In the meeting of the working group on 21 May, there was consensus on the need to appoint a judge, in order for the ICTY to remain on schedule. However, no agreement was reached on the applicable procedure. While most Council members were in favour of a resolution or an exchange of letters to allow the Secretary-General to fill the position, Russia was not in favour of a resolution on the issue. Council members were asked to submit to the chair written proposals on the approach the Council should take, and the working group will further discuss these.

(A replacement under the same procedure is also sought to fill an ICTR appeals chamber judge, yet this does not raise any controversy as did the ICTY request.)

Guatemala, with the support of some Council members, attempted to invite the ICC Prosecutor to a meeting of the working group in early 2013, but some members, such as China and Rwanda, opposed this initiative, arguing that the ICC is not part of the working group's mandate because it is not an ad hoc tribunal. Subsequently, an interactive dialogue session was held with the ICC Prosecutor on 7 May regarding Libya, as some Council members sought new ways of interacting with the ICC.

On 10-11 April, the President of the General Assembly, Vuk Jeremić (Serbia) initiated a debate and two panel discussions on the "role of international criminal justice in reconciliation", with President Tomislav Nikolić of Serbia attending. Victims of crimes in the former Yugoslavia were not invited, and representatives of the ICC and the ad hoc tribunals declined to participate. Nikolić said that the ICTY was perceived in Serbia as biased and that as a result Serbia is only cooperating with the ICTY "only on a technical level". Ambassador Vitaly Churkin (Russia) suggested that the ICTY failed to deliver impartial and depoliticised justice, and its trials have lasted "for an absurd length of time". He suggested the Council should address what he called a "systemic dead end". The Secretary-General said that states are to respect the independence and integrity of the tribunals, rather than question them. Canada, Jordan and the US boycotted the meeting, claiming it was a disguised attempt to attack the conduct of the ICTY.

On 15 May, Ambassador Christian Wenaweser (Liechtenstein) sent a letter to the President of the Council on behalf of 15 countries, requesting that the June debate on the tribunals be opened to the participation of member states to mark the 20th anniversary of the establishment of the ICTY. On 25 May, the Council adopted a press statement commemorating the event and the ICTY's contribution to the fight against impunity, as well as its own commitment to this fight (SC/11015).

Key Issues

The immediate issue for the Council will be

UN DOCUMENTS ON INTERNATIONAL CRIMINAL TRIBUNALS [Security Council Resolutions S/RES/2081](#) (17 December 2012) was on the extension of ICTY judges' terms. [S/RES/2080](#) (12 December 2012) extended ICTR judges' terms. [S/RES/1966](#) (22 December 2010) established the residual mechanism. [Security Council Press Statement SC/11015](#) (25 May 2013) was on the anniversary of the ICTY. [Security Council Letters S/2013/310](#) (23 May 2013) was the recent report of the ICTR. [S/2013/309](#) (23 May 2013) was the report of the residual mechanism. [S/2013/308](#) (23 May 2013) was the recent report of the ICTY. [S/2012/845](#) (14 November 2012) transmitted the request from the ICTY to extend judges terms. [Security Council Meeting Record S/PV.6880](#) (5 December 2012) was the latest Council briefing by the presidents and prosecutors of the ICTY and ICTR.

OTHER RELEVANT FACTS [Chair of the Informal Working Group on International Tribunals](#) Gert Rosenthal (Guatemala) [ICTY](#) 12 on trial and 17 at the appeals stage [ICTR](#) Nine accused at large, of which three are considered high-ranking 17 accused at the appeals stage.

International Criminal Tribunals (con't)

the request relating to the appointment of the ICTY judge.

Another issue is the continuing work of the working group regarding the completion strategies of the ICTY and ICTR, the work of the residual mechanism and related practical arrangements.

Options

Options for the Council include:

- adopting a technical resolution allowing the Secretary-General to appoint an appeals judge to the ICTY;
- adopting a technical resolution indicating that elections should be held to fill the position, or creating an abbreviated and small scale election process;
- exchanging letters with the

Secretary-General indicating its agreement to one of the processes above;

- sending a letter from the working group to the Council President with a summary of discussions and taking note of the ICTY report on its comprehensive plan for completion;
- requesting an independent review of the ICTY's case progress; or
- taking no action at this time.

Council Dynamics

As may have been the case in December 2012, the current disagreement on the ICTY appointment is reflective of Russia's dissatisfaction with the tribunal's jurisprudence, which manifests itself when technical decisions are to be taken by the Council. Views on

the proper format of informal meetings with the ICC Prosecutor are also reflective of wider political agendas of Council members.

As for the ICTY judge appointment, while several Council members feel that the ICTY request to fill the appeals vacancy presents some legal difficulty, they would prefer to avoid the time-consuming process of a new election in accordance with statute for the sake of expediency and efficiency. If no consensus is reached for the Secretary-General to appoint the judge, some Council members are of the opinion that a possible compromise would be a shortened and small-scale election process, which would allow for a speedy appointment of the judge.

Children and Armed Conflict

Expected Council Action

The Council is expected to have a debate on children and armed conflict in June to discuss the Secretary-General's latest report on children and armed conflict (S/2013/245). Unlike previous debates on the issue, this will not be an open debate given that it was agreed to late in May when the UK, the Council President for June, had already planned for what is a full programme of work which did not allow a full day for the debate. Briefers are likely to come from the Office of the Special Representative for Children and Armed Conflict, UNICEF, Canada in its capacity as chair of the Friends of Children and Armed Conflict as well as a relevant NGO. Other than Council members the other speakers are likely to be only interested parties, i.e. member states mentioned in the Secretary-General's report.

A presidential statement, which is currently being drafted by Luxembourg, the chair of the Working Group on Children and Armed Conflict, is likely to be adopted at the debate. A key focus of the debate and the presidential statement will likely be the issue of persistent perpetrators (groups that have been listed in

the annexes of the Secretary-General's report for more than five years).

Key Recent Developments

The 12th Secretary-General's report on children and armed conflict covers emerging challenges such as the use of schools, detention of children by security forces and the impact on children of the use of drones in military operations. It also looks at ways of enhancing compliance by armed forces and armed groups and cooperation with regional organisations.

The annexes to the report list nine new parties for recruitment and use of children and six new parties are listed for sexual violence against children. Three parties in Mali have been listed for both violations. All parties in Nepal and Sri Lanka have been delisted following implementation of action plans. The Justice and Equality Movement has been removed from the Chad section and the *Armée Populaire pour la Restauration de la Démocratie* and self-defence militia in the Central African Republic have been removed as they are no longer active. There are still 54 parties listed, with 29 of them being persistent perpetrators.

Nine parties on the annexes have signed action plans. (Secretary-General's reports contain two annexes: Annex I lists armed conflict situations that are on the Council's agenda while Annex II consists of armed conflict situations not on the Council's agenda but considered situations of concern for children.)

The Working Group on Children and Armed Conflict had a formal meeting on 20 May where it discussed the issue of persistent perpetrators. Ambassador Christian Wenaweser (Liechtenstein) presented the report of the 7-8 February Princeton Workshop, organised by Liechtenstein, the Liechtenstein Institute of Self-Determination at Princeton University and the Watchlist for Children and Armed Conflict which focused on approaches to increase pressure on persistent perpetrators. The Secretary-General's Special Representative for Children and Armed Conflict, Leila Zerrougui, covered key issues in dealing with persistent perpetrators. She also briefed the Working Group on her 12-14 May visit to Chad and its recommitment to fully implement the action plan to end recruitment and use of children in the national army. The latest

UN DOCUMENTS ON CHILDREN AND ARMED CONFLICT [Security Council Resolution S/RES/2068](#) (19 September 2012) was the last resolution on children and armed conflict. [Secretary-General's Reports S/2013/245](#) (15 May 2013) was the latest report on children and armed conflict. [S/2013/258](#) (1 May 2013) was on Myanmar. [Security Council Meeting Record S/PV.6838](#) and [Resumption 1](#) (19 September 2012) was an open debate on children and armed conflict. [Security Council Letter S/2013/158](#) (13 March 2013) was from Liechtenstein transmitting the report from Princeton Workshop that focused on approaches to increase pressure on persistent perpetrators. [Conclusions of the Security Council Working Group S/AC.51/2013/1](#) (22 April 2013) was on the LRA.

OTHER RELEVANT FACTS [Secretary-General's Special Representative for Children and Armed Conflict Leila Zerrougui](#) (Algeria) [Chair of the Working Group on Children and Armed Conflict Sylvie Lucas](#) (Luxembourg)

Children and Armed Conflict (con't)

report of the Secretary-General on children and armed conflict in Myanmar was also introduced and discussed at the meeting.

The Working Group adopted its first set of conclusions on the situation of children and armed conflict affected by the LRA on 22 April. This was the first regional report on children and armed conflict.

Key Issues

The key issue for the Council is how it can increase political pressure to ensure compliance by parties of their international obligations on child rights, particularly in the case of persistent perpetrators.

A related issue is making better use of tools such as existing sanctions and finding ways of imposing sanctions when there is no sanctions committee.

An issue for the Working Group is how to work more efficiently to get conclusions out in a more timely fashion so that pressure is maintained on listed groups. A related issue is the longer reporting cycle for Secretary-General's reports on children and armed conflict.

A further issue is how to ensure implementation of action plans and to increase the number of action plans for stopping sexual

violence, killing and maiming and targeting schools and hospitals.

An emerging issue is the need for more flexibility in dealing with new crisis situations such as Mali. The current reporting cycle means that it may take two to three years before a newly emerging crisis where violations against children are taking place will be taken up by the Working Group.

Options

The most likely option is a presidential statement focused on persistent perpetrators possibly moving the Council towards considering new approaches to the issue of children and armed conflict in 2014.

Options related to persistent perpetrators include:

- signalling greater attention by having a debate dedicated to the issue of persistent perpetrators;
- considering new tools for the Working Group to increase pressure, including a greater oversight role in the implementation of action plans;
- ensuring that all relevant sanctions committees designate violators against children as targets for sanctions and to this end establish as a practice that the Special

Representative brief all relevant sanctions committees on a regular basis; and

- improving interaction on the issue of children in armed conflict between the Council, the UN Secretariat, national courts and the International Criminal Court (ICC). For example briefings by the ICC Prosecutor to the Council could be followed up by interaction with the Working Group.

Council Dynamics

In 2011 and 2012, dynamics within the Council on this issue were difficult, partly as a result of elected members who were either in the body or the annex of the Secretary-General's report on children and armed conflict. There was also a reaction from some members to what they perceived as an overstepping of the mandate by the Special Representative.

The 2013 composition of the Council appears to be more amenable to this issue, and Luxembourg has worked to create an atmosphere that might allow for less divisiveness. However a number of Council members are still wary of making fundamental changes and it is difficult to tell whether a presidential statement that goes beyond agreed language will be possible.

Mali/Sahel

Expected Council Action

In June, the Council expects to be briefed by Albert Koenders, the newly appointed Special Representative of the Secretary-General and head of the UN Multidimensional Integrated Stabilization Mission in Mali (MINUSMA). Koenders is expected to brief on the security situation in MINUSMA's area of responsibility as requested in resolution 2100. The briefing will be followed by consultations.

Koenders will likely also brief on the Secretary-General's report assessing ongoing major combat operations by international military forces in MINUSMA's area of responsibility and vicinity, as well as the capacity of terrorist

forces to pose a major threat to the civilian population and international personnel in Mali. Based on this assessment, the Council will decide if the transfer of authority from the African-led International Support Mission to Mali (AFISMA) to MINUSMA will proceed on 1 July or be deferred.

The Council also expects to be briefed by Special Envoy Romano Prodi on the Secretary-General's report on the Sahel, to be followed by consultations. The much delayed and anticipated UN integrated strategy for the Sahel, requested by the Council in resolution 2056 of 5 July 2012, will be annexed to the report.

MINUSMA's mandate expires on 30 June 2014.

Key Recent Developments

The security situation in the north of Mali continues to be fragile, in particular in the Adrar des Ifoghas mountains, Timbuktu, Gao and Kidal, where combat operations are still ongoing and there have been several suicide terrorist attacks. Local press has reported attacks from the *Mouvement pour l'Unité et le Jihad en Afrique de l'Ouest* and, to a lesser extent, *Ansar Eddine*. The targets are mainly the Malian army and AFISMA troops but have also included the *Mouvement National*

UN DOCUMENTS ON MALI/SAHEL Security Council Resolutions S/RES/2100 (25 April 2013) established the mandate for MINUSMA. S/RES/2085 (20 December 2012) authorised the deployment of AFISMA for one year. S/RES/2056 (5 July 2012) expressed full support for the joint efforts of ECOWAS, the AU and the interim government in Mali in trying to re-establish constitutionality and territorial integrity. Security Council Letters S/2013/285 (13 May 2013) was from the Secretary-General regarding the appointment of Albert Koenders as his Special Representative in Mali and Head of MINUSMA. S/2013/276 (6 May 2013) was from the Secretary-General asking for a deferral for the submission of the report on the situation in the Sahel until 14 June 2013. S/2013/265 (3 May 2013) included a letter from the President of ECOWAS and the AU Commissioner for Peace and Security about the envisaged cooperation between the AU, ECOWAS and MINUSMA. Secretary-General's Report S/2013/189 (26 March 2013) contained recommendations for a UN mission in Mali.

OTHER RELEVANT FACTS Special Representative of the Secretary-General and Head of MINUSMA Albert Gerard Koenders (Netherlands)

de Libération de l'Azawad (MNLA), and there has been at least one attack against an NGO while it was distributing humanitarian aid. Local press also reports on the regrouping of Al-Qaida in the Islamic Maghreb in other countries of the region.

The interim government of Mali appointed on 2 May a governor for the Kidal region, the only region where the state still does not have control over the territory, as it is ruled by the MNLA. Also on 2 May, various Touareg chiefs in Kidal formed the High Council for the Unity of Azawad (HCUA), whose stated purpose is to negotiate a political solution with the interim government. Intalla Ag Attaher, who is the influential *amenokal* (traditional chief) of the Touareg Kel Adagh confederation, will be its president. His son, Alghabass Ag Intalla, the leader of the *Mouvement Islamique de l'Azawad* (MIA), announced on 19 May the dissolution of the MIA to join the HCUA. (The MIA, which had been ruling Kidal with the MNLA, split from *Ansar Eddine* in January, condemning and rejecting “any form of extremism and terrorism”. Intalla had formerly been a leader of *Ansar Eddine*, heading the delegation that took part in the preliminary peace talks brokered by President Blaise Compaoré of Burkina Faso in November 2012 in Ouagadougou.)

Although Prime Minister Diango Cissoko established a deadline of 15 May for the state to resume authority over Kidal, this had not happened at press time, and the governor has not been able to take office. On 13 May, the interim government appointed Tiébilé Dramé as special envoy to coordinate talks with northern groups.

On 14 May, the interim President Dioncounda Traoré announced that presidential elections will take place on 28 July. He also declared that no member of the interim government would run for office.

On 15 May, the President of the European Commission, José Manuel Barroso, President François Hollande of France and Traoré met in Brussels to convene a high-level donor conference for development in Mali. The conference's aim was to garner the support of the international community for the Sustainable Recovery Plan for Mali (PRED) for 2013-2014. On the basis of the 12 immediate development priorities identified by the PRED, the donors have pledged €3.25 billion in the next two years. (The previous donor conference

was hosted by the AU in Addis Ababa and raised \$455 million.)

The Mali Commission of Dialogue and Reconciliation, composed of a chair, two vice-chairs and 30 commissioners, whose creation was included in the roadmap for the transition unanimously adopted by the national parliament on 29 January, was sworn in on 25 April and has started its work by meeting with regional organisations and the UN, as well as other stakeholders.

In resolution 2056 the Council asked the Secretary-General to develop and implement, in consultation with regional organisations, a UN integrated strategy for the Sahel region encompassing security, governance, development, human rights and humanitarian issues. On 9 October 2012, Prodi was appointed as Special Envoy of the Secretary-General for the Sahel, responsible mainly for the development of this strategy.

In a 10 December 2012 presidential statement, the Council encouraged the Special Envoy “to pursue his efforts in order to coordinate bilateral, inter-regional and international response and support for the Sahel region and to engage constructively with other representatives from regional and subregional organisations, bilateral partners and countries of the region” (S/PRST/2012/26). The Council stressed the importance of a “coherent, comprehensive and coordinated approach by all UN entities involved in the Sahel region and their cooperation with one another with a view of maximizing synergies”.

Human Rights-Related Developments

The Human Rights Council (HRC) in resolution 22/18 of 21 March established a mandate for an independent expert on the situation of human rights in Mali. The expert will be appointed during the 23rd session of the HRC (27 May-14 June). During the session, the HRC will also consider the report of the High Commissioner for Human Rights on the situation of human rights in Mali (A/HRC/23/57).

The HRC will also consider the outcome of the Universal Periodic Review (UPR) of Mali. On 25 January, the HRC working group on the UPR adopted a report on Mali following the 22 January review. Among the 12 recommendations formulated during the interactive dialogue that Mali supported was one that called on Mali to take all measures needed to ensure that operations aimed at tackling terrorism and restoring sovereignty over its whole territory are undertaken with a strict respect for international humanitarian law while making sure that full protection is

extended to the civilian population. Another one called for Mali to continue to work to improve the human rights situation, including in northern Mali (A/HRC/23/6). Mali considered that another 85 recommendations – including cooperating with all HRC special procedures mandate-holders, guaranteeing the respect for human rights and international humanitarian law by the defence and security forces and identifying and prosecuting perpetrators of serious violations of human rights – were already implemented or in the process of implementation. Mali was also due to provide responses on a further 27 recommendations no later than the 23rd HRC session.

Key Issues

A key overarching issue is to stabilise the security situation in northern Mali.

The feasibility of holding elections on 28 July and the fulfilment of MINUSMA's electoral assistance mandate is a key immediate issue. Related to this is the fact that some of the commitments pledged at the 15 May donor conference are tied to the holding of elections. A further issue in the context of the electoral process is the lack of state authority in the Kidal region.

Ensuring that AFISMA has adequate financial and logistical support to fulfil its mandate until the transfer of authority to MINUSMA is another key issue.

A related issue will be to sustain and strengthen cooperation between the Economic Community of West African States (ECOWAS) and the AU with the UN in order to build upon already existing processes.

Ensuring that all AFISMA troops operate within the UN human rights due-diligence policy is a further related issue.

Another key issue will be to ensure that the combat operations led by France remain independent of MINUSMA.

Addressing the potentially destabilising spill-over effects from Mali on an already fragile region will be an ongoing issue.

Options

After the assessment of the security situation in Mali, immediate options for the Council include:

- authorising the transfer of authority from AFISMA to MINUSMA by 1 July, as envisaged in resolution 2100, or deferring such a decision until certain security conditions on the ground have been met;
- establishing an expert group to identify those involved in transnational organised

Mali/Sahel (con't)

crime in Mali and the Sahel, with the possibility of imposing targeted sanctions, as recommended in the latest Secretary-General's report (S/2013/189); and

- making full use of the 1566 Working Group, which is mandated to examine practical measures that could be imposed upon individuals, groups or entities involved in or associated with terrorist activities, other than those designated by the 1267/1989 Al-Qaida Sanctions Committee.

Council and Wider Dynamics

Although Council members were rather unified in the process leading to the adoption of resolution 2100, divergences around the timing of the deployment of MINUSMA were important. France and some other members had wanted 1 July to be a firm date for the transfer of authority from AFISMA to MINUSMA, whereas Russia and others preferred to receive a clearer assessment of the situation on the ground and have a benchmark-driven process before deploying MINUSMA. As the Council decides in June on MINUSMA's deployment, these divergences might come up again.

During the negotiations, views also

differed on the kind of actions MINUSMA was assigned to undertake, how proactive it should be and on the limits on its mandate. These issues may come up again as the Council discusses the security conditions in which the transfer of authority is to take place.

Council members have had high expectations regarding the Secretary-General's report on the Sahel and the annexed integrated UN strategy. As the report has gone through several drafts over the last eleven months, most members have expressed some degree of frustration regarding the delays in its presentation during a critical time for the region.

The process that led to resolution 2100 increased tensions between the Council and the AU and ECOWAS over some issues. Following the adoption of the resolution, an AU Peace and Security Council communiqué noted "with concern that Africa was not appropriately consulted in the drafting and consultation process". Demands made by African stakeholders—such as authorising a peace enforcement mandate for MINUSMA, providing a logistical and financial support package to AFISMA or ensuring the continuity of AFISMA's leadership in MINUSMA—were disregarded by the UN Secretariat and

Council members. (In a letter sent to the Secretary-General on 19 April, the president of ECOWAS and the AU Commissioner for Peace and Security were keen to ensure that the resolution incorporated the contributions of both organisations [S/2013/265]. The letter noted how "the 'division of labour' being contemplated in the draft resolution may result in restricting the effective contribution of the African component to the fight against terrorism" and asked Council members to "reconsider the role of the two organizations, as well as the envisaged cooperation mechanism between them and MINUSMA, in the envisaged resolution, based on the principles of subsidiarity and comparative advantage". The letter was officially circulated among Council members once the resolution had been adopted.)

On their part, several Council members have noted how the requirement in resolution 2085 calling for the AU and ECOWAS to report to the Council on the deployment and activities of AFISMA every 60 days has not been respected, nor has the Council received any letter asking for a deferral for the submission of such reports.

France is the penholder on Mali.

Libya

Expected Council Action

In June, the Security Council is expected to be briefed by Tarek Mitri, the Special Representative of the Secretary-General and head of the UN Support Mission in Libya (UNSMIL), followed by consultations. The Council will also likely receive the periodic briefing by the chair of the 1970 Libya Sanctions Committee, Ambassador Eugène-Richard Gasana (Rwanda), and hold consultations on the Libya sanctions. No Council action is planned at this stage.

The mandate of UNSMIL and the Panel

of Experts (PoE) assisting the 1970 Sanctions Committee expire on 16 March 2014 and 14 April 2014, respectively.

Key Recent Developments

In late April, supporters of the draft "political isolation law" carried out an aggressive campaign to put pressure on the General National Congress (GNC) to approve the law. The law, which was adopted on 5 May, precludes officials of the former Muammar Qaddafi regime from holding leadership positions in the government, the parliament and

other institutions (including the judiciary and the media). At press time it was unclear how the adoption of the law will affect the current government, of which some of members had positions of responsibility under the former regime. A commission will be established to investigate and rule on any candidate applying for a position and review the background of those already holding official positions.

In anticipation of upcoming proceedings to decide the suitability of office holders, the defence and interior ministers, Mohammed al-Barghathi and Ashour Shuwail, submitted

UN DOCUMENTS ON LIBYA **Security Council Resolutions** S/RES/2095 (14 March 2013) extended the mandates of UNSMIL and the Panel of Experts. S/RES/1973 (17 March 2011) authorised all necessary measures to protect civilians in Libya and enforce the arms embargo, imposed a no-fly zone, strengthened the sanctions regime and established a PoE. S/RES/1970 (26 February 2011) referred the situation in Libya to the ICC and established a Sanctions Committee for the arms embargo, travel ban and assets freeze imposed by the resolution. **Secretary-General's Report** S/2013/104 (21 February 2013) was a report of the Secretary-General on UNSMIL. **Security Council Letters** S/2013/256 (30 April 2013) was a letter appointing a new expert to serve on the Panel of Experts. S/2013/212 (3 April 2013) was a letter re-appointing four out of five experts to serve on the Panel of Experts. **Security Council Meeting Records** S/PV.6962 (8 May 2013) was the fifth briefing by the ICC Prosecutor on the situation in Libya. S/PV.6934 (14 March 2013) was the latest briefing by Special Representative Tarek Mitri. **Security Council Press Statements** SC/11008 (13 May 2013) condemned the deadly attack that occurred in Benghazi, Libya. SC/10984 (23 April 2013) condemned the terrorist attack on the French embassy in Tripoli, Libya. **Sanctions Committee Document** S/2013/99 (9 March 2013) was the latest report of the Panel of Experts to the Council.

OTHER RELEVANT FACTS Special Representative of the Secretary-General and Head of UNSMIL Tarek Mitri (Lebanon) UNSMIL Size and Composition Strength as of 31 March 2013: 140 international civilians; 61 local civilians; one police officer. UNSMIL Duration 16 September 2011 to present.

Libya (con't)

their resignations to Prime Minister Ali Zeidan, though only the latter was accepted. GNC President Mohammed Magariaf, who along with Zeidan was a diplomat during the Qaddafi regime until his defection in the 1980s, resigned on 28 May in a televised speech to the GNC.

The security situation remains volatile and terrorist groups remain capable of carrying out attacks in Libya, such as one that struck the French embassy on 23 April. After the bombing of four police stations in early May, a deadly attack near Al-Jala'a Hospital in Benghazi killed at least 12 people on 13 May. The Security Council issued a press statement condemning the 13 May attack in the strongest terms (SC/11008).

After the decision in February that the members of the new Constituent Assembly would be chosen by elections, a GNC committee has been working on the elections law to govern this process and is expected to submit a draft to the GNC in the coming weeks. The Assembly will have 60 members, with 20 members representing each of Libya's three historical regions, Cyrenaica, Tripolitania and Fezzan. Assembly elections are expected to be held along with municipal elections in the coming months.

As highlighted by Mitri during his 14 March Council briefing, respect for the rule of law continues to be a challenge in Libya. Although some measures have been taken to tackle this issue, mistreatment and detention without due process of several thousand people in militia-controlled facilities continues to be a problem.

On 7 May, the Council held an interactive dialogue with the Prosecutor of the ICC, Fatou Bensouda. The dialogue tackled the situation in Libya as well as more general issues regarding the cooperation between the ICC and the Council. The following day Bensouda briefed the Council (S/PV.6962). She asserted that "by conducting fair, just and transparent judicial proceedings for all alleged perpetrators, while also continuing to respect the ICC judicial process, Libya can set a lasting example for other states". However, she also noted how, "given the extensive crimes committed in Libya and the challenges facing the new Libyan government, the ICC's mandate is still essential to ending impunity in Libya".

Besides the cases against Saif al-Islam Qaddafi and former intelligence chief Abdullah

al-Senussi, the ICC is also investigating gender crimes allegedly committed by pro-Qaddafi officials currently outside Libya. (Libya has challenged the admissibility of the cases against Qaddafi and al-Senussi, claiming that they were already under investigation in Libya. An ICC Pre-Trial Chamber is expected to rule regarding the challenges in the coming weeks.) Also, the Prosecutor is investigating war crimes and crimes against humanity allegedly committed in Tawergha by Misrata militias, as well as the alleged persecution of specific ethnic groups on the basis of their perceived political affiliations.

On 14 March, the Council unanimously adopted resolution 2095, extending UNSMIL's mandate by 12 months and the mandate of the PoE for 13 months. Four experts of the PoE were re-appointed by the Secretary-General on 3 April and a new one was appointed on 30 April.

The sanctions regime was modified by removing the requirement that the Sanctions Committee approve the use of non-lethal military equipment and assistance for humanitarian or protective use. It also removed the need to notify the Committee about non-lethal military equipment being supplied to the government for security or disarmament assistance. The resolution also urged the government to improve the monitoring of arms supplied to Libya, including through the issuance of end-user certificates. Gasana is likely to brief the Council on a meeting the Committee held after the PoE returned from a field visit to Mali and Libya. Gasana is also expected to brief about the implementation of the recommendations included in the final report of the PoE.

Human Rights-Related Developments

The Human Rights Council's Working Groups on enforced or involuntary disappearances and on the use of mercenaries were due to visit Libya from 8-17 May and from 20-25 May, respectively. Both visits were postponed for security reasons. The new dates of the visits have not yet been announced. This is the second time the visit from the UN working group on the use of mercenaries is postponed. The visit had been first scheduled for 21-25 May 2012.

Key Issues

An overarching issue is the fragile security situation and the impact of regional instability on Libya due to the deficient control of its

porous borders. According to the final report of the PoE, most former revolutionary brigades remain in control of the weapons they used during the revolution.

A pressing issue for the Council is the impact on the stability of Libya of the recently adopted political isolation law, especially taking into account its effects on current key political figures (such as the prime minister and some ministers, as well as GNC members, including its president). A related issue also potentially impacting Libya's stability is how the upcoming elections to choose the 60-member Constituent Assembly will be affected by the actions of the committee in charge of deciding who can hold public office under the new law.

An important issue for the Council is the conflicting views of Libya and the ICC regarding the trial of the two ICC indictees, as well as other investigations currently in place, and the role, if any, of UNSMIL in these processes.

Options

Options for the Council include:

- receiving a briefing and taking no action;
- issuing a statement emphasising the need for the GNC, the government and the forthcoming Constituent Assembly to work together for national reconciliation, justice, respect for human rights and the rule of law;
- issuing a statement that would aim at enhancing sanctions' effectiveness by encouraging Libya to assign a focal point structure through which all security assistance procurement would be channeled, as recommended in the final PoE report; and
- asking member states to submit designation proposals to the Sanctions Committee relating to those who are assisting listed individuals designated under the asset freeze measures, as recommended in the final PoE report.

Council Dynamics

The current deterioration of the security situation, the fragility of the political transition and the weakness of the government might be highlighted by some Council members to question the way in which resolutions 1970 and 1973 were implemented. By contrast, some Council members are more likely to showcase the positive developments that have

Libya (con't)

taken place since the end of the revolution.

Arms proliferation in Libya and its consequences in the region have been a source of contention among Council members since the fall of the Qaddafi regime.

In Bensouda's latest briefing to the Council, most members showed respect for the ICC proceedings currently underway to resolve the admissibility challenges and decide where Qaddafi and al-Senussi will be

tried. However, some Council members also argued that there was the need for alleged crimes committed by the rebels and NATO to be investigated as well.

The UK is the penholder on Libya.

Sudan/Darfur

Expected Council Action

In June, the Council is expected to receive the semi-annual briefing by the ICC Prosecutor, Fatou Bensouda, on the work of the ICC on Sudan. At press time, no Council outcome was anticipated on Darfur.

Key Recent Developments

Bensouda last briefed the Council on Darfur on 13 December 2012. She argued that Sudan's "actions on the ground...show an ongoing commitment to crimes against civilians as a solution to the government's problems in Darfur". She said that while the ICC had carried out its Darfur mandate, the Council had exhibited "fragmentation and indecision", stating that the victims of crimes in Darfur were still waiting for "decisive, concrete and tangible actions" by the Council. Bensouda also indicated that given continuing allegations of crimes committed in the region—including attacks on AU/UN Hybrid Operation in Darfur (UNAMID) peacekeepers and civilians and efforts to prevent the delivery of humanitarian assistance—she would consider opening new investigations and producing additional arrest warrant applications.

An ICC Pre-Trial Chamber issued a decision on 26 March finding that Chad, a state party to the Rome Statute, has been in non-compliance with ICC requests for the arrest and surrender of President Omar Al-Bashir, who had most recently been in Chad on 15-16 February. The Secretary-General forwarded this decision in which the ICC argues that "Chad continues to welcome the visits of Omar Al-Bashir on its territory without any attempt to arrest him, despite several warnings on the part of the Court" to the Council on 15 April (S/2013/229).

The security and humanitarian situation in Darfur remains volatile. In late April and early May, a land dispute between the Gimir and Beni Halba communities in South Darfur, led to numerous casualties. An unnamed Beni Halba leader claimed that 37 members of his community and more than 100 Gimir had died in the fighting. The Gimir and Beni Halba clashed again on 21 May, leaving 23 killed, 51 wounded and some 20,000 displaced. Fighting between the Al Taaysha and Salamat communities also occurred in South Darfur on 6 May, reportedly leaving 36 people dead and dozens wounded.

The humanitarian repercussions from the clashes between Sudanese Armed Forces and the Sudan Liberation Army-Minni Minawi (SLA-MM) in and around the towns of Labado and Muhajeriya in eastern Darfur in April have been dire. In its *Humanitarian Bulletin on Sudan (6-12 May)*, the Office for the Coordination of Humanitarian Affairs referred to estimates by humanitarian agencies that 60,000 people had been displaced by these clashes.

On 12 May, Mohamed Bashar, the leader of the splinter group Justice and Equality Movement-Bashar faction (JEM-Bashar), and his deputy Suleiman Arko Dahiya, were killed by JEM forces along the Chad-Darfur border. (JEM-Bashar formally made peace with the government of Sudan by signing the Doha Document for Peace in Darfur on 6 April.)

There have been different accounts of the incident. In separate press releases on 13 May, Nkosazana Dlamini-Zuma, the chairperson of the AU Commission, condemned the incident as "a cowardly act" and called it an "ambush", and Mohamed Ibn Chambas, the Joint Special Representative of UNAMID,

called it a "criminal attack". Gibril Ibrahim, the leader of the JEM, countered these claims, alleging that Bashar died in the midst of an armed confrontation between JEM and the JEM-Bashar faction and denying that Bashar had been the target of an assassination. Ibrahim also claimed that Bashar had been killed on Sudanese territory, refuting reports that the incident occurred on the Chadian side of the border.

Ambassador María Cristina Perceval (Argentina), chair of the 1591 Sudan Sanctions Committee, briefed Council members in consultations on the Committee's work on 16 May. She noted that four of the five members of the Panel of Experts (PoE) were in Darfur. She added that Sudan has continued to deny access to the finance expert, Ghasan Schbley. (Sudan has objected to Schbley, expressing concerns about his activities when he was a member of the PoE for the 751/1907 Somalia/Eritrea Sanctions Committee.) Perceval also told Council members that the Committee members had agreed to visit Darfur in October.

Valerie Amos, the Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator, visited Sudan from 20-23 May. During the trip, she held what she called "constructive and informative meetings" with President Bashir and other high-level government officials. Regarding the situation in Darfur, she noted that the "UN estimates that 300,000 people have fled fighting in all of Darfur in the first five months of this year, which is more than the total number of people displaced in the last two years put together." She added that there is a "need to find more sustainable ways of supporting displaced people" in camps in Darfur.

UN DOCUMENTS ON SUDAN/DARFUR Security Council Resolution S/RES/1593 (31 March 2005) referred the situation in Darfur to the ICC. **Secretary-General's Report S/2013/225** (10 April 2013) was the most recent quarterly report of the Secretary-General on UNAMID. **Meeting Record S/PV.6887** (13 December 2012) was the latest briefing to the Council on the ICC's work in Sudan. **Security Council Letter S/2013/229** (15 April 2013) was from the Secretary-General to the Council forwarding the decision by the ICC that Chad was in non-compliance with the ICC by continuing to welcome Bashir into its territory despite warnings by the Court.

Sudan/Darfur (con't)

Key Issues

An ongoing key issue is how the Council's unwillingness to act on requests by the ICC to take measures against state parties to the Rome Statute that do not fulfil their responsibilities erodes the effectiveness of the Court and undermines the credibility of the Council's own binding resolutions.

Another key issue is whether the ICC indictments of key government officials hinder the prospects for constructive diplomacy and whether ending impunity should take precedence. A related issue is whether a compromise solution can (or should) be found that balances penalties and inducements in a way that does not make the so-called "peace versus justice" debate a zero-sum proposition for either side.

Another issue is whether Amos's meeting with Bashir will result in improved humanitarian access in Darfur, as well as South Kordofan and Blue Nile states.

Options

One option is for the Council to listen to Bensouda's briefing but to currently take no action.

The Council could also hold an informal interactive dialogue on the role of the ICC in Sudan that includes regional organisations

such as the AU and the Arab League, as well as members of the AU Peace and Security Council and other interested stakeholders.

Another option would be for the Council to remind all UN member states that resolution 1593, which referred the situation in Darfur to the ICC, is binding and to indicate its intention to follow up on instances of non-compliance. For example, in light of the ICC's 26 March decision on Chad, the Council could adopt a presidential or a press statement condemning Chad's non-compliance with the requests for Bashir's arrest and surrender.

An alternative approach would be for the Council to authorise a deferral of investigations of Bashir for one year, in accordance with Article 16 of the Rome Statute, in an effort to facilitate enhanced international diplomatic engagement with Sudan.

The Council might also request a briefing from Amos on her recent visit to Darfur and on her meeting with Bashir.

Council Dynamics

The Council is divided on the issue of the ICC. Seven members—Argentina, Australia, France, Guatemala, the Republic of Korea, Luxembourg, and the UK—are parties to the Rome Statute, while eight

members—Azerbaijan, China, Morocco, Pakistan, Russia, Rwanda, Togo and the US—are not. Some members of the Council are supportive of the ICC's work in Darfur, while others appear to be concerned that the pursuit of Bashir and others is motivated largely by political interests.

Some members remain concerned that the finance expert of the PoE continues to be denied entry into Sudan and that Sudan has issued only single-entry visas to the remaining four experts, even though resolution 2091 calls on Sudan to issue "timely multi-entry visas to all members of the Panel...for the duration of its mandate."

Several members are also alarmed by the deteriorating security situation in Darfur. During the 16 May briefing to the Council on the work of the Sudan Sanctions Committee, several Council members spoke and condemned the killing of the leader of JEM-Bashar. In addition, two members advocated imposing sanctions on the Sudan Revolutionary Front, an umbrella group including several rebel movements, especially in light of its attack in late April on Um Rawaba, North Kordofan.

The UK is the penholder on Darfur.

Sudan and South Sudan

Expected Council Action

In June, the Security Council is expected to hold two meetings on Sudan-South Sudan issues, likely in consultations, in accordance with resolution 2046. At press time, it was unclear whether there would be an outcome to the Council's deliberations on these issues.

Key Recent Developments

Kuol Deng Kuol, the Ngok-Dinka paramount chief in Abyei, was shot and killed on 4 May in Abyei by members of the Misseriya community. Hervé Ladsous, Under-Secretary-General for Peacekeeping, briefed Council members about the incident on 6 May in consultations. (The meeting, which had not been on the programme of work, was called

for on 4 May, given the severity of the incident.) He said that Kuol had been travelling from a meeting of the Abyei Joint Oversight Committee escorted by UN Interim Security Force for Abyei (UNISFA) peacekeepers, when the convoy was stopped by members of the Misseriya community, who demanded that the Ngok-Dinka be separated from the convoy. A tense standoff lasting several hours ensued, and when it looked as though the situation had been diffused, a shot was fired by one of the Misseriya, killing the paramount chief and sparking additional gunfire. In addition to the death of Kuol, Ladsous indicated one UNISFA peacekeeper was killed and three others were injured, but he was unable to confirm reports that 17 Misseriya lost their lives

in the clash.

On the same afternoon as their meeting with Ladsous, Council members issued a press statement condemning the attack, calling on the parties in Abyei to exercise maximum restraint and reiterating support for UNISFA.

Speaking at the media stakeout on 9 May, Ambassador Francis Deng (South Sudan) said that the incident that led to the death of Kuol was not an isolated one. He said that recently there had been several reports of killings, cattle-raiding and burning of villages by armed Misseriya in Ngok-Dinka areas of Abyei. Noting that some of these attacks had occurred in the presence of UNISFA troops or had been reported to them, Deng added

UN DOCUMENTS ON SUDAN AND SOUTH SUDAN Security Council Resolutions S/RES/2104 (29 May 2013) renewed UNISFA's mandate. S/RES/2046 (2 May 2012) was on Sudan-South Sudan relations. **Secretary General's Report S/2013/294** (17 May 2013) was the most recent report on Abyei. **Security Council Press Statement SC/10997** (6 May 2013) condemned the attack in Abyei that claimed the life of Kuol Deng Kuol.

Sudan and South Sudan (con't)

that UNISFA's mandate to protect civilians needed to be reinforced. In particular, he noted that the mission should be protecting civilians from all armed groups, not just those in uniform.

On 9 May, Haile Menkerios, Special Envoy of the Secretary-General for Sudan and South Sudan, briefed Council members in consultations via videoconference. He said that the UN, Sudan and South Sudan would jointly conduct an investigation into the killing of Kuol and release a public report, although he did not indicate a timeframe for the investigation. He also expressed concern over the tensions in Abyei between the Ngok-Dinka and the Misseriya communities and said that Sudan and South Sudan had yet to establish the Abyei area institutions—the Abyei Council, Abyei Police Force and the Abyei administration. In addition to discussing Abyei, Menkerios also indicated that more than 30,000 civilians had been displaced by the incursion of the Sudan Revolutionary Front (SRF), an umbrella group including several rebel movements, into North Kordofan state in Sudan in late April.

In mid-May, the National Assembly, the lower chamber of Sudan's bicameral legislature, went on recess for a week so that its members could return home and organise youth to assist the Sudan Armed Forces (SAF) in their war effort against the SRF. On 20 May, the Council of States, the upper chamber, also adjourned to allow its members to travel to their home areas and mobilise support for the fight against the rebels. The Council of States was not expected to reconvene until 3 June.

In South Sudan, fighting continued between the army of South Sudan, the Sudan People's Liberation Army (SPLA), and the rebel movement led by David Yau Yau. In early May, the rebels seized Boma, a town in Jonglei state. (It is unclear how many casualties resulted from this attack.) On 19 May, the SPLA regained control of Boma. Philip Aguer, a spokesman for the SPLA, said that four SPLA troops and 12 rebels died in the fighting.

In a separate incident in South Sudan, cattle rustlers from Jonglei state crossed into neighbouring Unity State, and on 18 May, raided a village in Nasir county, killing 23 of the inhabitants and stealing more than 2,000 cattle.

On 23 May, President Salva Kiir of South Sudan said that he would not accept the ICC, claiming that the court has been used to "humiliate" African leaders. The remarks came in the midst of a visit to South Sudan by President Uhuru Kenyatta of Kenya, who has been indicted by the ICC.

In spite of progress in implementing agreements on oil and security arrangements, tensions resurfaced between Sudan and South Sudan in May. On 11 May, Sudan accused South Sudan of providing assistance to SRF forces that attacked Um Rawaba town in North Kordofan state, alleging that South Sudan gave fuel to the SRF and provided refuge to wounded rebels in hospitals in South Sudan. When there was a temporary disruption of the flow of oil through a pipeline into Sudan starting on 17 May, South Sudan initially suspected that Sudan closed the pipeline according to comments made by a foreign ministry spokesperson. However, Sudan denied the allegation and claimed that a technical problem had resulted in the disruption.

On 27 May, the SAF recovered Abu Kershola, a town in South Kordofan that the SRF had seized in late April, allegedly inflicting heavy casualties on the SRF according to Sudan. However, the SRF claimed that it withdrew from the town because an economic blockade on Abu Kershola by Sudan was causing great suffering to the civilian population there. Speaking in Khartoum after the retaking of the town, Sudan's President Omar Al-Bashir said that he would halt the movement of oil from South Sudan through Sudan if the former supported rebels in Sudan.

Edmond Mulet, Assistant Secretary-General for Peacekeeping Operations, briefed Council members in consultations on UNISFA and Sudan-South Sudan relations on 23 May. He expressed concern about the tensions between the Ngok-Dinka and the Misseriya and the killing of the paramount chief, adding that UNISFA was on a heightened state of alert and was intensifying its ground patrols. Mulet said that UNISFA continued its aerial monitoring of the border and that it would soon be able to conduct ground patrols as part of the Joint Border Verification and Monitoring Mechanism (JBVMM), assuming that the Council authorises additional troops to provide protection to monitors and support staff when it renews UNISFA's mandate.

On 29 May, the Council adopted resolution

2104 extending the mandate of UNISFA until 30 November 2013. The resolution authorises a troop ceiling of 5,326 troops, as requested by the parties and by the Secretary-General. The original ceiling was 4,200 troops. However, the Secretary-General noted in his 28 March report on UNISFA that an additional 1,126 troops would be needed to provide protection to monitors and support staff who will serve in the JBVMM along the Sudan-South Sudan border (S/2013/198). The new mandate also calls for a review of the mission's force composition and posture in 120 days.

Key Issues

The key issue for the Council is how to ensure that Sudan and South Sudan overcome recent tensions and build on the positive momentum generated by the resumption of oil production and the progress in establishing the JBVMM.

Another key issue is the inter-communal violence between the Ngok-Dinka and the Misseriya communities in Abyei and how UNISFA can strengthen its efforts to protect civilians.

A related issue is the fact that Sudan and South Sudan have yet to establish the Abyei area institutions. According to the most recent Secretary-General's report on UNISFA, the lack of these institutions "continue[s] to undermine efforts to stabilise the security and humanitarian situation."

Another key issue is how the internal security situations in Sudan and South Sudan impact relations between the two countries. Both countries accuse one another of supporting rebels on their respective sides of the border.

Also a key issue is the ongoing conflict and related humanitarian crisis in South Kordofan and Blue Nile states and the limited access to these areas to help civilians in need.

Options

Options for the Council include:

- inviting AU High Level Implementation Panel Chair Thabo Mbeki, who last briefed the Council on 27 March, for an informal interactive dialogue to get his perspective on the status of (and next steps in) the negotiations between Sudan and South Sudan;
- requesting a briefing from Under-Secretary-General for Humanitarian Affairs Valerie Amos, who visited Sudan from 20-23

Sudan and South Sudan (con't)

May, on the humanitarian situation in South Kordofan and Blue Nile states and the prospects for improved humanitarian access to these two areas; and

- adopting a statement that reiterates the need for the parties to continue to engage in constructive negotiations.

Council Dynamics

Council members are encouraged that Sudan and South Sudan have begun to implement

agreements on oil and border security. There is likewise widespread hope among members that the parties can continue to build on this constructive momentum.

With respect to Abyei, several members remain concerned at the recent inter-communal violence between the Misseriya and Ngok-Dinka communities. In this respect, there is widespread agreement among Council members on the need to demilitarise the Abyei area and to establish the Abyei area institutions.

While several members believe that the twice-per-month meetings on Sudan-South Sudan matters are an effective way of maintaining the Council's attention on this challenging issue, some seem to advocate for a reduction in the frequency of these meetings, believing that the Council risks "micromanaging" the situation with the current schedule of meetings.

The US is the penholder on Sudan-South Sudan issues.

Somalia

Expected Council Action

In June, the UK plans to hold a briefing on Somalia. UK Minister for Africa Mark Simmonds will likely preside at the meeting and UN Deputy Secretary-General Jan Eliasson is expected to brief. The Council will also be briefed by a representative of the government of Somalia, potentially Deputy Prime Minister and Foreign Minister Fauzia Yusuf Haji Adan. A presidential statement is a possible outcome.

Key Recent Developments

On 2 May, the Council adopted resolution 2102, creating the UN Assistance Mission in Somalia (UNSOM) to be deployed as of 3 June for an initial period of one year. UNSOM's mandate has five components: "good offices" functions; providing advice to the government and the AU Mission in Somalia (AMISOM) on peacebuilding and statebuilding; assisting the government with donor coordination; capacity-building in the areas of human rights and protection of civilians; and human rights monitoring and reporting. There is a strong emphasis on integration within UNSOM and coordination and alignment with other actors. Previously, on 25 April the Secretary-General announced

his intention to appoint Nicholas Kay (UK) as his Special Representative for Somalia and head of the new UN mission.

On 7 May, the UK hosted an international conference on Somalia in London. UK Prime Minister David Cameron, President Hassan Sheikh Mohamud of Somalia, US Deputy Secretary of State William Burns and Eliasson were among those who spoke. Neither Somaliland (an internationally unrecognised, self-declared country) nor Puntland (a semi-autonomous state) were represented at the conference. The UK pledged \$279 million—the largest contribution of new funds among donors at the conference—for the police force, prison construction, training judges, mobile courts and anti-piracy. The US pledged \$40 million in new funds. The conference issued a final communiqué emphasising the international community's commitment to supporting the government of Somalia, particularly in the areas of security, justice and public financial management.

On 10 May, the AU Peace and Security Council (PSC) issued a communiqué repeating its call for "greater support to AMISOM, particularly with respect to force multipliers and enablers", urging the UN

and other partners to assist with these needs and requesting the AU Commission to report within 30 days on steps taken to deal with issues raised in resolution 2093. Adopted on 6 March, resolution 2093 re-authorised AMISOM through February 2014 but did not directly respond to an earlier request by the AU for an enhanced support package from the UN. Although the Secretary-General's 19 April report on the technical assessment mission (TAM) conducted in March noted the need for further support to AMISOM's military and civilian components, this was also not addressed in resolution 2102. It seems that differing positions regarding the amount of funding and the scope of the mandate for AMISOM remains a source of recurring tension between the UN and AU.

The current sensitivity in relations between the UN and AU was once again apparent on 9 May, when comments by Eliasson at a press conference in New York suggesting AMISOM had sustained up to 3,000 casualties since 2007 prompted a minor controversy, including a rebuttal from AMISOM and a clarification from the office of the UN spokesperson. AMISOM called the estimate

UN DOCUMENTS ON SOMALIA [Security Council Resolutions S/RES/2102](#) (2 May 2013) created UNSOM and authorised its deployment for one year as of 3 June 2013. [S/RES/2093](#) (6 March 2013) authorised AMISOM deployment until 28 February 2014 and partially lifted the arms embargo. [Secretary-General's Report S/2013/69](#) (31 January 2013) was the latest regular report on Somalia. [Security Council Meeting Records S/PV.6959](#) (2 May 2013) concerned the creation and authorisation of UNSOM. [S/PV.6955](#) (25 April 2013) concerned the findings of the TAM. [S/PV.6929](#) (6 March 2013) concerned the re-authorisation of AMISOM. [Security Council Letters S/2013/251](#) (25 April 2013) was from the Secretary-General regarding his intention to appoint Nicholas Kay (UK) as the new Special Representative of the Secretary-General for Somalia. [S/2013/239](#) (19 April 2013) was from the Secretary-General regarding the findings of the TAM. [Security Council Press Statement SC/10972](#) (15 April 2013) condemned the terrorist attack in Mogadishu.

OTHER RELEVANT FACTS [Special Representative of the Secretary-General Nicholas Kay \(UK\) Size and Composition of AMISOM](#) *Authorised strength:* 17,731 total uniformed personnel. The main contingents are from Uganda (6,223 troops), Burundi (5,432 troops), Kenya (4,652 troops*), Djibouti (960 troops) and Sierra Leone (850 troops*), with 361 police from eight countries. *The contingents of Sierra Leone and Kenya are in transition; numbers are approximate. [Special Representative of the AU and Head of AMISOM Mahamat Salah Annadif](#) (Chad)

USEFUL ADDITIONAL RESOURCES Katrina Manson, "Somalia: Oil thrown on the fire", *Financial Times*, 13 May 2013. [Communique of the 375th PSC meeting on the situation in Somalia](#), <http://www.peaceau.org/uploads/psc-375-somalia-10-05-2013.pdf>. [International Somalia Conference final communiqué](#), <https://www.gov.uk/government/news/somalia-conference-2013-communiqué>. [Mortality among populations of southern and central Somalia affected by severe food insecurity and famine during 2010-2012](#), FAO Somalia and Famine Early Warning Systems Network, 2 May 2013.

Somalia (con't)

“simply untrue”, while the UN said, “The casualty figures used by the Deputy Secretary-General were an estimate based on information from informal sources; dissemination of exact casualty statistics is solely the responsibility of the African Union and the individual troop contributing countries”.

On 15 May, Ahmed Madobe, leader of the *Ras Kamboni* militia, was named president of the self-declared state of Jubaland in the southern region bordering Kenya. (Formerly aligned with the Islamic Courts Union and ousted by Ethiopia in 2006, Madobe fought alongside Kenya against *Al Shabaab* during 2012.) Just hours later, a former defence minister and rival militia leader widely seen as backed by Mogadishu, Barre Hirale, claimed that he is actually the president of Jubaland. The central government officially recognises neither the Jubaland state formation process nor either of the rival assertions of presidency. Most immediately, control over revenue generated by the lucrative port of Kismayo is at stake. As the *Financial Times* recently reported, matters are further complicated by competing claims to nearby offshore oil concessions made by Kenya and Somalia. In a significant precedent, both Somaliland and Puntland have already negotiated oil concession contracts independently of the federal government in Mogadishu.

As for the humanitarian situation, on 2 May the Food and Agricultural Organization (FAO) and the US-funded Famine Early Warning Systems Network released a jointly commissioned study on food insecurity and famine in Somalia from October 2010 to April 2012. The report states that approximately 258,000 people died during that period, which is more than the 220,000 people

estimated to have died during the 1992 famine. Half of the deaths were children under the age of five. The UN humanitarian coordinator for Somalia, Philippe Lazarini, said: “The report confirms we should have done more before the famine was declared on 20 July 2011. Warnings that began as far back as the drought in 2010 did not trigger sufficient early action”. According to a 10 May bulletin from the Office for the Coordination of Humanitarian Affairs in Somalia, there are currently 1.05 million people in “humanitarian emergency and crisis”, 1.67 million people “in stress”, 1.1 million internally displaced persons and 1 million Somali refugees in the Horn of Africa and Yemen.

Key Issues

With the imminent deployment of UNSOM in Somalia (its predecessor, the UN Political Office for Somalia, was primarily based in Nairobi), several relevant issues arise, including:

- ensuring UN staff security in Mogadishu and elsewhere;
- agreeing on an acceptable division of labour with the AU;
- sorting out the logistics of collaboration with the government; and
- managing tensions regarding Somaliland, Puntland and Jubaland.

Options

The UK is likely to use the upcoming briefing during its Council presidency to build on the momentum generated by UNSOM’s creation and the international conference held in London. A presidential statement could address a number of different areas:

- expressing support for the deployment of UNSOM;

- recognising the significance of future UN-AU collaboration;
- stressing the need for regional and sub-regional cooperation; and
- highlighting themes from the communiqué of the London conference.

The statement could also acknowledge a few of the challenges facing Somalia, such as the difficult humanitarian situation, the fragility of military gains against *Al Shabaab* and the uncertain prospects for the effective implementation of a federal system.

Council and Wider Dynamics

At present, the Council appears to be united behind the creation and impending deployment of UNSOM, as the more contentious issues (e.g. lifting the arms embargo and structural integration) were previously addressed in resolution 2093.

The status of Somaliland, Puntland and Jubaland present critical challenges for the government of Somalia and the UN. For example, on 15 May Somaliland announced it is banning UN flights from its territory in response to the return of control over Somalia’s airspace from the UN Civil Aviation Caretaker Authority in Nairobi to the federal government in Mogadishu. Jubaland, in particular, has the potential to undo the military gains against *Al Shabaab*, as it could damage relations between Somalia and Kenya, which in turn would have negative implications for AMISOM. The future of Ethiopian forces in Somalia also continues to be ambiguous.

The UK is the penholder on Somalia, while the Republic of Korea is the chair of the 751/1907 Somalia-Eritrea Sanctions Committee.

Liberia

Expected Council Action

In June Council members expect to receive a briefing in consultations from the chair of the 1521 Liberia Sanctions Committee, Ambassador Masood Khan (Pakistan), on the midterm report of its Panel of Experts (PoE). No outcome is expected.

The sanctions and the mandate of the PoE expire on 12 December. The mandate of the

UN Mission in Liberia (UNMIL) expires on 30 September.

Key Recent Developments

On 25 March, the Council was briefed by Karin Landgren, Special Representative of the Secretary-General and head of UNMIL, and Ambassador Staffan Tillander (Sweden), chair of the Liberia configuration of

the Peacebuilding Commission, on the situation in Liberia. Landgren briefed on UNMIL’s continuing reconfiguration and drawdown, while Tillander focused on security sector reform, rule of law and national reconciliation.

The 1521 Liberia Sanctions Committee met on 23 May to receive the midterm report of the PoE monitoring the sanctions.

Liberia (con't)

The report apparently highlights several areas, including:

- violations of the arms embargo and Liberia's progress in developing the capacity to monitor and track the flow of arms;
- continued activities by individuals targeted by sanctions that risk destabilising the government of Liberia as well as the identification of individuals who could potentially be delisted;
- continuing tensions related to land tenure issues; and
- progress made by the Government of Liberia in regulating its natural resources industries, especially diamond mining (including Kimberley Process compliance), gold mining and the forestry sector.

On 5 April, representatives of the Governments of Liberia and Côte d'Ivoire and the heads of the UN Mission in Côte d'Ivoire and UNMIL held a four-party meeting in Monrovia to discuss border security, humanitarian issues, reconciliation and cooperation between the two countries. A communiqué adopted following the meeting condemned repeated sporadic attacks in the border region between the two countries by armed non-state actors. (Cross-border attacks in March killed 14 civilians and soldiers in Côte d'Ivoire.)

According to news reports in May, Ibrahim Bah, subject to a travel ban under the Liberia sanctions regime, had been found living and conducting business (including with mercenary and paramilitary forces) in Freetown, Sierra Leone, in violation of the sanctions regime.

In May, the Liberia Extractive Industries Transparency Initiative released its final report on an audit of the process for awarding natural-resource concessions between 2009 and 2011. The audit found that during that period, Liberia did not comply with its own laws in awarding 60 out of 68 contracts in various sectors, including mining and timber. (In resolution 2079, the Council called on the PoE to pay special attention in its reports to progress made in the forest and diamond sectors since the lifting of measures against those sectors in 2006 and 2007.)

Key Issue

The key issue for the Council is ensuring that the Liberia sanctions regime continues to complement efforts to consolidate peace and strengthen institutions in Liberia by denying anti-government forces and mercenaries access to resources and weapons with which to destabilise Liberia and its neighbours.

Options

Though the Council is expected to receive the briefing and take no action, it will most likely begin its thinking about the future of the Liberia sanctions, as per resolution 2079. Options include:

- asking the 1521 Sanctions Committee to significantly revise the list of individuals subject to the asset freeze and travel ban (delisting is currently a gradual process);
- modifying or lifting all or part of the arms embargo (a possibility raised in resolution 2079); or

- strengthening existing sanctions to address the continuing instability in border regions and the slow progress by the Government of Liberia in combating corruption in particular economic sectors (such as the forest and diamond sectors).

Council Dynamics

It appears that Council members are in agreement that the situation in Liberia at present does not warrant significant revisions to the sanctions regime, as the government continues to lack the necessary legal and enforcement capacities to regulate the importation of arms. (Council members hold differing views as to what level of capacity the government would need to reach in order to end the arms embargo.)

Council members also generally agree on the value and utility of the PoE's regular reporting on the implementation of the sanctions and are likely to base any decisions on the future of the Liberia sanctions regime on the recommendations of the PoE.

Some Council members appear to be interested in making more use of the PoE and sanctions in Liberia and would like to see more cooperation between the Panels of Experts for the Liberia and Côte d'Ivoire sanctions regimes. Other Council members, however, question the effectiveness of the current sanctions regime and are interested in seeing the delisting process continue (20 individuals were delisted in 2012), with the eventual lifting of part or all of the sanctions.

Afghanistan

Expected Council Action

In June, the Council expects to hold its quarterly debate on Afghanistan. Ján Kubiš, the Special Representative of the Secretary-General and head of the UN Assistance Mission in Afghanistan (UNAMA), is likely to brief the

Council. No outcome is anticipated.

UNAMA's mandate expires on 19 March 2014.

Key Recent Developments

On 19 March, the Council adopted resolution

2096, which maintained UNAMA's long-standing mandate in areas such as reconciliation, electoral assistance, human rights, the rule of law and good governance. However, the resolution added language highlighting the importance of adequate resourcing for

UN DOCUMENTS ON LIBERIA [Security Council Resolutions S/RES/2079](#) (12 December 2012) extended both the sanctions regime and the mandate of the Panel of Experts until 12 December 2013. [S/RES/2066](#) (17 September 2012) extended the UNMIL mandate until 30 September 2013. [Secretary-General's Report S/2013/124](#) (28 February 2013) was a report of the Secretary-General on UNMIL. [Security Council Meeting Record S/PV.6941](#) (25 March 2013) was a briefing on the situation in Liberia. [Security Council Letter S/2013/12](#) (10 January 2013) was on the appointment of three members of the Panel of Experts. [Sanctions Committee Documents S/2012/980](#) (31 December 2012) was the annual report of the 1521 Sanctions Committee. [S/2012/901](#) (3 December 2012) was the final report of the 1521 Sanctions Committee's Panel of Experts. **USEFUL ADDITIONAL SOURCE** [Post Award Process Audit Final Report](#), Liberia Extractive Industries Transparency Initiative (LEITI), May 2013

OTHER RELEVANT FACTS [Special Representative of the Secretary-General and Head of UNMIL](#) Karin Landgren (Sweden) [UNMIL Force Commander](#) Major General Leonard Muriuki Ngondi (Kenya) [Chairman of the Sanctions Committee](#) Ambassador Masood Khan (Pakistan) [Panel of Experts on Liberia](#) Christian Dietrich, arms (US); Caspar Fithen, natural resources (UK); Lansana Gberie, finance (Canada)

Afghanistan (con't)

UNAMA, thus signalling concerns about significant cuts to the mission's budget over the past year. Additionally, the resolution placed emphasis on UNAMA's role in promoting coordination and coherence among UN funds, programmes and agencies working in Afghanistan.

The security situation in Afghanistan continues to be unstable. Addressing a NATO ministerial meeting in Brussels on 24 April, Kubiš said that there had been a 30 percent increase in civilian casualties in Afghanistan in the first quarter of 2013 compared to the same period in 2012, noting that 475 civilians had been killed and 872 had been wounded in the first three months of this year.

A number of deadly attacks have also been reported in recent months. In Farah province in western Afghanistan, at least 53 people were killed and more than 100 were injured during a 3 April Taliban assault on a government facility. Kubiš called the attack a war crime during the NATO ministerial briefing on 24 April.

On 16 May, a car filled with explosives smashed into two US military vehicles in Kabul, killing six US soldiers and contractors and 10 Afghan civilians and wounding more than 36 Afghans. The insurgent group Hezb-i-Islami took responsibility for the attack, claiming that other attacks on the US will follow because of current negotiations between the US and Afghan governments on an extended US military presence in the country.

Several other fatal incidents involving International Security Assistance Force (ISAF) soldiers have recently occurred in southern Afghanistan. Three British troops died when their vehicle set off a roadside bomb on 30 April in Helmand province. On 4 May, a roadside bomb killed five US troops in Kandahar's Maiwand district. Three Georgian soldiers died on 13 May in Helmand Province when insurgents discharged explosives in a vehicle that they had driven into the Georgian base. On the following day, four US soldiers were killed by a roadside bomb, in Kandahar's Zhari district.

The Taliban attacked an International Organisation for Migration (IOM) compound in Kabul on 24 May, killing an Afghan police officer and injuring 10 other people, including

three IOM personnel. On 26 May, the Council issued a press statement condemning the attack.

On 5 May, the Afghan Opium Survey 2012, a joint report of the UN Office on Drugs and Crime and the Afghan Ministry of Counter-Narcotics, was issued. The report noted that opium production in Afghanistan increased by 18 percent in 2012 compared to 2011. Afghanistan accounted for approximately 64 percent of the world's opium production last year, according to the report.

The New York Times reported on 28 April that the US Central Intelligence Agency had been making cash payments to President Hamid Karzai's office for at least the past 10 years. Karzai confirmed receiving such payments on 29 April. According to the *Times*, "The money is used to cover a slew of off-the-books expenses, like paying off lawmakers or underwriting delicate diplomatic trips or informal negotiations. Much of it also goes to keeping old warlords in line."

Relations between Afghanistan and Pakistan suffered a setback in early May, when security forces from the two countries clashed in two separate border incidents on 1 and 6 May.

On 26 April, the third Ministerial Conference of the Istanbul Process, which is designed to promote security and cooperation in Afghanistan and the neighbouring region, was held in Almaty, Kazakhstan. It included the participation of high-level delegations from 30 countries and 12 regional and international organisations. (The first two conferences were held in Istanbul in November 2011 and Kabul in June 2012.) The conference declaration highlighted the importance of cooperative efforts among states in combating security challenges in Afghanistan, the surrounding region, and beyond.

Preparations for the presidential and provincial council elections, currently scheduled for 5 April 2014, continued. Voter registration in all provinces began on 25 May; it is anticipated that this process will last for two months. At press time, a bill guiding the work of the Independent Electoral Commission (IEC) and Electoral Complaints Commission (ECC) had yet to be adopted, as Karzai

and the Afghan parliament have yet to come to terms on the content of the legislation. (The legislation requires presidential approval before it is enacted into law. It has been noted that Karzai, who has vetoed a draft of the bill, would like to be able to appoint all of the members of the IEC and to entrust Attorney General Mohammad Ishaq Alok with the responsibilities of the ECC.)

Another piece of legislation that has yet to be adopted is the wider election law. On 22 May, the Wolesi Jirga, the lower house of the Afghan parliament, approved the bill, which is currently being considered by Karzai as it also requires his approval before being enacted into law.

Human Rights-Related Developments

On 20 March the then-Deputy High Commissioner for Human Rights, Kyung-wha Kang, introduced a periodic report of the High Commissioner for Human Rights on the situation of human rights in Afghanistan to the Human Rights Council (A/HRC/22/37). The report was prepared in cooperation with UNAMA. She said that the report highlighted persistent human rights challenges exacerbated by the ongoing armed conflict, with civilians continuing to bear the brunt. She also said that a fact-finding team put in place by President Karzai following the publication of UNAMA's report "Treatment of Conflict-Related Detainees in Afghan Custody" last January found that 48 percent of the detainees interviewed alleged that they had been tortured. The team proposed recommendations to relevant institutions to address this issue. Kang also addressed access to justice, executions and violence against women.

Key Issues

A key issue for the Council is the deteriorating security situation. A related and ongoing issue is how well Afghan security forces will perform as they continue to take on enhanced security responsibilities from ISAF.

Also an important issue is helping to ensure that preparations for the 2014 elections are managed effectively, as UNAMA is mandated to provide electoral support upon the request of the government. (This is especially an area of concern given the controversies surrounding the conduct of the last presidential election in 2009, which Peter Galbraith, then Deputy Special Representative of the Secretary-General in Afghanistan, claimed was tarnished by "massive electoral

UN DOCUMENTS ON AFGHANISTAN [Security Council Resolutions S/RES/2096](#) (19 March 2013) renewed UNAMA's mandate until 19 March 2014. [S/RES/2069](#) (9 October 2012) renewed the mandate of ISAF in Afghanistan until 13 October 2013. [Security Council Press Statement SC/11016](#) (26 May 2013) condemned the attack on the IOM compound in Kabul. [Secretary-General's Report S/2013/133](#) (5 March 2013) was the latest UNAMA report. [Security Council Meeting Record S/PV.6935](#) and Resumption 1 (19 March 2013) was the latest UNAMA debate.

Afghanistan (con't)

fraud”.)

Another key issue is the rise in opium production in Afghanistan and what efforts can be taken to curtail the impact of this challenge in Afghanistan and the broader region.

Options

One option is for the Council to listen to the debate but take no action at the current time.

The Council might also consider adopting a statement that:

- deplores the spike in violence against civilians in recent months;
- encourages the adoption of electoral legislation that is fair and represents legitimate compromise among Afghan stakeholders;

and

- welcomes the declaration of the recent Istanbul process conference, recognising the importance of regional actors in Afghanistan's future success.

Another option would be for the Council to consider requesting a report from the Secretary-General by the end of 2013 specifically on electoral preparations.

Council Dynamics

There is widespread support in the Council for UNAMA's core mandate. Several members are concerned about the security situation, especially given the heightened number of civilian casualties in recent months. Several

Council members have likewise noted the devastating impact of the conflict in Afghanistan on women and children. For example, Guatemala has noted the significant rise in attacks on women and girls in 2012, while Luxembourg has pointed to attacks on schools and the use of child suicide bombers by extremists as violations of the rights of children.

There is also a widespread emphasis among Council members on the importance of electoral planning processes that are fair and inclusive, while several members—namely France, Pakistan and Russia—underscore the need to bolster efforts to combat drug production and trafficking.

Australia is the penholder on Afghanistan.

Iran

Expected Council Action

In June, the Council is expected to renew the mandate of the Panel of Experts (PoE) assisting the 1737 Iran Sanctions Committee. The current mandate does not expire until 9 July, but when the Council renewed the mandate on 7 June 2012 in resolution 2049, it expressed its intention “to take appropriate action regarding its extension no later than 9 June 2013”. (It seems to have become standard Council practice to extend such mandates for 13 instead of 12 months in case of any administrative delays.) A technical rollover is expected.

Also in June, the chair of the Committee, Ambassador Gary Quinlan (Australia), is due to present his quarterly briefing on the work of the Committee to the Council and towards the end of the month is expected to convene a meeting with the wider UN membership on implementation of the sanctions regime with PoE members and perhaps other briefers. (A similar outreach event was held in July 2012.)

Key Recent Developments

In his 6 March briefing to the Council on the work of the 1737 Committee (S/PV.6930), Quinlan reported that the Committee had met on 13 February to discuss the 6 February notification from Yemen (which he referred

to only as a “member state”) about its interception of a vessel believed to be carrying illicit weapons from Iran. He said the Committee had encouraged the PoE to investigate the allegations. Furthermore, the Committee had discussed how to respond to the 11 January PoE incident report on the missile launches conducted by Iran from 2 to 4 July 2012, which concluded that they constituted a violation of resolution 1929. It had also considered the compilation received from the PoE of publicly available statements made by Iranian officials regarding potential violations of the arms embargo. Quinlan noted, however, that the Committee had yet to agree on any follow-up action.

Quinlan also provided an update on communications and inquiries received from member states and informed the Council that the Committee had adopted an implementation assistance notice on conventional arms and related materiel on 26 December 2012 and on financial and business measures on 27 February. On 4 March it had updated the lists of nuclear-related and ballistic missile-related items subject to sanctions.

Since Quinlan's briefing, the Committee held two substantive meetings. On 29 April, it considered the PoE's report on its investigation of the notification from Yemen referred

to above. It seems the PoE was split, with five experts (nationals of France, Germany, Japan, the UK and the US) concluding with certainty that the intercepted arms shipment originated from Iran whereas the remaining three (nationals of China, Nigeria and Russia) said it was very likely, but could not be unequivocally confirmed based on available evidence. As a follow-up, the Committee on 21 May sent a letter to Iran inviting it to respond to the PoE's findings in writing.

The Committee met again on 28 May to consider the PoE's final report which had been submitted to Council members earlier in the month. It seems the report asserts that Iran is continuing to violate the sanctions regime both through illicit arms transfers and by attempting to source prohibited items and technology for its nuclear programme and highlights new methods used by Iran to circumvent the sanctions regime. Following a briefing by the PoE coordinator, Council members expressed their initial views on the report. The Committee is scheduled to meet again in June to discuss the report's recommendations.

High-level talks continued between Iran and the P5+1—comprising the Council's permanent members and Germany—but no progress was reported. Following resumption of the talks on 26-27 February in Almaty,

UN DOCUMENTS ON IRAN [Security Council Resolutions S/RES/2049](#) (7 June 2012) renewed the mandate of the Panel of Experts until 9 July 2013. [S/RES/1737](#) (23 December 2006) was the first round of sanctions on Iran, which also established the Sanctions Committee. [Security Council Meeting Record S/PV.6930](#) (6 March 2013) was the most recent briefing by the chair of the Sanctions Committee. [Sanctions Committee Documents SC/10928](#) (4 March 2012) was a Sanctions Committee press release announcing that the lists of items subject to sanctions under resolution 1737 had been updated. [S/2012/395](#) (12 June 2012) was last year's final report from the PoE. **USEFUL ADDITIONAL RESOURCE** [GOV/2013/27](#) (22 May 2013) was the latest IAEA report on Iran.

Iran (con't)

Kazakhstan, there was a technical-level meeting on 18-19 March and then another high-level session in Almaty on 5-6 April, which ended without any outcome and Iran stating that it would be waiting for a response to its proposals.

On 15 May, as a follow-up to the Almaty talks, the P5+1 lead negotiator, Catherine Ashton, the EU High Representative for Foreign Affairs and Security Policy, met with Iran's chief negotiator, Saeed Jalili, in Istanbul. Following the meeting, Jalili said they had fruitful talks and had agreed to meet in the near future. No new meeting is expected, however, until after the 14 June presidential elections in Iran in which Jalili is one of the candidates.

Also on 15 May, Iran met with the IAEA in Vienna to continue discussions aimed at reaching agreement on a plan to resolve outstanding issues on the possible military dimension of its nuclear programme (referred to as a "structured approach"). The IAEA said they had had "intensive discussions" but had been unable to finalise the structured approach document. No date was set for another meeting. On 22 May, the IAEA formally reported that there had been no progress in resolving outstanding issues with Iran and that enrichment and heavy water related activities had continued.

On 9 May, the US announced the listing of an additional four Iranian companies, an Iranian-Venezuelan bank, a United Arab Emirates shipping company and an Iranian national as subject to sanctions targeting the Iranian nuclear programme.

Human Rights-Related Developments

On 11-12 March, Ahmed Shaheed, the Special Rapporteur on the human rights situation in Iran for the Human Rights Council (HRC), presented his latest report (A/HRC/22/56) and held an interactive dialogue with HRC member states, observer states and NGOs. Iran's reply to the report was published as an addendum (A/HRC/22/56/Add.1). Shaheed informed the HRC of the grave situation of human rights defenders and of religious minorities, allegations of torture, arrests of journalists and the alarmingly high rate of executions mostly for drug-related offenses that did not meet international standards for "most serious crimes". Iran, speaking as the concerned country, reiterated that it rejected the creation of the mandate of the Special Rapporteur. Additionally, on 20 March, Kyung-wha Kang, the then-Deputy High Commissioner for Human Rights, presented the report of the Secretary-General on the situation

of human rights in Iran (A/HRC/22/48 of 28 February, requested by General Assembly resolution A/67/327). On 22 March, the HRC extended the mandate of the Special Rapporteur for one year and called on the government of Iran to cooperate with him fully (A/HRC/RES/22/23).

Key Issues

A key issue for the Council in June is the renewal of the PoE's mandate.

A further key issue is the composition of the PoE and whether there is a need for the expert selection process to be more transparent with a greater focus on geographic diversity.

An additional issue is whether the PoE's latest report should be made public. (While the 2012 report was made public, the 2011 report was not, mainly due to objections from Russia.)

A continuing key issue is Iran's defiance of relevant Council resolutions and its inconsistent cooperation with the IAEA.

A fundamental issue for the Council is whether the so-called dual-track approach is working or whether further punitive measures will only be counterproductive and lead to a further entrenching of Iran's position. (This approach consists of pressuring Iran to comply with existing resolutions and obligations through sanctions while at the same time pursuing a diplomatic solution.)

At the Committee-level, a key issue is ensuring effective implementation of the sanctions regime. This includes the question of how to respond to reports and evidence of violations. A related issue is whether to take up any of the PoE's recommendations.

Options

The main option for the Council is to renew the PoE's mandate for a further 13 months without any changes.

The main option for the Committee in June is to consider the PoE's recommendations with a view to deciding on implementation. It could also issue additional implementation assistance notices to help guide member states.

A further option for the Committee is to use the chair's 90-day report to the Council to signal the Committee's willingness to act upon recent reports of violations. (The Chair's statement is agreed by all Committee members.)

Council Dynamics

Council dynamics remain unchanged. This was reflected in Council members' statements following Quinlan's briefing on 6 March and has also been manifested in the Committee. In the 6 March meeting, there were clear differences between Council members such as China and Russia, which emphasised dialogue and negotiations as the only way to resolve the Iranian issue, and others such as France, Luxembourg, the Republic of Korea, the UK and the US, which reiterated their deep concern about Iran's nuclear programme, stressed the importance of full implementation of the sanctions regime and called on the Committee to act on reports of violations.

In the latest discussions in the Committee of the report on the Yemen incident, it seems France, the UK and the US in particular argued that the evidence against Iran was conclusive and called for immediate appropriate action. China, Pakistan and Russia on the other hand apparently warned against hasty conclusions and called for further investigations.

With regard to the PoE's final report, it seems to have been well received by most Council members. They seem to agree that the report is of high quality and that the evidence presented is credible. It is not clear, however, whether the Committee will be able to agree on implementation of any of the recommendations in the report. While some Council members feel the recommendations could have been more ambitious (there was only one new designation proposal), others are likely to resist any further action. The more immediate priority for many Council members, however, is to ensure that the report is made public once it has been submitted to the Council. (According to resolution 2049, the PoE is required to submit the report to the Council following discussion in the Committee.) Based on the initial reactions in the Committee, publication of the report is not expected to be controversial this time.

The US is the penholder in the Council on Iran.

UNDOF (Golan Heights)

Expected Council Action

The Council is expected to extend for six months the mandate of the UN Disengagement Observer Force (UNDOF), established in 1974 to monitor the ceasefire between Israel and Syria (the mandate expires on 30 June). Under-Secretary-General for Peacekeeping Operations Hervé Ladsous will likely brief Council members in consultations on the UNDOF report, due on 10 June. The Council is also expected to hold its regular meeting with troop-contributing countries (TCCs) prior to adopting the mandate renewal.

Key Recent Developments

The Council last renewed UNDOF on 19 December 2012, through resolution 2084. In response to the deteriorating situation in the area of operations, the resolution increased the frequency of reporting from every six months to every 90 days. It also strengthened language regarding the safety and security of UN personnel and the need for all parties to respect their obligations under the 1974 Disengagement of Forces Agreement.

On 26 March, Council members met to consider the 19 March UNDOF report (S/2013/174). The report noted an increasingly volatile and challenging operational environment due to the ongoing conflict in Syria. It also reported increased incidents across the ceasefire line, escalating tension between Israel and Syria. The presence of Syrian armed forces carrying out operations against armed elements of the Syrian opposition in the UNDOF area of separation continued and had significantly interfered with the safety of UNDOF personnel and the mission's freedom of movement. On 27 March, the Council issued a press statement expressing grave concern over continued violations of the Disengagement of Forces Agreement and calling on all parties to respect the safety and security of UNDOF personnel (SC/10962).

The safety and security of UNDOF peacekeepers has become an increasingly serious problem with Syrian opposition fighters detaining and later releasing UNDOF personnel in three separate incidents on 6 March

and then 7 and 15 May. The Council issued press statements condemning each of these detentions (SC/10933 of 6 March; SC/10999 of 7 May; and SC/11011 of 16 May).

UNDOF's troop contributors have grown alarmed, with Japan and Croatia withdrawing personnel in late 2012 and early 2013, citing the violence in Syria. (At press time it seemed that Fiji would replace the Croatian and Japanese contingents.) In response to the 6 March incident, Council members held consultations with UNDOF TCCs on 22 March. However, this meeting was only held subsequent to requests made on 11 March by Austria and the Philippines for the Security Council to guarantee active dialogue in such evolving situations. Finland sent a similar request on 16 May as one of its nationals was detained in the 15 May incident.

Austria and the Philippines—the two largest of the three remaining TCCs (the third one being India)—have signalled growing discomfort with the increasingly dangerous situation for their troops. The foreign minister of the Philippines recommended withdrawal, explaining that armed opposition groups were holding peacekeepers as human shields against attacks from government forces. (Those detained in the 6 March and 7 May incidents were Filipino peacekeepers.) Austria, which has been an UNDOF TCC since 1974, said it would have to reconsider its deployment to the Golan after the EU decided on 27 May not to renew its arms embargo on Syria. Austria—which has legislative elections in September—has said it is committed to UNDOF but has argued that the result of this EU decision will likely be a more unstable situation for UNDOF, making it difficult for Austria to stay. (Several Austrian peacekeepers were injured when an UNDOF convoy came under fire on 29 November 2012 near the Damascus airport while personnel were rotating out of the mission.)

In recent months, spillover from the conflict in Syria has continued to affect the situation in the Golan. Sporadic incidents continued, such as gunfire from the Syrian side straying across the ceasefire line or Syrian

shells crashing into the occupied Golan with Israel returning fire. The most recent incident was on 21 May when Syrian fire hit an Israeli military vehicle and Israel returned fire.

A more significant risk to both UNDOF and regional stability was the 9 May announcement by Hezbollah that it “supported opening a new front [against Israel] on the Syrian Golan”, occupied by Israel since 1967, and the claim that Syria would provide Hezbollah with “game-changing” weapons. Such rhetoric was heightened on 25 May when Hezbollah unambiguously announced its military involvement in Syria on behalf of the government. Analysts note the announcement came on the anniversary of Israel's withdrawal from Lebanon in 2000—an attempt by Hezbollah to link its involvement in the Syrian crisis to its resistance against Israel. Since the beginning of the Syrian conflict, Israel has reiterated a neutral policy vis-à-vis the Syrian crisis with a parallel policy to take action to stop any transfer of strategic weaponry through Syria to Hezbollah.

In a 30 May interview on Hezbollah-linked Al-Manar TV, Syrian President Bashar Al-Assad said he expected to receive a shipment of Russian anti-aircraft S-300 rockets. This would likely escalate tensions with Israel which reiterated on the same day that it would not allow the transfer of strategic weapons to Hezbollah.

Israel has reportedly struck inside Syria three times this year. The first such airstrike occurred on 30 January, targeting a convoy of anti-aircraft weaponry, thought to be in transit to Hezbollah in Lebanon. The second and third strikes occurred on 3 and 5 May, targeting warehouses storing surface-to-surface missiles also en route to Hezbollah.

Key Issues

The spillover from the Syrian crisis into UNDOF's area of operations will continue to be of primary concern for the Council.

A key issue for the UNDOF renewal will be the safety and security of UN personnel given the proximity of UNDOF positions to the areas where there have been clashes

UN DOCUMENTS ON UNDOF Security Council Resolutions S/RES/2084 (19 December 2012) was the most recent renewal of UNDOF. S/RES/350 (31 May 1974) established UNDOF. Security Council Press Statements SC/11011 (16 May 2013) condemned the detention of three UN military observers. SC/10999 (7 May 2013) condemned the detention of and demanded the immediate release of four UNDOF peacekeepers by armed elements of the Syrian opposition. SC/10962 (27 March 2013) expressed concern over violations of the 1974 Disengagement of Forces Agreement. SC/10933 (6 March 2013) condemned the detention of and demanded the immediate release of 21 UNDOF peacekeepers by armed elements of the Syrian opposition. Security Council Letters S/2013/302 (16 May 2013), S/2013/152 and S/2013/142 (11 March 2013) were respectively from Finland, the Philippines and Austria concerning UNDOF TCCs. Secretary-General's Report S/2013/174 (19 March 2013) was on UNDOF covering the period from 1 January to 31 March 2013.

OTHER RELEVANT FACTS UNDOF Force Commander: Major General Iqbal Singh Singha (India) Size and Composition of Mission: 917 troops (as of 31 March 2013) Troop Contributors: Austria, India and the Philippines Approved Budget: 1 July 2012 to 30 June 2013: \$45.99 million (A/C.5/66/18)

UNDOF (Golan Heights) (con't)

between Syrian government forces and the Syrian armed opposition. A related issue is ensuring the integrity of the mission's operational strength, in light of signals from Austria and the Philippines that they would potentially consider withdrawing troops if the security situation continues to worsen.

A further key issue is the deteriorating relationship between Israel and Syria following the recent Israeli airstrikes and threats by Hezbollah that it would open a new front against Israel on the Golan.

Options

The Council has several options. In particular, the Council could display greater engagement with the TCCs in the lead-up to the mandate renewal, including with over twenty TCCs to the UN Truce Supervision Organization which regularly contributes military observers to UNDOF's Observer Group Golan.

In the resolution renewing the UNDOF

mandate, the Council could:

- simply roll over UNDOF's mandate for an additional six months;
- expand upon the acknowledgment in resolution 2084 that the Syrian crisis had begun to manifest itself in UNDOF's area of separation by elaborating on the impact of events in Syria on UNDOF's ability to operate;
- further strengthen the language to call for the elimination of obstacles to UNDOF's freedom of movement in the fulfilment of its mandate; and
- further strengthen the language regarding the safety of UNDOF personnel and encourage the mission to continue to identify ways to mitigate risks.

Council Dynamics

Council members are concerned about the recent exchanges of fire and the escalating tension between Israel and Syria, especially over the issue of arming Hezbollah. The

Council has always generally agreed that UNDOF contributes to stability in the region in the absence of a peace agreement between Israel and Syria. However, its utility is particularly high now in order to avoid any potential negative security implications for the region. In this regard, most Council members are keen to maintain good relationships with the TCCs to ensure UNDOF's ability to operate effectively, especially given the troop withdrawals and recent signals from Austria and the Philippines.

Though the US holds the pen on the Golan Heights, the last two resolutions renewing UNDOF (resolutions 2052 and 2084) have been jointly authored with Russia, suggesting consensus on an issue that is increasingly impacted by the highly divisive conflict in Syria. Most Council members strive to keep the Syrian conflict and the Golan Heights as discrete issues—a position that remains difficult in practice.

Yemen

Expected Council Action

In June, the Council expects a briefing on Yemen by Jamal Benomar, the Special Adviser to the Secretary-General on the situation in Yemen, followed by consultations.

The mandate of the Office of the Special Adviser on Yemen which expires on 18 June is expected to be renewed through an exchange of letters between the Secretary-General and the President of the Security Council.

Key Recent Developments

Benomar last briefed the Council in consultations on 4 April, sharing positive news regarding the opening of the National Dialogue Conference (NDC) on 18 March, which he characterised as a historic moment. The NDC, scheduled to be conducted over a six-month period, will feed into the drafting of a new constitution in the lead-up to general elections in February 2014. The NDC is made up of 565

delegates—coming from the north and the south, including women and youth—assigned to one of nine working groups addressing key subject areas.

Benomar also highlighted serious challenges in the transition, including finding a settlement to the fundamental nature of north-south relations in Yemen. (The southern movement argues that the 1990 unification resulted in discrimination against southerners and wants to renegotiate the terms of unity. Some factions are pushing for independence while others are calling for two-region federalism for a set period of time followed by a referendum on unity.) Benomar encouraged the government to address the grievances of southerners, such as unlawful seizure of property and removal from positions in the military and the public sector.

The NDC has faced some withdrawals, including that of 2011 Nobel Peace Prize

co-laureate and youth representative Tawakkol Karman on 17 March and chairman of the Islah party Mohammed Abdullah Alyadoomy on 19 March. Some southern factions are absent from the NDC. In early May, Ahmed bin Farid al-Suraima, a prominent southern leader who was heading the working group on the southern question, announced his permanent withdrawal from the conference.

Former President Ali Abdullah Saleh, who had left Yemen for Saudi Arabia in early April for medical treatment, returned to Yemen later that month and has not appeared to be politically active since. On 10 April, President Abdrabuh Mansour Hadi removed several Saleh relatives from key security positions: his son, General Ahmed Ali Saleh, was removed as commander of the Republican Guard to be ambassador to the United Arab Emirates, whereas two nephews, Ammar Saleh and General Tareq Saleh, were relieved as security

UN DOCUMENTS ON YEMEN [Security Council Resolution S/RES/2051](#) (12 June 2012) focused on the second phase of the transition and expressed the Council's readiness to consider further measures, including under Article 41 of the Charter. [Security Council Presidential Statement S/PRST/2013/3](#) (15 February 2013) welcomed the announcement of the launch of the NDC, reiterated the Council's readiness to consider imposing sanctions against spoilers to the transition and expressed concern over reports of money and weapons being brought into Yemen from outside. [Security Council Letters S/2012/469](#) (18 June 2012) and [S/2012/470](#) (21 June 2012) was the exchange of letters between the Secretary-General and the President of the Council on the establishment of an office of the Special Adviser for an initial period of 12 months. [Security Council Press Statement SC/10969](#) (12 April 2013) welcomed Yemen's reorganisation of the military and called on all parties to support the President's decrees and to work to ensure their prompt implementation.

OTHER RELEVANT FACT [Special Adviser to the Secretary-General and UN Envoy to Yemen Jamal Benomar](#) (Morocco)

Yemen (con't)

chief and head of the Presidential Guard and sent to the embassies in Ethiopia and Germany, respectively. Hadi also appointed General Mohsen Ali al-Ahmar, a rival of Saleh and the former commander of First Armored Division, as presidential adviser for military affairs. The Council welcomed the reorganisation of the military in a press statement on 12 April and called on all parties to “support the President’s decrees and to work to ensure their prompt implementation” (SC/10969).

The security situation in Yemen is a growing concern. State security personnel have recently been subject to a series of assassinations by Al-Qaida militants in the southeastern Hadramawt province and the southern province of Lahij. On 24 May, Al-Qaida militants seized control of villages near the city of Al-Mukalla, the capital of Hadramawt.

In May, there have also been a number of kidnappings by tribesmen of foreigners and humanitarian workers, including ICRC employees. At press time, most of those kidnapped had been freed, except for the South African couple abducted on 27 May.

In April and May there were demonstrations in Aden and other southern cities calling for renewed independence for the south.

Yemen is also threatened by weapons entering the country. The Panel of Experts that monitors compliance with the Iran sanctions regime reported to the 1737 Iran Sanctions Committee in April on its investigation of allegations presented by Yemen that it had intercepted a ship in January carrying missiles and rockets from Iran destined for Yemeni rebel

groups. Additionally, Yemen announced that on 2 May it had intercepted a boat carrying 20,000 Turkish-made pistols.

On 7 March, the fifth ministerial-level meeting of the Friends of Yemen was held in London, co-chaired by Saudi Arabia, the UK and Yemen and attended by 39 countries and international organisations. The meeting focused on the progress of the NDC, preparations for elections, the security and humanitarian situations and following up on the \$7.8 billion pledged by the Friends of Yemen in 2012.

The humanitarian situation in Yemen continues to be dire. On 16 May, Ismail Ould Cheikh Ahmed, the UN Resident and Humanitarian Coordinator for Yemen, warned that the chronic humanitarian crisis threatens to undermine the political process. He said that half of the population needed aid, including food assistance and access to safe water and basic healthcare. Only 28 per cent of the \$716 million sought by humanitarian agencies to provide emergency and early recovery assistance to the most vulnerable people has been funded. (Yemen has over 300,000 internally displaced as well as 242,000 refugees, mostly from Somalia, and a considerable migrant population, primarily Ethiopians looking to travel to the Gulf area and beyond.)

Key Issues

A key issue for the Council continues to be the NDC’s progress in preparation for general elections scheduled for February 2014. The tight timeline remains a serious

challenge considering the delay in the opening of the NDC originally scheduled to start in November 2012 and the electoral reforms needed for the referendum on the constitution and for the general elections. The resolution of the southern question will play a decisive role in the success of the NDC.

A related issue for the Council is dealing with the continuously precarious security and humanitarian situation in Yemen, which could undermine the prospects for the political transition process.

The flow of weapons into Yemen and the presence of Al-Qaida are additional issues for the Council, possibly also adding a regional dimension to the problems.

Options

The most likely option is for the Council to receive the briefing and take no action, preferring to wait and see how the NDC discussions evolve.

At this stage, it is unlikely the Council will further discuss the previously considered idea regarding the imposition of sanctions on spoilers to the transition.

Council Dynamics

Council members continue to follow the situation in Yemen closely through regular briefings from Benomar, remaining firm in their support for the NDC and the political transition process. Council members are united in their support for President Hadi.

The UK is the penholder on Yemen.

Iraq

Expected Council Action

Council members expect to receive a briefing in consultations in June from the Department of Political Affairs on the 35th report of the Secretary-General on Iraq’s compliance with resolution 1284 (1999) regarding the repatriation or return of Kuwaiti

and third country nationals or their remains and the return of Kuwaiti property, including archives that had been seized by Iraq. At press time it was unclear who specifically would brief the Council, as the funding for the High-Level Coordinator on Iraq-Kuwait issues (who previously briefed

on this subject) was allowed to lapse on 31 December 2012 and no successor mechanism has yet been developed. It was also unclear whether the Council would adopt any outcome addressing such a mechanism.

UN DOCUMENTS ON IRAQ **Security Council Resolutions** S/RES/2061 (25 July 2012) renewed UNAMI for a period of 12 months. S/RES/1284 (17 December 1999) established the UN Monitoring, Verification and Inspection Commission and requested the Secretary-General to report to the Council on Iraq’s compliance with its obligations regarding the repatriation or return of all Kuwaiti and third-country nationals. S/RES/899 (4 March 1994) authorised the payment of compensation to private Iraqi citizens relocated following the demarcation of the border between Iraq and Kuwait. S/RES/833 (27 May 1993) welcomed the Secretary-General’s decision to maintain the boundary until other arrangements were made by Iraq and Kuwait. **Secretary General’s Reports** S/2013/154 (12 March 2013) was a report of the Secretary-General on UNAMI. S/2012/931 (14 December 2012) was a report pursuant to paragraph 14 of resolution 1284 regarding Iraq/Kuwait issues. **Security Council Letters** S/2013/295 (15 May 2013) and S/2013/296 (17 May 2013) was an exchange of letters approving the transfer of compensation funds to Iraq for disbursement to farmers affected by the demarcation of the border between Iraq and Kuwait. **Security Council Press Statement** SC/10843 (1 December 2012) welcomed the reactivation of the Iraq-Kuwait Boundary Maintenance Project.

Key Recent Developments

The 14 December 2012 Secretary-General's report on resolution 1284 outlined four options for continuing the mandate previously held by the High-Level Coordinator, including:

- appointing a new High-Level Coordinator to replace Gennady Tarasov, who retired on 31 December 2012;
- appointing an interim coordinator;
- folding the mandate of the Coordinator into that of the UN Assistance Mission for Iraq (UNAMI); or
- assigning the mandate to someone from UN headquarters.

Recent months have seen Iraq make progress on several issues stemming from its 1990 invasion of Kuwait. The Iraq-Kuwait Boundary Maintenance Project (the reactivation of which was welcomed by the Council in a 3 December 2012 press statement) was successfully completed at the end of March following the demolition of the last remaining Iraqi buildings on the border. The Boundary Maintenance Project was established in 2003 to implement the demarcation of the border as recommended by the UN Boundary Demarcation Commission but has faced repeated delays due to occasional disputes between Iraq and Kuwait regarding the border, and Iraqi unwillingness to remove objects impeding the project. Iraq and Kuwait are currently in discussions on a successor arrangement to the Boundary Maintenance Project, agreement on which would fulfil Iraq's obligations under resolution 833 regarding the demarcation of the border.

Progress has also been made towards the compensation of those Iraqi citizens relocated from the border area with Kuwait, pursuant to resolution 899. In May, Iraq formally requested that the compensation funds (originally provided by Kuwait) be transferred to it from the UN for distribution to identified beneficiaries. On 17 May the Council approved the transfer via an exchange of letters.

The most recent report of the Secretary-General on UNAMI also detailed advances in the normalisation of relations between Iraq and Kuwait, including the resumption of Iraqi Airways flights to and from Kuwait on 27 February and a visit to Kuwait by the Special Representative of the Secretary-General, Martin Kobler, to discuss outstanding Iraq-Kuwait issues on 5 March.

On 19 May, Iraq announced that the Iraqi and Kuwaiti committees on the missing Kuwaiti national archives had agreed to meet on a regular basis. A new mission of the Tripartite Commission on Iraq-Kuwait missing persons and property (composed of Iraq, Kuwait, the US, the UK, France and Saudi Arabia) is expected to visit Iraq in June.

On the broader political and security situation in Iraq, significant violence continued in May. A wave of bombings across Iraq on 19 and 20 May killed at least 76 people and wounded more than 250. Further attacks on 26 May killed at least 53 people. News reports estimate that in May alone more than 500 people have been killed in sectarian violence in Iraq, bringing the death toll for 2013 to more than 1,500.

Human Rights-Related Developments

On 16 April, the Ministry of Justice announced the execution of 21 individuals under the 2005 anti-terrorism law. High Commissioner for Human Rights Navi Pillay condemned the execution in a 19 April press release, stressing that the justice system in the country was "too seriously flawed to warrant even a limited application of the death penalty, let alone dozens of executions at a time". She mentioned confessions obtained under torture and ill-treatment, the lack of due process and the apparent inability of those convicted to exercise the right to seek pardon or commutation of their sentences. She also expressed her concern about the broad scope and wide application of article 4, which condones the death penalty for a range of terrorism-related acts, including some that do not meet the threshold of "most serious crimes" allowing for the imposition of the death penalty under international law. (In 2012, the number of people executed in Iraq was 129.)

Key Issues

The key issue for the Council in June remains whether or not Iraq is making sufficient progress on its current Chapter VII resolutions' obligations and in its relations with Kuwait.

A closely related issue is the future of the mandate formerly assigned to the High-Level Coordinator and whether the Council is going to follow on any of the options outlined by the Secretary-General.

Options

The Council has several options on Iraq-Kuwait issues and the mandate of the former High-Level Coordinator in June. It could:

- take no action, leaving the Coordinator's mandate within the purview of the

Secretariat;

- resurrect the High-Level Coordinator position, or a similar interim position, via a press or presidential statement; or
- fold the Coordinator's mandate into the mandate of UNAMI.

Aside from the mandate of the High-Level Coordinator, the Council could also adopt a press statement acknowledging Iraq's progress on its Chapter VII obligations (especially those related to the demarcation of the border, stemming from resolutions 833 and 899) or adopt a resolution formally transferring Iraq's outstanding obligations from Chapter VII to Chapter VI (this option remains quite unlikely).

Council Dynamics

Though there appears to be a great deal of appetite on the Council for downgrading Iraq's remaining obligations from Chapter VII to Chapter VI, most Council members are sensitive to Kuwait's position on the matter and are waiting for explicit communication from Kuwait that it is ready to see Iraq exit Chapter VII. Kuwait has agreed in principle that Iraq could be released from its current Chapter VII obligations, but requires assurances that Iraqi progress on its obligations will continue.

The question of the mandate of the High-Level Coordinator, left unresolved in December, remains closely linked to the question of progress on Iraq's obligations. Several Council members are quite interested in seeing that mandate folded into UNAMI, as the mission, with offices in Kuwait and Iraq, is perhaps best positioned to effectively monitor Iraq-Kuwait issues. Even so, other Council members, especially Russia, appear to be sensitive to Kuwait's concern that as part of UNAMI, Iraq-Kuwait issues would lack the visibility they currently enjoy, effectively arresting the momentum built up in recent months.

Council members appear to be waiting for the Secretary-General's recommendations in his June report or a clear signal from Kuwait on this issue. However, certain Council members appear worried by the precedent that might be set by allowing the Secretary-General to decide the fate of a mandate originally established by the Council.

The US is the penholder on Iraq issues in general, and the UK is the penholder on Iraq-Kuwait issues.

Peacekeeping

Expected Council Action

The Council expects a briefing on UN peacekeeping from Under-Secretary-General for Peacekeeping Operations Hervé Ladsous, and force commanders Lieutenant General Carlos Alberto dos Santos Cruz (Brazil) of the UN Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO), Major General Leonard Muriuki Ngondi (Kenya) of the UN Mission in Liberia and Major General Muhammad Iqbal Asi (Pakistan) of the UN Operation in Côte d'Ivoire (UNOCI). No outcome is expected following the briefing.

Background

A similar session was held last year when the Council was briefed by Ladsous and four force commanders who shared lessons learned, laid out the challenges ahead and responded to questions raised by members (S/PV.6789).

Following a presidential statement on peacekeeping adopted in August 2009, which encouraged regular discussions on peacekeeping with the Department of Peacekeeping Operations and the Department of Field Support, the Council began holding a series of quarterly consultations on peacekeeping. These covered important issues such as the nexus between peacekeeping and peacebuilding; how to write better mandates; and the need for balance between resources and mandates. The statement also called for better information-sharing on military operational challenges and more meaningful engagement with police and troop-contributing countries (TCCs). Although no formal decision was made, the frequency of these quarterly peacekeeping briefings was discontinued in November 2011.

Key Recent Developments

On 12 December 2012, Ladsous and Under-Secretary-General for Field Support Ameerah Haq briefed the Council on inter-mission cooperation between UN peacekeeping operations (S/PV.6886). Following the briefing, Council members discussed different examples of successful inter-mission cooperation arrangements as well as the critical gaps these fill.

Resolution 2086, adopted on 21 January and the first since resolution 1353 (2001)

on the topic of peacekeeping, highlighted the various ways in which peacekeeping and peacebuilding overlap in multidimensional peacekeeping operations and noted the need for peacebuilding challenges to be recognised during mission assessment and planning processes.

The Working Group on Peacekeeping Operations, chaired by Pakistan, held a meeting in late February to consider the AU Mission to Somalia as the Council started preparing for the renewal of its authorisation. Although it has not adopted a programme of work, in the second half of the year, the Working Group may focus on issues that were raised by the TCCs during the UN Special Committee on Peacekeeping Operations (C34) discussions, such as safety and security, partnerships or more specific police and military issues.

The substantive session of the C34 ran from 19 February to 15 March. However, at press time, the C34 had not been able to agree on a final report due to differences over its format. (Neither of the previous two reports was agreed to during the substantive session, as the 2012 final report was adopted in September 2012, and the 2011 report in May 2011.)

The challenges of peacekeeping were also a key topic of the 22-23 April annual retreat of the Council with the Secretary-General which included a reflection on the traditional boundaries of peacekeeping as well as a debate on how to make mission mandates more realistic.

Key Issues

Ensuring that the peacekeeping mandates set clear tasks for the missions and their leadership is a key issue.

A related issue is enhancing the Council's own understanding of operational challenges in peacekeeping missions.

Another issue for the Council is how best to maximise the Working Group in a way that is useful to the Council, particularly ahead of mandate renewals or setting up new missions.

Options

Options for the Council include:

- taking advantage of the interactivity of the format to tackle some of the challenges that the Council identified in resolution 2086;
- agreeing to more regular briefings by

relevant force commanders to the Council and the Working Group as mission mandates come up for renewal; and

- reviving the practice of quarterly peacekeeping consultations with key Secretariat officials.

Council and Wider Dynamics

Following the adoption of resolutions 2098 extending the mandate of MONUSCO and 2100 establishing the UN Multidimensional Integrated Stabilisation Mission in Mali (MINUSMA), peacekeeping has been the subject of important debate. Both the establishment of an intervention brigade mandated to "carry out offensive operations" to neutralise armed groups in the Democratic Republic of Congo and the robust stabilisation mandate of MINUSMA raised concerns among Council members (mainly Russia and TCCs) regarding the changes that these developments implied for the traditional doctrine of peacekeeping. In response to this, resolution 2098 indicated that the establishment of such a brigade was being done on an "exceptional basis" and resolution 2100 reaffirmed in the preamble "the basic principles of peacekeeping, including consent of the parties, impartiality, and non-use of force, except in self-defence and defence of the mandate".

Another issue that has been raised lately among Council members has been the use of unmanned aerial systems, or drones. Beginning in July, two surveillance drones will be operational under the auspices of MONUSCO. In the last Council meeting on Côte d'Ivoire on 16 April, Côte d'Ivoire advocated for the use of drones by UNOCI to monitor the border with Liberia (S/PV.6947). Some countries, such as Russia, have shown reluctance for the use of drones by the UN, raising questions about sovereignty issues in cross-border monitoring, as well as about the ownership and access to the intelligence gathered by such aircraft.

Although most Council members see structural integration in UN missions as enhancing coordination and increasing efficiency, humanitarian actors (both UN and non-governmental) have raised concerns, as it could have a negative impact on the work of humanitarian actors and their perception as neutral, impartial and independent.

UN DOCUMENTS ON PEACEKEEPING Security Council Resolution S/RES/2086 (21 January 2013) was a resolution on multidimensional peacekeeping operations. **Security Council Presidential Statement S/PRST/2009/24** (5 August 2009) was a statement aimed at improving the Council's dialogue with the UN Secretariat and TCCs. **Security Council Meeting Records S/PV.6947** (16 April 2013) was a briefing on the latest special report of the Secretary-General on UNOCI. **S/PV.6886** (12 December 2012) was a briefing by Ladsous and Haq on inter-mission cooperation between UN peacekeeping operations. **S/PV.6789** (20 June 2012) was the latest briefing by force commanders of UN peacekeeping operations.

Notable Dates for June

REPORT DUE	REPORTS FOR CONSIDERATION IN JUNE	REQUESTING DOCUMENT
30 April	SG report on UNMIK (Kosovo)	S/RES/1244
15 May	SG report on children and armed conflict	S/RES/2068
28 May	Panel of Experts final report to the 1737 Iran Sanctions Committee	S/RES/2049
1 June	Panel of Experts midterm report to the 1521 Liberia Sanctions Committee	S/RES/2079
10 June	SG report on UNDOF (Golan Heights)	S/RES/2084
10 June	SG report on MINUSMA (Mali)	S/RES/2100
14 June	SG report on the Sahel, including the Special Envoy's integrated UN Sahel strategy	S/RES/2056 S/PRST/2012/26 S/2013/276
14 June	Iraq/Kuwait missing persons and property report	S/RES/1284
14 June	SG report on UNAMA (Afghanistan)	S/RES/2096

MANDATES EXPIRE		RELEVANT DOCUMENT
30 June	UNDOF (Golan Heights)	S/RES/2084
9 July	Panel of Experts to the 1737 Iran Sanctions Committee (expected to be renewed in early June)	S/RES/2049

OTHER IMPORTANT DATES

5 June	The ICC Prosecutor will brief the Council on Sudan.
6 June	At the initiative of the UK, the Council will hold a briefing on Somalia to follow up on the 7 May international conference in London.
11 June	The Council will hold a debate to consider the Secretary-General's annual report on children and armed conflict.
12 June	The Council will hold a debate to mark the 20th anniversary of the ICTY.
14 June	Presidential elections in Iran
17-18 June	The G8 Summit will be held in Northern Ireland.
19 June	At the initiative of the UK, the Council will hold an open debate on conflict prevention and natural resources.
24 June	At the initiative of the UK, the Council will hold an open debate on prevention of sexual violence in conflict.
30 June	Legislative elections in Guinea

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