

# Monthly Forecast

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Security Council Deadlocks and Uniting for Peace: An Abridged History

**30 September 2013**  
This report is available online at [securitycouncilreport.org](http://securitycouncilreport.org).

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## Overview

Azerbaijan will preside over the Council in October. At press time, the Council was poised to adopt a resolution on the Syrian chemical weapons issue. The situation in [Syria](#) will likely continue to garner a significant level of Council activity in October.

In early October, Council members will be on a [visiting mission to several locations in Africa](#), including Addis Ababa, Kigali, Goma, Kampala and Kinshasa.

Azerbaijan is planning three open debates on:

- Council [working methods](#);
  - [women peace and security](#), with a briefing by the Secretary-General and the new head of UN Women, Phumzile Mlambo-Ngcuka; and
  - the [Middle East](#), most likely with a briefing by Under Secretary-General for Political Affairs Jeffrey Feltman.
- Briefings are expected:
- by UN Secretary-General Ban Ki-moon and Organisation of Islamic Cooperation Secretary-General Ekmeleddin İhsanoğlu on cooperation between the [UN and the OIC](#), with a high-level representative of Azerbaijan presiding; and
  - on the [visiting mission to Africa](#), by the various leaders of different legs of the trip.

Briefings, followed by consultations, are likely on:

- the situation in the [Great Lakes region](#) and the work of [UN Organization Stabilization Mission in the DRC \(MONUSCO\)](#) by the Secretary-General's Special Representative and head of MONUSCO, Martin Kobler, and the Secretary-General's Special Envoy to the Great Lakes Region, Mary Robinson;
  - the situation in [Mali](#) by the head of the UN Multidimensional Integrated Stabilisation Mission in Mali, Albert Gerard Koenders;
  - the latest Secretary-General's report on the [AU/UN Hybrid Operation in Darfur](#), by Under-Secretary-General for Peacekeeping Operations Hervé Ladsous; and
  - the situation in [Somalia](#) and three related reports by the Deputy Secretary-General, Jan Eliasson.
- Briefings in consultations are likely on:
- [Sudan and South Sudan](#) issues, twice, most

likely respectively by Ladsous and Assistant Secretary-General for Political Affairs, Tayé-Brook Zerihoun;

- [UN Interim Security Force for Abyei](#) by its head, Yohannes Tesfamariam (via videoconferencing);
- the implementation of resolution 1559 concerning [Lebanon](#) by Special Envoy Terje Rød-Larsen; and
- [Western Sahara](#), by Wolfgang Weisbrod-Weber, the head of the UN Mission for the Referendum in Western Sahara and by the Secretary-General's Personal Envoy for Western Sahara, Christopher Ross.

The annual private meeting with the President of the [International Court of Justice](#), Peter Tomka, is also planned.

Additionally, formal sessions will be needed to adopt resolutions:

- renewing the mandate of [UN Stabilisation Mission in Haiti](#);
- renewing the authorisation of the [International Security Assistance Force in Afghanistan](#); and
- modifying the mandate of the [UN Integrated Peacebuilding Office in the Central African Republic](#).

A formal session will likewise be needed to adopt the introduction (drafted by the US) to the [annual report of the Security Council](#) to the General Assembly.

On 17 October the General Assembly is scheduled to hold [elections to fill five seats on the Security Council](#) for the period from 1 January 2014 through 31 December 2015 to replace exiting members Azerbaijan, Guatemala, Morocco, Pakistan and Togo. •

## In Hindsight: Chapter VII

Permanent members have worked overtime for nearly two weeks to codify into a Security Council decision the 14 September Russia-US agreement to secure and dismantle chemical weapons stockpiles in Syria. With the issue of whether the Council acts under Chapters VI or VII of the UN Charter, and whether it does so in a binding manner, at the core of these negotiations, it may be worthwhile to take a closer look at this matter. There seems to be some uncertainty as to the difference between Chapters VI and VII, and also about what makes a Council decision binding under international law.

Interpretation of Security Council resolutions is a complex art. As determined by the International Court of Justice in its advisory opinion of 21 June 1971 (Namibia), “the language of a resolution of the Security Council should be carefully analysed before a conclusion can be made as to its binding effect. In view of the nature of the powers under Article 25, the question whether they have been in fact exercised is to be determined in each case, having regard to the terms of the resolution to be interpreted, the discussions leading to it, the Charter provisions invoked and, in general, all circumstances that might assist in determining the legal consequences of the resolution of the Security Council” (para. 114). With the above in mind, the following guidelines may therefore be helpful in determining whether a particular Council decision or provision is binding:

- Decisions of a binding nature can be adopted by the Security Council using its general powers under Articles 24 and 25 of the UN Charter without reference to either Chapters VI or VII.
- Chapter VII is usually invoked following an Article 39 determination by the Security Council that there has been a “threat to the peace, breach of the peace, or act of aggression”. An explicit reference to Article 39 or to the nature of the determination is not essential, however, for the Council to use its Chapter VII powers. Resolution 1973 on Libya, for example, interestingly stated that the situation in Libya “continues

to constitute a threat to international peace and security” although Resolution 1970, likewise adopted under Chapter VII, contained no explicit Article 39 determination.

- Even when the Security Council does use its Chapter VII powers, it is not essential for the decision to be binding to have an explicit reference to Chapter VII or a particular article thereof. In an apparent effort to increase clarity, however, the Council has of late prefaced resolutions or provisions under Chapter VII with an explicit reference to its “acting under Chapter VII”.
- Resolutions adopted under Chapter VII may also (and usually do) include provisions which are non-binding.
- Chapter VII powers must be used to authorise Security Council-mandated sanctions regimes—although an explicit reference to Chapter VII or Article 41 more specifically is not essential.
- Chapter VII powers must be likewise used to authorise the use of force, either by a UN peacekeeping operation or by member states—but again an explicit reference to Chapter VII or Article 42 more specifically is not essential.
- At times, the Security Council has sought to include a precise reference to the article on which the measures imposed are based, most frequently Article 41, to exclude any inference that the Council might be including measures under Article 42. Recent examples include resolutions 1718, 1874, 1928 and 2094 on DPRK, which read “acting under Chapter VII... and taking measures under its Article 41”, as well as resolutions 1737, 1747, 1803 and 1929 on Iran, 1970 and 2009 on Libya and 2048 on Guinea-Bissau.
- At times, the Security Council has likewise sought to exclude any inference that it might be including measures under Article 42 in underlining that a further Council decision is required for the use of force. Recent examples likewise include resolutions 1718 and 1874 on DPRK, which reads “further decisions will be required,

should additional measures be necessary”, as well as resolutions 1737, 1747, 1803 and 1929 on Iran.

- Although the UN Charter does not expressly prescribe a particular form for adopting binding decisions, Security Council practice suggests that resolutions are the primary vehicle for binding decisions. Presidential statements and press statements are not used as vehicles for such decisions.
- Security Council decisions bind member states and the UN itself—but there is uncertainty regarding non-member states and regional organisations. Sometimes decisions address individuals and non-state actors with the intent to bind such parties. It remains to be seen how this practice will evolve over time.
- Uncertain consent by the party concerned, unease about legal ambiguity and deployment in increasingly hostile operational environments have increasingly led the Security Council to authorise UN operations and the use of force with explicit reference to Chapter VII.
- The practical conduct of UN peacekeeping operations—and whether force is actually used or not—is typically more strongly influenced by other factors such as the concept of operations and the rules of engagement rather than the language of the mandate itself as expressed in the relevant Council decision.
- Since the end of the Cold War, the Security Council has shifted its emphasis markedly increasing its adoption of Chapter VII resolutions or resolutions with Chapter VII provisions. Whereas only 10 of the 37 resolutions adopted in 1990 were under Chapter VII (27.0 percent), 32 of the 53 resolutions adopted in 2012 made reference to Chapter VII (60.4 percent).

For a more detailed analysis, see our 23 June 2008 *Special Research Report* entitled “Security Council Action under Chapter VII: Myths and Realities”.

## Status Update since our September Forecast

### Syria

On 4 September, in a horizon scanning briefing in consultations, Jeffrey Feltman, head of the Department of Political Affairs, reported on his discussions with Iran, Iraq, Jordan, Saudi Arabia and Qatar on the situation in Syria and preparations for Geneva II peace talks. On 16 September, the Secretary-General briefed Council members on the results of the UN investigation into the alleged use of chemical weapons in Syria on 21 August (S/2013/553). Although the UN inspectors' mandate did not cover the attribution of blame for the attacks, many Council members, particularly the P3, in remarks to the press following the consultations were of the view that the report provided detailed information on delivery systems which pointed to government culpability. Also in September, there was a flurry of high-level diplomatic activity, particularly between Russia and the US, regarding Syria. On 19 September, Russia and the US transmitted to the Council their framework for the elimination of Syrian chemical weapons agreed in Geneva on 14 September (S/2013/565). On 24 September, Russian Foreign Minister Sergei Lavrov and US Secretary of State John Kerry met on the sidelines of the General Assembly to discuss a draft resolution on the destruction of the Syrian chemical weapons arsenal. At press time, it seemed the Council was poised to adopt a resolution on the chemical weapons issue by month's end.

### Guinea-Bissau

On 5 September, Council members were briefed in consultations by Special Representative Jose Ramos-Horta on the latest report of the Secretary-General on the restoration of constitutional order in Guinea-Bissau (S/2013/499). On 11 September, the Security Council issued a press statement urging credible and transparent presidential and legislative elections to be held within the established transitional period by the end of 2013 (SC/11118).

### Iran

On 5 September, the chair of the 1737 Iran Sanctions Committee, Ambassador Gary Quinlan (Australia) presented his 90-day report on the work of the Committee to the Council (S/PV.7028). He said the Committee on 8 August had adopted its programme of work for the period 1 July to 31 December 2013 and had otherwise continued to consider the recommendations presented in the latest

report from the Panel of Experts assisting the Committee (S/2013/331) along with other outstanding issues. However, the Committee had not been able to agree on any of the recommendations and remained divided on a number of other issues, including over whether the ballistic missile launches during the so-called "Great Prophet" exercise in July 2012 were in violation of resolution 1929.

### Liberia

On 10 September, the Council was briefed (S/PV.7029) by Karin Landgren, the Special Representative and head of UNMIL, on the most recent UNMIL report (S/2013/479). Ambassador Staffan Tillander (Sweden), the chair of the Liberia configuration of the Peacebuilding Commission, also briefed the Council, as well as Defense Minister Brownie Samukai of Liberia. The briefing was followed by consultations. On 18 September, the Council adopted resolution 2116 renewing the UNMIL mandate for a year and authorising the second phase of the drawdown plan to further reduce the military component by September 2014.

### Libya

On 16 September, the Council was briefed by Special Representative Tarek Mitri and by the chair of the 1970 Libya Sanctions Committee, Ambassador Eugène-Richard Gasana (Rwanda), followed by consultations (S/PV.7031). Mitri presented the latest UNSMIL report highlighting the internal and regional dynamics that continue to place a huge strain on the political processes in Libya, as well as the deteriorating security situation (S/2013/516). Gasana briefed on the interim report of the Panel of Experts, including the establishment of the first end-user certificates for security assistance by the Libyan government. He also transmitted the Panel's concern over arms proliferation within Libya and the increasing reports of arms trafficking to Syria by sea and air.

### Sierra Leone

The Council had a briefing, followed by consultations, on 18 September on the most recent UNIPSIL report (S/2013/547). Briefers were Jens Anders Toyberg-Frandzen, the Executive Representative and head of UNIPSIL, and Ambassador Guillermo Rishchynski (Canada), the chair of the Sierra Leone configuration of the Peacebuilding Commission. Foreign Minister Samura Kamara of Sierra Leone also addressed the Council, focusing

on the government's new poverty reduction strategy launched in July (S/PV.7034). On 27 September, Council members welcomed the judgment of the SCSL appeals chamber that upheld the fifty-year jail term of former Liberian President Charles Taylor (SC/11133).

### Golan Heights

Council members were briefed in consultations on 19 September by DPKO on the Secretary-General's report on UNDOF (S/2013/542). Council members were informed that the ceasefire between Israel and Syria was generally maintained although there were violations attributable to the ongoing conflict in Syria.

### Small Arms

On 26 September, the Council held a high-level meeting (S/PV.7036) and adopted resolution 2117 on small arms by a vote of 14 in favour and Russia abstaining. It was the first thematic resolution on small arms adopted by the Council and the first formal meeting on this issue since April 2008. Australia circulated a concept note on 6 September to guide the discussions (S/2013/536). The meeting was chaired by Australian Foreign Minister Julie Bishop and featured a briefing by the Secretary-General on his 22 August report on small arms (S/2013/503). ICRC Vice-President Christine Beerli also spoke. The resolution focused on the illicit transfer, destabilising accumulation and misuse of small arms and light weapons. Its main provisions included strengthening the implementation of Council mandated arms embargoes; encouraging greater coordination and information-sharing among key stakeholders; supporting stockpile management and DDR programs; and strengthening capacity-building. Moreover, the resolution stressed the need for full implementation of the UN programme of action on small arms and urged states to consider signing and ratifying the Arms Trade Treaty adopted by the General Assembly earlier this year.

### Yemen

On 27 September, the Council was briefed by Special Adviser Jamal Benomar and the Secretary-General of the Gulf Cooperation Council Abdullatif bin Rashid Al-Zayani (S/PV.7037). Both Benomar and Al-Zayani addressed the last stages of Yemen's National Dialogue Conference and challenges to the political transition, including threats posed by Al-Qaida in the Arabian Peninsula.

# Democratic Republic of the Congo

## Expected Council Action

In October, the Security Council will be briefed by Special Representative Martin Kobler and by the Special Envoy for the Great Lakes Region, Mary Robinson, on the implementation of the Peace, Security and Cooperation Framework for the DRC and the Region (PSC Framework).

At press time, the Council was scheduled to go on a mission to the region, including the Democratic Republic of the Congo (DRC), in October. (For more on this, see the brief on the Visiting Mission to Africa.)

The mandate of the UN Organization Stabilization Mission in the DRC (MONUSCO) expires on 31 March 2014.

## Key Recent Developments

August was marked by growing dissatisfaction of the local population with UN performance. Several demonstrations took place protesting against the newly declared UN ‘security zone’ around Goma which they claimed did not include areas in and around the city actually under the control of the rebel March 23 Movement (M23).

After a recent lull in fighting, clashes between the M23 and the *Forces Armées de la République Démocratique du Congo* (FARDC) quickly escalated on 21 August when M23 rebels entered the security zone. The recently formed MONUSCO “intervention brigade” fired its first shots when it responded with mortar shells on M23 positions. The following day, four civilians were killed in the Goma area by mortar shells reportedly fired by the M23.

At the initiative of the Secretariat, Council members received two separate briefings on the latest violence during consultations on 22 August from Assistant Secretary-General for Peacekeeping Operations Edmond Mulet under “any other business”.

France circulated a draft press statement condemning the M23 attacks against civilians and MONUSCO. Rwanda argued that both sides should be called upon to cease hostilities and the need to implement the PSC Framework and the importance of the Kampala talks between the DRC and the M23 should be emphasised. Council members were unable to

reach consensus and the press statement was put aside.

Fighting escalated during the following days. On 24 August, three civilians in Goma were killed by mortar shells fired by the M23, according to MONUSCO. A day later, peacekeepers shot and killed two civilians who were attempting to storm a MONUSCO base during demonstrations against UN inaction. Kobler announced that the DRC police and MONUSCO would conduct a joint investigation into the incident.

The “intervention brigade” joined the FARDC in an offensive against the M23, including with the support of attack helicopters, resulting in the death of two Tanzanian Peacekeepers. Media reports suggest that at least 23 FARDC soldiers were killed in the fighting and the M23 suffered dozens of casualties as well.

During a 29 August briefing to Council members, Mulet reportedly said that MONUSCO witnessed mortar shells being shot from positions held by the M23 towards Rwanda as well as Rwandan troops crossing the border into the DRC. Rwanda categorically denied that its troops had crossed the border and claimed that it had evidence that the FARDC and the *Forces Démocratiques de Libération du Rwanda* (FDLR) rebel group had fired the mortars. Rwanda also requested that the Expanded Joint Verification Mechanism (EJVM) for border issues between Rwanda and the DRC investigate the matter. (The Ugandan coordinator of the EJVM was expelled by the DRC in August, alleging he was too favourable to Rwandan interests.) After the meeting, the Council issued a press statement condemning the recent attacks by the M23 against civilians and MONUSCO (SC/11108). Council members also expressed concern about reports of mortar shells and bombs being fired repeatedly into Rwanda and called for the EJVM to conduct a thorough investigation of those incidents.

On 30 August, the M23 suspended fighting and withdrew from their positions.

On 5 September the International Conference on the Great Lakes Region (ICGLR) summit called for the resumption of the

Kampala talks, but for a period of no longer than 14 days rather than indefinitely. (The talks resumed on 10 September and were ongoing at press time.)

Despite the declared ceasefire, the M23 has reportedly continued activities against civilians in the area of Rutshuru, to which it fell back after fleeing Goma. According to media reports, M23 rebels are targeting vehicles loaded with supplies and imposing a curfew on civilians in the area.

Meanwhile, violence has also broken out near Ituri in Orientale Province where the FARDC and the *Front de Résistance Patriotique de l’Ituri* have clashed since late August, causing 80,000 civilians to flee their villages.

Kobler and Robinson briefed Council members via video-conference on 12 September about their diplomatic efforts to calm the situation. Kobler said that the military situation has stabilised and that the M23 had been pushed back from Goma. However, he added, the M23 was preparing for further fighting, which might resume if the Kampala talks failed. Robinson insisted that the talks were not to result in broad amnesties for M23 rebels for grave violations of human rights and international humanitarian law. Council members then issued a press statement taking note of the ICGLR declaration and calling for the implementation of the PSC Framework (SC/11119).

The regional oversight mechanism of the PSC Framework, the “11+4”, met at the margins of the General Assembly on 23 September, with the Secretary-General and the Chairperson of the AU Commission, Nkosazana Dlamini-Zuma, co-hosting the meeting. The heads of state of the 10 countries (a representative of CAR did not attend the meeting) adopted the regional benchmarks developed by the Technical Support Committee assisting Robinson.

Council members received the latest Secretary-General’s report on the PSC Framework in late September. The report notes certain progress in the DRC’s implementation of its commitments, but warns that the renewed fighting dramatically increases the risk of a collapse of the political process. It also reports that a monitoring and evaluation mechanism

**UN DOCUMENTS ON THE DRC Security Council Resolutions S/RES/2098** (28 March 2013) renewed the mandate of MONUSCO until 31 March 2014 and created the intervention brigade. **S/RES/2078** (28 November 2012) extended the DRC sanctions and the Group of Experts to 1 February 2014. **Security Council Press Statements SC/11119** (12 September 2013) expressed the Council’s support for the PSC Framework. **SC/11008** (29 August 2013) condemned recent attacks by the M23 against civilians and MONUSCO. **Secretary-General’s Reports S/2013/569** (24 September 2013) was the report on the PSC Framework. **S/2013/388** (28 June 2013) was the latest report on MONUSCO. **Group of Experts Report S/2013/433** (19 July 2013) was the interim report. **OTHER RELEVANT FACTS Special Representative of the Secretary-General and Head of Mission** Martin Kobler (Germany) **MONUSCO Force Commander** Lieutenant General Carlos Alberto dos Santos Cruz (Brazil) **MONUSCO Size, Composition and Cost of Mission Strength as of 31 July 2013**: 20,519 troops (including 512 military observers and 1,420 police), 994 international civilian personnel, 2,947 local civilian staff and 549 UN volunteers. Approved budget (1 July 2013–30 June 2014): \$1.4 billion Mission Duration 30 November 1999 to present; mandate expires on 31 March 2014

## Democratic Republic of the Congo (con't)

headed by Robinson will be established to ensure that the commitments under the PSC Framework are met.

In sanctions-related developments, the Group of Experts (GoE) assisting the 1533 DRC Sanctions Committee presented its report to the Committee on 19 July (S/2013/433). The report stated that the GoE had gathered evidence that continuous but limited support was being provided to the M23 from within Rwanda. The chair of the 1533 Committee, Ambassador Agshin Mehdiyev (Azerbaijan), briefed Council members about the Committee's activities in consultations on 22 July.

In August, the US put forward the names of two M23 members to be added to the sanctions list, but Rwanda blocked them (sanctions committees routinely operate by consensus).

### Human Rights-Related Developments

Deputy High Commissioner for Human Rights Flavia Pansieri visited the DRC from 22 to 28 August and said she was particularly affected by the situation of people in North Kivu and Ituri. She was alarmed by the scale of sexual violence committed in Ituri, mainly by armed groups but also by security and defence forces and by civilians, with many victims awaiting justice. She witnessed renewed fighting around the city of Goma and strongly denounced the indiscriminate bombings.

On 25 September, Pansieri presented to the Human Rights Council (HRC) the report of the

High Commissioner on the situation of human rights in the DRC from November 2011 to May 2013 (A/HRC/24/33). On 27 September, the HRC decided that it will hold a high-level dialogue during its 25th session on remaining challenges in the fight against sexual violence in the DRC.

### Key Issues

The key issue is to ensure the implementation of resolution 2098, which demands the fulfilment of the commitments made by the parties in the PSC Framework.

Another issue is to closely oversee the operations of MONUSCO, and particularly the “intervention brigade”, and how these affect the protection of civilians in the DRC.

### Options

The Council could issue a presidential or press statement either during or following its visit to the region, supporting the implementation of the PSC Framework and the operations of the “intervention brigade”.

It may also expand sanctions—or indicate its willingness to expand them—if commitments of the parties under the PSC Framework are not met. The 1533 Sanctions Committee could likewise revisit some of the unimplemented recommendations identified by the GoE in its latest report, including secondary sanctions against those undermining

the current sanctions regime.

### Council Dynamics

At press time, with the fighting having apparently subsided, Council members appear hopeful that the trip to the region will enable political momentum and send a message to the parties that the Council intends to follow up on the implementation of the PSC Framework and resolution 2098.

Recent events concerning press statements and the sanctions committee indicate that Rwanda's presence on the Council has made consensus-based action more elusive at times. Some Council members are concerned that the subsequent delayed reaction, and at times inaction, is not consistent with a “hands-on” approach and effective follow-up on the implementation of the PSC Framework and the operations of the “intervention brigade”.

While supportive of a negotiation process, Council members have nonetheless been ambivalent about the Kampala talks. Most Council members oppose an agreement that would lead to the reintegration of M23 rebels into the FARDC without addressing issues of accountability. Furthermore, there are concerns that reintegrated rebels might not forfeit their allegiance to non-government forces, as has happened in the past.

France is the penholder on the DRC.

## Visiting Mission to Africa

Council members are planning to visit Addis Ababa, Kigali, Goma, Kampala and Kinshasa in early October. A briefing on the mission is expected on 21 October with a written report to follow.

Since 2000, Council members have travelled to Africa at least once a year. Some of these missions were to one location—for example, the Democratic Republic of Congo (DRC) in 2006 and 2010—but recent visits have covered two to three places. Since 2007, the itineraries of the visiting missions to Africa have included Addis Ababa every other year, for an annual consultation with the AU Peace and Security Council (PSC).

The practice of co-leads for African visiting

missions, which started in 2007, continues for most of this mission. France and Morocco will co-lead on the DRC leg (Goma and Kinshasa) while Azerbaijan and Rwanda will do so on the Addis Ababa leg. The US will lead on the Rwanda leg (Kigali) and the UK in Uganda (Kampala).

From 1993 to 1999, only non-permanent members led these missions. In 2000 the US was the first P5 member to lead a mission when Council members visited the DRC. It is now rare for the P5 not to lead Council missions when visiting destinations of which they are the penholder of the relevant agenda-item. Currently there are over 40 penholder arrangements (see our February 2013 Monthly

Forecast), with about 30 being split more or less equally among the P3, making it highly likely that the P3 would be involved in leading on Council missions.

### The DRC, Rwanda and Uganda Legs

In visiting the DRC, Rwanda and Uganda, Council members may be looking to encourage the political momentum of recent weeks in the DRC as well as follow-up on the 25 July high-level Council debate on the Great Lakes and the DRC (S/PV.7011 and Resumption 1). The visit is also expected to send a key message to all parties that the Council is closely following the implementation of the Peace,

**UN DOCUMENTS ON COUNCIL VISITING MISSIONS** Security Council Resolution S/RES/2098 (28 March 2013) renewed the mandate of MONUSCO and created the intervention brigade. **Security Council Letter S/2012/444** (13 June 2012) was the communiqué of the last consultative meeting between members of the Security Council and PSC. **Secretary-General's Reports S/2013/387** (28 June 2013) was on the implementation of the Peace, Security and Cooperation Framework for the DRC and the region. **Security Council Meeting Record S/PV.7011 and Resumption 1** (25 July 2013) was the high-level event on the Great Lakes.

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## Visiting Mission to Africa (con't)

Security and Cooperation Framework for the DRC and the Great Lakes region (PSC Framework) signed in February. Meetings are expected with senior members of the government, including possibly the heads of state, of all three countries.

The visit to the DRC will be the first since the Council last visited on 13-16 May 2010. For a decade, between 2000 and 2010, the Council visited the DRC every year, making it the situation with the most Council visits. While in the DRC, Council members are expected to visit both Kinshasa and Goma. A key focus will be the security and humanitarian crisis in eastern DRC due to the activities of the March 23 Movement (M23) and other armed groups. Council members are expected to also want to show support for the UN Organisation Stabilisation Mission in the DRC (MONUSCO) and follow-up on resolution 2098, which called for the reconfiguration of MONUSCO and the creation of an "intervention brigade". Of particular interest will be recent military operations jointly conducted by the DRC armed forces and MONUSCO against the M23 and other armed groups. Given the effects of the conflict in eastern DRC on civilians, Council members may also focus on protection of civilians, sexual violence and child protection.

While in Rwanda, Council members may want to discuss the impact of the DRC situation on Rwanda. Since Rwanda came on the Council in January, consensus-based

decisions on the DRC have been difficult, often leading to a delayed reaction from the Council on the DRC. Some Council members may want to emphasise the importance of stability for the eastern DRC and the need for Rwanda and the DRC to work together with the UN to ensure this.

The visit to Uganda is expected to also focus on relations between the countries in the region and is likely to cover Uganda's concerns over recent developments, particularly in the DRC. Another area of discussion is likely to be the UN regional strategy to combat the Lord's Resistance Army and the role of Uganda in this effort.

Council members may also want to discuss the Kampala peace talks between the M23 rebels and the DRC, which re-started on 10 September, given that President Yoweri Museveni of Uganda is chairperson of the International Conference on the Great Lakes Region and mediator of the talks. While supportive of the process, Council members are somewhat ambivalent about the Kampala talks. Most Council members oppose an agreement that would allow the reintegration of M23 rebels into the DRC military without addressing accountability issues and are concerned that reintegrated rebels may remain loyal to non-government forces.

### Addis Ababa

The communiqué adopted at the end of the 2012 meeting between members of the AU

PSC and UN Security Council stated that the next consultative meeting would be held at the headquarters of the AU no later than July 2013 (S/2012/444). While there was some talk of a Council visiting mission to Africa in February and in May, difficulties in agreeing on Council visits for the year as well as scheduling problems appear to have led to this visit taking place considerably later than anticipated.

Azerbaijan, as the President of the Council in October, and Rwanda will co-lead the Addis Ababa segment of the trip, which will be focused largely on the institutional relationship between the two Councils. The AU PSC is the only international body with which members of the Security Council have regular interaction. They have been meeting since 2007, alternating between their respective headquarters.

On 17 September the AU sent a letter to the Council on preparations for the upcoming consultative meeting with the members of the Security Council, which contained a proposed draft agenda. It contains a number of issues of overlapping interest to both Councils. These include the situation in the Central African Republic, the Great Lakes, Mali and the Sahel, Somalia and Sudan/South Sudan. Recent Council decisions on some of these issues, notably Mali, have led to complaints from the PSC that Africa had not been properly consulted. It is unclear if some of this discontent might lead to a more contentious meeting that could result in less productive discussions.

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## Sudan and South Sudan

### Expected Council Action

In October, the Council expects to hold two meetings, likely in consultations, on compliance by Sudan, South Sudan and the Sudan People's Liberation Movement-North (SPLM-N) with resolution 2046. The Council also expects to discuss in consultations the most recent report of the UN Interim Security Force for Abyei (UNISFA), whose mandate expires on 30 November.

At press time, no outcome was anticipated on these matters.

### Key Recent Developments

Presidents Omar al-Bashir of Sudan and Salva Kiir of South Sudan held a summit in Khartoum on 3 September. Bashir said Sudan would allow the transport of oil from South Sudan through Sudan to continue, countering a threatened oil shutdown scheduled to begin on 6 September. It appears that Kiir also promised that South Sudan would not support rebels in Sudan. The presidents reiterated their commitment to implement the cooperation agreements on oil, security and economic issues that they signed on 27

September 2012. They also underscored the importance of establishing civilian institutions in Abyei and finding a final resolution to the status of the region.

Notable developments in domestic politics in both Sudan and South Sudan have occurred recently. On 1 September, the ruling National Congress Party in Sudan said that it had been holding consultations with opposition parties with the goal of forming a new, more inclusive cabinet. Nonetheless, it stressed that this should not be interpreted as meaning that it will initiate a transitional government with the

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**UN DOCUMENTS ON SUDAN AND SOUTH SUDAN** Security Council Presidential Statement S/PRST/2013/14 (23 August 2013) expressed concern about the challenges facing implementation of the 27 September 2012 agreements. Security Council Letters S/2013/560 (17 September 2013) was a letter from Sudan containing a brief report on the steps that Sudan and South Sudan had taken since the 3 September summit to enhance cooperation between the two countries. S/2013/528 (3 September 2013) was a letter from Sudan containing the communiqué of the 3 September summit.

## Sudan and South Sudan (con't)

aim of producing a new constitution. On 23 September, protests broke out when the Sudanese government removed fuel subsidies resulting in the death of at least 29 demonstrators. Meanwhile, in South Sudan, on 2 September the parliament approved Magok Rundial as its new speaker, replacing James Wani Igga, who became vice-president on 23 August. Media reports have indicated that Kiir threatened to dissolve the assembly if it did not endorse Igga as vice president and Rundial as speaker.

South Sudan Interior Minister Aleu Ayieni announced on 27 August that the government had determined that there were more than 11,000 ghost police in South Sudan, with salaries for these fictitious police siphoned off in a corruption scheme involving high-level police officers. Aleu suspects that further investigation could uncover an additional 16,000 fabricated police officers.

On 5 September, Under-Secretary-General for Peacekeeping Hervé Ladsous briefed Council members in consultations on Sudan/South Sudan issues. Ladsous said that the 3 September summit was a positive development, albeit expressing concern about the tense situation in Abyei. He noted that Ngok-Dinka community in the region had begun discussing preparations for an October referendum on the final status of Abyei (to determine whether Abyei belongs to Sudan or South Sudan), in accordance with the 21 September 2012 proposal of the AU High-Level Implementation Panel (AUHIP). He added that South Sudan had begun releasing civil servants to return home to Abyei to participate in a referendum. (These actions have elicited strong criticism from Sudan, and the Misseriya community in South Kordofan state has threatened violence if the referendum is held under current conditions).

### Abyei Area Referendum

Although Sudan and South Sudan committed to a referendum in Abyei in the 2005 Comprehensive Peace Agreement, Sudan continues to express reservations about eligibility criteria for voting. As a result of these reservations, a final status referendum for Abyei, scheduled concurrently with the 9-15 January 2011 referendum on independence in South Sudan, was delayed. On 21 September 2012, the AUHIP proposed that the referendum be rescheduled for October 2013, with residents of the Abyei area (including the Ngok-Dinka and other Sudanese permanently residing in Abyei) eligible to vote. (The AU Peace and Security Council called this proposal a “fair, equitable, and workable

solution” in its 24 October 2012 communiqué, although it has not endorsed the proposal as a final and binding decision, while the UN Security Council has merely decided that the parties should resolve the final status of Abyei through negotiations under the auspices of the AUHIP.) Although South Sudan has accepted the proposal, Sudan refuses to do so alleging concern that the vote will exclude the migratory Misseriya community and would likely vote for Abyei to become part of Sudan.

On 31 August, the SPLM-N announced a unilateral cessation of hostilities for one month to assist in humanitarian efforts related to flooding in Sudan, notably in South Kordofan and Blue Nile states. It added that the cessation “does not include...moving targets and does not prejudice acts of self-defence”. However, Sudan dismissed the pledge as “propaganda”, arguing that the SPLM-N does not have the capacity to help flood victims.

In early September, the Office for the Coordination of Humanitarian Affairs announced that Sudan had consented in principle to permit a polio vaccination campaign for children under five in areas controlled by the SPLM-N during October, after the SPLM-N retreated from its request that the vaccine be delivered from a third country such as Ethiopia or Kenya. (The vaccine would be delivered via Sudan; however, the details of the delivery—including the terms of a cessation of hostilities, the exact timing and how security will be provided—have yet to be determined.)

Sudan submitted a letter to the Security Council on 17 September in which it stated that Bashir and Kiir, inter-alia, requested “debt relief for the Sudan and support for the development in South Sudan,...and...[lifting of] unilateral economic sanctions against the Sudan” (S/2013/560).

On 18 September, Haile Menkerios, briefed Council members in consultations in his capacity as Special Envoy of the Secretary-General for Sudan and South Sudan. He noted that relations between the two countries had improved in recent weeks but expressed concern at the rising tensions in Abyei.

The AU Peace and Security Council (PSC) met at the level of heads of state and government in New York on 23 September and adopted a communiqué [PSC/AHG/COMM/2.(CCCXCVII)] on the situation between Sudan and South Sudan. In the communiqué, the PSC inter-alia:

- reiterated its acceptance of the AUHIP’s 21

September 2012 proposal on Abyei;

- reiterated its belief that there cannot be a military solution to the conflict in South Kordofan and Blue Nile and that “there is no alternative to...[Sudan and the SPLM-N] engaging in direct negotiations towards a political settlement...;”
- extended the mandate of the AUHIP until December 2014; and
- expanded AUHIP’s responsibilities to include the Horn of Africa.

At press time, the Sudan/South Sudan Consultative Forum was expected to hold a ministerial-level meeting on 27 September on the margins of the General Assembly. It seems that the meeting will focus largely on efforts to implement the 27 September 2012 cooperation agreements.

### Key Issues

One key issue for the Council is what role it can play in quelling the heightened tensions between the Misseriya and the Ngok-Dinka communities in the Abyei area and in exerting influence on Sudan and South Sudan to play a constructive role in this situation.

Another key issue is how to support the recent thaw in relations between Sudan and South Sudan that seems to have developed since the 3 September summit and assist the two countries in implementing the cooperation agreements of 27 September 2012.

An additional important issue is whether the Council can use its leverage to promote direct talks and a ceasefire between Sudan and the SPLM-N. A related issue is whether Sudan and the SPLM-N can reach agreement about the delivery of the polio vaccine and how negotiations on this matter can be facilitated.

### Options

The Council may consider adopting a statement that:

- welcomes recent progress in Sudan-South Sudan relations;
- calls for debt relief for Sudan and a lifting of economic sanctions against it;
- urges Sudan and the SPLM-N to successfully conduct the polio vaccination campaign for children in SPLM-N controlled areas;
- encourages international development assistance for South Sudan; and
- urges the Ngok-Dinka and Misseriya to refrain from violence.

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## Sudan and South Sudan (con't)

Another option the Council might consider is holding an Arria formula meeting on Abyei with the participation of leaders of the Ngok-Dinka and Misseriya communities (via video-conference, if required) to learn more about the situation on the ground and to hear their perspectives on final status discussions.

### Council Dynamics

Council members are generally encouraged by the improvement in relations between Sudan and South Sudan in recent weeks. There is hope that the parties can build on this positive momentum and continue to make progress in

implementing the cooperation agreements of 27 September 2012.

Some members—including Azerbaijan, Pakistan and others—believe that encouraging debt relief for Sudan and the removal of economic sanctions would provide incentives for Bashir to pursue constructive negotiations with South Sudan. Others appear less amenable to endorsing the removal of economic sanctions.

The most immediate concern among Council members is the potential for violence in Abyei, given reports that some members of the Ngok-Dinka community have been planning a unilateral referendum in the area.

Council members have been divided on the issue of the Abyei referendum for quite some time. A growing number of Council members believe that holding a referendum without buy-in from Sudan would be a futile exercise whose results would exacerbate the situation on the ground. However, other members note that Sudan, as a party to the 2005 Comprehensive Peace Agreement, committed itself eight years ago to hold a referendum on Abyei.

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

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## Sudan (Darfur)

### Expected Council Action

In October, the Council will hold a briefing and consultations on the quarterly report on the AU/UN Hybrid Operation in Darfur (UNAMID). At press time, no outcome was anticipated.

Some Council members are planning to visit Darfur in October in their capacity as members of the 1591 Sudan Sanctions Committee, although the precise dates had yet to be finalised at press time.

The mandate of UNAMID expires on 31 August 2014.

### Key Recent Developments

The Council was last briefed on the situation in Darfur on 24 July (S/PV.7010). During the briefing, AU-UN Joint Special Representative for Darfur and Joint Chief Mediator Mohammed Ibn Chambas told Council members that he was concerned about the rise in inter-communal conflict in Darfur. While Chambas believed that UNAMID has sufficient troop strength to carry out its mandate, he stressed that “what is required is better training and equipment and more flexibility within our current deployment”. The mission is collaborating with “troop and police contributors to address and improve pre-deployment training...and contingent-owned equipment issues,” he added, noting as well that “a tactical helicopter for hot-pursuit purposes would provide an additional deterrent to ambushes”.

The security situation in Darfur has remained volatile since the briefing. Heavy fighting broke out between the Rizeigat and Ma’aliya communities on 9 August over land and cattle in East Darfur. By mid-August, media reports indicated that 209 had died and 305 had been injured as a result of the violence. Although the two groups signed a peace agreement on 22 August, sporadic outbreaks of violence between them continued in September. In early September, OCHA reported that approximately 134,000 people had been displaced by the clashes in the Abu Karinka and Adila areas of East Darfur.

Attacks on UNAMID peacekeepers were also reported in late August. On 26 August, unidentified assailants wounded three peacekeepers while they were on patrol some 22 miles outside El Daein, the capital of East Darfur. On 27 August, peacekeepers were fired upon, also by unknown attackers, in West Darfur near the Chad border with no casualties reported.

Hundreds of demonstrators protested in Nyala, the capital of South Darfur, on 19 September after Janjaweed militia reportedly murdered Ismail Wadi, a well-known Zaghawa businessman, and two family members. Two people died and several others were injured in the protests. Adam Mahmoud Jar Al-Nabi, the governor of South Darfur state, declared a curfew that evening and claimed that unknown assailants had been responsible.

Al-Nabi further alleged that the Sudan Liberation Army-AbdulWahhid rebel faction had collaborated with the demonstrators in an effort to take control of Nyala.

Between 22-27 August, Chambas met with two Darfur-based rebel groups, the Justice and Equality Movement (JEM) and the Sudan Liberation Movement-Minni Minnawi (SLM-MM) in Arusha, Tanzania. During the talks, the JEM and SLM-MM expressed the view that a peace agreement with Sudan should be “holistic” in nature, including not just the Darfur-based rebel groups, but also the Sudan People’s Liberation Movement-North (SPLM-N), which is fighting Sudan in South Kordofan and Blue Nile states, as well as political parties opposed to the regime in Khartoum. They also argued that negotiations should have as their goal the creation of a democratic government. (The SLA-Abdul Wahhid, another important Darfur-based rebel group, did not attend the talks because the SPLM-N was not invited.)

On 28 August, Amin Hassan Omer, the Sudanese official responsible for implementation of the Doha Document for Peace in Darfur (DDPD), told Chambas that Sudan would not accept a single, all-encompassing negotiating process, including both the Darfur rebel groups and the SPLM-N. Instead, he highlighted the importance of the DDPD, which focuses specifically on the situation in Darfur.

The indictment of President Omar

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UN DOCUMENTS ON SUDAN/DARFUR Security Council Resolutions S/RES/2113 (30 July 2012) extended UNAMID’s mandate until 31 August 2014. S/RES/1593 (31 March 2005) referred the situation in Darfur to the ICC. Secretary-General’s Report S/2013/420 (12 July 2013) was the latest UNAMID report. Security Council Meeting Records S/PV.7010 (24 July 2013) was the latest briefing on UNAMID. S/PV.6974 (5 June 2013) was the latest briefing on the ICC’s work in Sudan.



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## Sudan (Darfur) (con't)

al-Bashir of Sudan on charges of genocide, war crimes and crimes against humanity by the ICC has apparently hindered his travels in recent months. Bashir attended a 15-16 July AU meeting in Abuja, Nigeria, but departed prematurely. Some have suggested that he may have left out of concern that he would be apprehended, as the ICC Pre-Trial Chamber had requested Nigeria to arrest and surrender Bashir to the court on 15 July. Sudan has argued that the timing of the departure had nothing to do with the concern about possible arrest.

In mid-September, Bashir applied for a visa to travel to the US to attend the opening of the 68th UN General Assembly. Speaking at the Security Council stakeout on 16 September, Ambassador Samantha Power (US) said that such a trip “would be deplorable, cynical and hugely inappropriate”. On 18 September, the ICC Pre-Trial Chamber issued a public decision in which it invited US officials to apprehend and surrender Bashir to the court if he enters the US. In the decision, the ICC noted that while the US is not a state party to the ICC, the Council “urge[d] all States...to cooperate fully’ with the Court” in resolution 1593, which was adopted under Chapter VII. Ultimately, however, Bashir decided to call off his trip.

### Key Issues

One key issue is how to regain its sustained focus on Darfur in order to address the significant rise in inter-communal violence in Darfur.

A related immediate issue is how the

Council can help to address some of the concerns about UNAMID’s capacity.

A fundamental issue is whether the Council should begin to modify its approach to Sudan. Some analysts have argued that Council engagement with Sudan is flawed because it tends to treat the various conflicts in the country in silos rather than addressing the interconnected challenges more cohesively.

A related issue is what institutional framework could be developed to implement such a “comprehensive” approach.

An additional issue is what impact the 1591 Sanctions Committee’s trip to Sudan may have in enhancing the Committee’s understanding of the situation on the ground and in helping Committee members to generate ideas for improving the effectiveness of the sanctions regime.

### Options

One option would be to request the Secretary-General to launch an inquiry to investigate the sources of the upsurge in inter-communal violence in Darfur and report to the Council before the next regular report on UNAMID is due.

Another option would be for Council members to make a special request to member states to provide a helicopter to UNAMID in order to help deter ambushes.

The Working Group on Peacekeeping Operations could also develop strategies for enhancing UNAMID’s ability to protect civilians and share these with the Council.

Another option would be for the Council,

in collaboration with the AU Peace and Security Council, to reconsider the mandate given to Chambas to allow him to mediate between Sudan and all rebel groups in the country, not just those in Darfur. This would require close coordination among Chambas, Special Representative to the AU Haile Menkerios and AU High-Level Implementation Panel Chair Thabo Mbeki to ensure that they work together coherently in their engagement with the parties.

### Council Dynamics

While there has been widespread concern among Council members about the significant deterioration in security in Darfur, there are nonetheless different perspectives regarding Sudan’s commitment to the peace process. Some members have been critical of the slow pace in implementing the DDPD and have argued that the government has been responsible for numerous attacks on civilians during the past year. Other members are less critical of Sudan, believing that it is making an honest effort to implement the DDPD under challenging circumstances. These members tend to emphasise the role of rebel groups in creating instability in Darfur.

Council members are divided as well about the role of the ICC on Darfur. While some members believe that Bashir and others should be brought to justice, others are concerned that Bashir and other officials are being pursued to suit political interests.

The UK is the penholder on Darfur.

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## Somalia

### Expected Council Action

In October, the Council will be briefed by Deputy Secretary-General Jan Eliasson on three reports: from Somalia regarding developments since modification of the arms embargo in March; from the AU and the UN regarding a review of the AU Mission in Somalia (AMISOM) and benchmarking for a potential UN peacekeeping operation; and from the

Secretary-General regarding piracy. Council members will also hold consultations. An outcome is not expected as reauthorisation of anti-piracy measures, which expire on 21 November, will not be taken up until November.

### Key Recent Developments

On 12 September, the Council was briefed by Nicholas Kay, the Special Representative

and head of the UN Assistance Mission in Somalia (UNSOM), and Mahamat Salah Annadif, the Special Representative of the AU and head of AMISOM (S/PV.7030). The briefing discussed the first report of the Secretary-General on UNSOM (S/2013/521) and was followed by consultations. Council members issued a press statement on 13 September expressing support for the recent

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**UN DOCUMENTS ON SOMALIA** [Security Council Resolutions S/RES/2111](#) (24 July 2013) reauthorised the mandate of the Somalia and Eritrea Monitoring Group until 25 November 2014. [S/RES/2102](#) (2 May 2013) created UNSOM and authorised its deployment for one year. [S/RES/2093](#) (6 March 2013) authorised AMISOM deployment until 28 February 2014 and partially lifted the arms embargo. [Secretary-General's Report S/2013/521](#) (3 September 2013) was the Secretary-General's UNSOM report. [Security Council Meeting Record S/PV.7030](#) (12 September 2013) was the briefing on UNSOM. [Security Council Press Statements SC/11129](#) (21 September 2013) condemned the terrorist attack by Al-Shabaab in Nairobi, Kenya. [SC/11121](#) (13 September 2013) expressed support for the agreement regarding the Interim Jubba Administration. [USEFUL ADDITIONAL RESOURCES](#) [Communiqué: A New Deal for Somalia](#), EU, 16 September 2013. [The Somali Compact, Federal Republic of Somalia](#), 16 September 2013. [Agreement between the Federal Government of Somalia and Jubba Delegation](#), IGAD, 27 August 2013.

## Somalia (con't)

agreement between the Federal Government of Somalia (FGS) and Jubba leader Ahmed Madobe (SC/11121).

The pact signed on 27 August in Addis Ababa, titled “Agreement between the Federal Government of Somalia and Jubba Delegation”, was brokered by Foreign Minister Tedros Adhanom Ghebreyesus of Ethiopia in his capacity as Chair of the Council of Foreign Ministers of the Intergovernmental Authority on Development (IGAD). The agreement puts Madobe in charge of a newly created Interim Jubba Administration for two years, establishes federal control over the Kismayo port and airport, states that militias should be integrated into the national army and contains language on national reconciliation. The agreement was welcomed by Kay, the AU and the EU.

Improving the security situation in Mogadishu and other areas remains a challenge. On 7 September, a terrorist bomb attack on a Mogadishu restaurant killed at least 15 people according to media reports. Five days later, there was an assassination attempt on Madobe in Kismayo which killed at least 10 people and left Madobe reportedly unharmed. Al-Shabaab claimed responsibility for both attacks.

On 12 September, a prominent Al-Shabaab member, Omar Hammami—also known by his nom de guerre Abu Mansoor Al-Amriki and one of 13 individuals designated for UN sanctions under resolution 1844 (2008)—was reportedly killed by fighters loyal to Al-Shabaab leader Ahmed Godane. The death of Hammami, who was apparently allied to a breakaway faction of Al-Shabaab that once included Hassan Dahir Aweys (now in government custody), seems to indicate that Godane is consolidating control over the Islamist insurgency.

On 16 September, the EU hosted an international donor conference in Brussels, called “A New Deal for Somalia”. Donors pledged \$2.4 billion in new assistance for Somalia to be dispersed under a three-year plan. The conference issued a communiqué that announced the endorsement of a compact based on the New Deal principles for development in fragile and conflict-affected states agreed at the High Level Forum on Aid Effectiveness held in Busan, Republic of Korea, in November 2011. The compact for Somalia has five peace and statebuilding

goals: inclusive politics, security, justice, economic foundations and revenue and services. It further includes cross-cutting issues—gender, capacity development, peace dividends, human rights and external relations. There is also a separate section detailing a “Somaliland Arrangement”, although the self-declared, unrecognised country was not represented in Brussels.

On 21 September, Al-Shabaab initiated a terrorist attack on a shopping mall in Nairobi, Kenya. Council members issued a press statement condemning the attack and reiterating their resolve to combat terrorism (SC/11129). The four-day siege resulted in the death of at least 61 civilians, six Kenyan security and five Al-Shabaab militants. Al-Shabaab has stated the attack in Nairobi is in retribution for Kenya’s involvement in AMISOM, which is similar to the claim made following the group’s terrorist bombing in Kampala, Uganda on 11 July 2010, which killed 74 people.

### Human Rights-Related Developments

On 27 August, the FGS endorsed a human rights roadmap for the period 2013-2015 and announced the creation of a Ministry for Human Rights. The UN Independent Expert on the situation of human rights in Somalia, Shamsul Bari, who last visited the country from 26 to 29 August, hailed the endorsement but urged the authorities to broaden the consultation process to ensure implementation. On 24 September, during the 24th session of the Human Rights Council (HRC), Bari participated in a stand-alone high-level meeting to discuss how to guarantee maximum effectiveness of assistance to Somalia as well as ensuring implementation of the roadmap. The following day, he presented his report to the HRC (A/HRC/24/40 and Corr.1)

On 10 September, the chair-rapporteur of the working group on the use of mercenaries, Anton Katz, presented to the HRC a report on its visit last December to Somalia (A/HRC/24/45/Add.2). The report raised concerns about the influx of foreign security companies without sufficient regulation and control by the government and the use of private military security companies (PMSCs) by shipping companies to guarantee the safety of their crews and cargo. As Somalia is one of three states in which the UN has hired PMSCs, the working group called on the UN to consider applying the principles contained in the Human Rights Due Diligence Policy when hiring private security contractors. It also informed the HRC that it recently launched a study of the use of PMSCs by the UN.

### Key Issues

Implementation of the partial lifting of the

arms embargo, authorised in resolution 2093 of 6 March, will be an area of focus for the Council as it reviews the six-month report from the government of Somalia due 7 October.

Other issues of particular interest will be the conclusions and recommendations regarding the recently conducted joint UN/AU strategic review of AMISOM and benchmarking exercise for a potential UN peacekeeping operation.

### Options

Depending on the content of the government’s report regarding implementation of changes to the arms embargo, the Council may wish to consider modification of the regulatory framework to improve monitoring, reporting and other procedures.

The Council could also reiterate the need for increased financial donations to the UN Trust Fund for AMISOM. Council members might also individually consider contributing AU-requested military assets to AMISOM, such as helicopters.

### Council and Wider Dynamics

The partial lifting of the arms embargo, which was strongly advocated by the US but had been opposed by most Council members, may re-emerge as a fault-line within the Council. Given the limited institutional capacity of the FGS, reasonable questions regarding the current regulatory framework persist. On the other hand, the attention of the Council has largely shifted toward building the fighting capabilities of the Somali National Security Forces. For some Council members, this might imply a more passive approach toward oversight on small arms.

Regarding the forthcoming joint UN-AU strategic review of AMISOM and benchmarking exercise for UN peacekeeping, Council members are likely to be in agreement on three points: first, a lack of appetite for the immediate establishment of a UN peacekeeping operation as the security conditions in Somalia are not yet appropriate; second, limited backing at best for the partial re-hatting of AMISOM to create a UN-AU hybrid mission, at least in part because the precedent in Darfur has not been generally perceived as a success; and third, potentially growing support for increased financing, troops and weaponry for AMISOM (as the evidence has been mounting that it remains

## Somalia (con't)

under-resourced to fully accomplish its mandate). The recent terrorist attack in Nairobi by Al-Shabaab is likely to increase support

among Council members for enhancing AMISOM's military capacity.

The UK is the penholder on Somalia

and the Republic of Korea is the chair of the 751/1907 Somalia-Eritrea Sanctions Committee.

## Mali

### Expected Council Action

In October, the Council is expected to receive a briefing by the Special Representative of the Secretary-General and head of the UN Multidimensional Integrated Stabilisation Mission in Mali (MINUSMA), Albert Gerard Koenders. The briefing will be followed by consultations.

MINUSMA's mandate expires on 30 June 2014.

### Key Recent Developments

Even though there has been important progress in the return of state authority to the north and in the overall security environment in Mali, the situation in the north remains tense. There have been reports of intra-communal violence in the north as well as sporadic skirmishes between the Malian Defence and Security Forces (MDSF) and supporters of the *Mouvement National pour la Libération de l'Azawad* (MNLA). The ill-equipped cantonments where the members of the MNLA and the *Haut Conseil pour l'Unité de l'Azawad* are supposed to be resettled and the lack of operational capabilities of MINUSMA are having a negative impact on the implementation of the 18 June Ouagadougou Agreement (Preliminary Agreement to the Presidential Election and Inclusive Peace Talks in Mali). Furthermore, the threat of terrorist attacks remains as reflected in the Council's 16 July presidential statement that it "continues to be gravely concerned about the activities in the Sahel region of terrorist organisations" (S/PRST/2013/10). On 22 August, Mokhtar Belmokhtar, the leader of the terrorist group Al-Mulathamoun announced a merger with the *Mouvement pour l'Unité et le Jihad en Afrique de l'Ouest* to form a new group called Al-Mourabitoun. To address concerns over terrorist attacks in the Sahel, the Monitoring Team assisting the 1267 Al-Qaida Sanctions Committee, which was

given responsibility in resolution 2100 to work closely with MINUSMA on threat assessment, has recently visited Nigeria and Niger.

The signing of the Ouagadougou Agreement on 18 June was instrumental to the peaceful presidential elections on 28 July and 11 August and the return of state authority in Kidal. The agreement called for the deployment of the MDSF in Kidal along with French and MINUSMA troops and the establishment of two mechanisms—a Follow-up and Evaluation Committee and a Joint Technical Security Commission, chaired by Koenders and the MINUSMA force commander respectively—to work on the implementation of the accord and make arrangements for the ceasefire and other security matters. The agreement also established a 60-day deadline after the establishment of the new government for the second phase of the political process to start. The *Mouvement Arabe de l'Azawad* and the *Coordination des Forces Patriotiques de Résistance* subsequently joined as signatories of the agreement. (At press time, it was reported that the three main signatories pulled out of the agreement claiming the lack of its implementation by the government.)

The first round of the presidential elections took place on 28 July. Former Prime Minister Ibrahim Boubacar Keita, the leader of *Rassemblement pour le Mali*, and former Finance Minister Soumaïla Cissé, the candidate of the *Union pour la République et la Démocratie*, got 40 percent and 20 percent of the votes respectively. Turnout amounted to 49 percent of the registered voters, 10 percentage points more than in the presidential elections of 2007. After an 11 August run-off election, Keita was proclaimed president with 77 percent of the votes. In a 16 August press statement the Council commended the electoral process (SC/11096). (Some local and international NGOs have noted that few voter cards were distributed to refugees

in neighbouring countries and that the list of registered voters was based on a 2009 census, therefore excluding those who have come of age since then.)

Keita was sworn in on 4 September and appointed Oumar Tatam Ly as prime minister on 5 September. Ly introduced a 34-member cabinet on 8 September. On 18 September, the government decided that the first round of legislative elections will take place on 24 November and the second round on 15 December.

MINUSMA has faced considerable challenges to achieve its full operational capability. On 10 September, Under-Secretary-General for Peacekeeping Operations Hervé Ladsous said there are shortfalls in operational capacity, which is expected to be fully reached by the end of 2013, six months after deployment.

Despite pledges, key gaps remain, mainly due to the lack of critical force enablers, such as logistics, engineering and transport units. Initial assessments found that before their re-hatting to MINUSMA, battalions of the African-led International Support Mission to Mali did not include the required enabling units, such as contingent-owned equipment and sufficient military aviation capabilities. The pace of deployment of civilian staff (such as human rights and other protection staff) is also being affected by the lack of operational capacity. The grace period of four months set by the Department of Peacekeeping Operations for the force to reach the required UN standards through national, bilateral or multilateral assistance ends on 31 October. In addition to other challenges, Nigeria decided in July to withdraw its troops from MINUSMA, and in mid-September, a group of 160 peacekeepers from Chad stationed in Gao deserted in a dispute over pay. Also in September, MINUSMA received allegations of serious misconduct by its peacekeeping troops, including an alleged

**UN DOCUMENTS ON MALI** [Security Council Resolution S/RES/2100](#) (25 April 2013) established the mandate for MINUSMA. [Security Council Presidential Statement S/PRST/2013/10](#) (16 July 2013) reaffirmed the Council's concern about the situation in the Sahel. [Security Council Press Statement SC/11096](#) (16 August 2013) commended the peaceful elections. [Secretary-General's Report S/2013/338](#) (10 June 2013) contained an assessment of the security situation in Mali. [Security Council Meeting Record S/PV.6985](#) (25 June 2013) was the first briefing by Koenders. **OTHER RELEVANT FACTS** [Special Representative of the Secretary-General](#) Albert Gerard Koenders (Netherlands) [MINUSMA Duration](#) 25 April 2013 to present

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## Mali (con't)

incident of sexual abuse.

As of 26 August, the Office for the Coordination of Humanitarian Affairs said there were 1.4 million people in need of immediate food assistance, 342,033 internally displaced persons (IDPs) and 175,282 refugees in neighbouring countries. Even if access has generally improved, other challenges remain: only 37 percent of the \$477 million pledged as a result of the Consolidated Appeal Process has been received, and the spontaneous return of IDPs and refugees to northern Mali (around 137,000 people so far) is putting people in a situation of further vulnerability due to damaged social infrastructure, limited delivery of basic services, the presence of unexploded ordnance, the destruction caused by military operations.

### Key Issues

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

A key issue will be the effective implementation of the Ouagadougou Agreement without further deferring the peace talks with communities in the north.

Ensuring that citizens in the remote areas of the north, IDPs, refugees and people who came of age since 2009 are allowed to vote in the upcoming legislative elections is an

immediate key issue.

Ensuring that MINUSMA's mandate is not compromised and the mission is provided with appropriate equipment and key force enablers is a pressing issue.

Ensuring that all MINUSMA troops meet the UN's human rights standards is a further related issue.

### Options

The Council could receive the briefing and take no action, or it could issue a statement:

- recalling the need for inclusive and credible peace talks open to all communities in northern Mali in the time frame set out by the Ouagadougou Agreement;
- looking forward to the upcoming legislative elections;
- encouraging the government to deepen its commitment to the reform of the MSDF;
- urging the government to establish an international commission of inquiry to investigate international crimes as per the Ouagadougou Agreement;
- reaffirming the need for MINUSMA to reach its full operational capacity as quickly as possible, asking member states to contribute key force enablers and troops; and
- establishing an expert group to identify those involved in transnational organised

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

### Council Dynamics

Despite the challenges that Mali still faces, Council members were pleasantly surprised with the conduct of the presidential elections. However, some Council members have expressed concern over the sluggish deployment of MINUSMA, the lack of key force enablers and the limited capacity to effectively carry out its mandate.

One of the controversial issues during the negotiations on resolution 2100, which established MINUSMA, was the definition of "robust" peacekeeping. The language finally agreed in the mandate—"to deter threats and take active steps to prevent the return of armed elements to those areas"—seems to be understood by Council members in different ways. Although most Council members agree that the security situation is much better than expected, future developments that might require MINUSMA to be more aggressive might divide the Council again about the kind of operations MINUSMA is mandated to undertake.

France is the penholder on Mali.

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## Western Sahara

### Expected Council Action

In October, the Council members expect a briefing in consultations on the UN Mission for the Referendum in Western Sahara (MINURSO) by Wolfgang Weisbrod-Weber, the Secretary-General's Special Representative and head of MINURSO, and Christopher Ross, the Secretary-General's Personal Envoy for Western Sahara.

MINURSO's mandate expires on 30 April 2014.

### Key Recent Developments

Weisbrod-Weber and Ross last briefed the Council in consultations on 22 April. Ross

confirmed the willingness of the parties to engage in a period of bilateral consultations and shuttle diplomacy. Weisbrod-Weber updated the Council on MINURSO's activities.

On 25 April, the Council adopted resolution 2099, extending MINURSO's mandate for another year. A draft resolution prepared by the US had been discussed earlier by the Group of Friends of Western Sahara (France, Russia, Spain, the UK and the US) and by the US and Morocco in bilateral consultations. The initial draft apparently included language giving MINURSO a mandate to monitor and gather information on human rights violations as well as a reference to human rights

monitoring in the camps near Tindouf, but by the time the draft was distributed to all Council members this language had been withdrawn.

The adoption of resolution 2099 without including a human rights monitoring mechanism was followed by a wave of pro-independence rallies from 26 April with Sahrawi demonstrators asking for self-determination and the respect of human rights. The demonstrations peaked on 4 May and took place mainly in Laâyoune, Smara and Boujdour. Security forces and protestors were reportedly wounded.

On 10 June, Secretary-General Ban Ki-moon met with Mohammed Abdelaziz, the Secretary-General of the Frente Popular para

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**UN DOCUMENTS ON WESTERN SAHARA** Security Council Resolution S/RES/2099 (25 April 2013) renewed the MINURSO mandate for 12 months. **Security Council Letters** S/2013/508 (26 August 2013) and S/2013/507 (22 August 2013) were on the appointment of Major General Imam Edy Mulyono (Indonesia) as MINURSO force commander. Secretary-General's Report S/2013/220 (8 April 2013) was on the situation in Western Sahara. **OTHER RELEVANT FACTS** Special Representative of the Secretary-General and Head of MINURSO Wolfgang Weisbrod-Weber (Germany) **Personal Envoy of the Secretary-General for Western Sahara** Christopher Ross (US) **MINURSO Size, Composition and Budget Strength as of 31 August 2013**: 27 troops; 199 military observers; 6 police; 94 international civilians; 167 local civilians; 12 UN volunteers **Budget** (July 2013-June 2014): \$60,475,700 **MINURSO Duration** April 1991 to present

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## Western Sahara (con't)

la Liberación de Saguía el-Hamra y Río de Oro (Polisario Front), in New York and encouraged the Polisario to remain constructively engaged with Ross. Ban expressed concern over the increasing frustration and vulnerability among young people in the refugee camps near Tindouf caused by the absence of a settlement and the instability of the Sahel region. On 25 June, Ban received Taib Fassi Fihri, an advisor to King Mohammed VI of Morocco. While Ban commended Morocco for its efforts to promote human rights, he called on both parties to observe international human rights standards and stressed the need for sustained monitoring both in Western Sahara and in the refugee camps. He also called on Morocco to continue to engage in the confidence-building measures run by the UN Office of the High Commissioner for Refugees (UNHCR) and expressed his hope for an improvement in relations between Morocco and Algeria.

The UNHCR, Morocco, the Polisario, Algeria and Mauritania attended a session in Geneva on 2 July to review the confidence-building measures. They agreed on 3 July to expand the UNHCR programme, which offers separated families in Western Sahara and refugee camps in Tindouf a range of services to help them reconnect. An agreement was reached on a new flight schedule for

visits in 2014 and additional seminars, with the next to take place in October in Portugal.

A new wave of pro-independence demonstrations started on 26 August, with approximately 100 participants gathering in close proximity to a Royal Moroccan Army strongpoint in the Mahbas Teamsite, in the north-eastern part of the territory controlled by the Polisario. The demonstrators dispersed peacefully on 30 August.

Ross's next trip to the region is scheduled in October.

### Key Issues

A key issue for the Council to consider is the nature of its role in encouraging progress in the negotiating process, particularly regarding Ross's current approach of bilateral discussions with each party.

A growing issue is to ensure that instability in the Sahel does not contribute to radicalising refugee camps in light of the fragile situation of young people in the camps.

An ongoing issue for the Council is to ensure that all parties fully commit to, and observe, the human rights of all individuals caught in the conflict.

### Options

One option for the Council is to simply receive

the briefing and take no action.

Another, though unlikely, option is to adopt a press statement expressing support for the mediation efforts by Ross.

### Council and Wider Dynamics

Council members engaged on the issue remain supportive of the shuttle diplomacy undertaken by Ross. At press time, however, it was still too early to tell how the outcome of Ross's next trip to the region might impact Council members' positions.

Bilateral discussions between the US and Morocco played a key role in the drafting of resolution 2099, while the role of Council members who are not part of the Group of Friends was limited. As a government reshuffle was carried out in Algeria on 11 September, with Ramtane Lamamra, the former AU Commissioner for Peace and Security, appointed foreign affairs minister, it remains to be seen if the appointment of Lamamra, an official deeply familiar with the Security Council and well respected by most of its members, will affect Council dynamics with regard to Western Sahara. Lamamra could also be of help arranging a visit by Ross to the AU.

The US is the penholder on Western Sahara.

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## Lebanon

### Expected Council Action

In October, Council members expect to receive the semi-annual briefing in consultations from Special Envoy Terje Rød-Larsen on the Secretary-General's forthcoming report on the implementation of resolution 1559. Adopted in 2004, resolution 1559 urged the disarmament of all Lebanese and non-Lebanese militias and the extension of government control over all Lebanese territory.

### Key Recent Developments

Rød-Larsen last briefed Council members on 8 May, reporting that the spillover from the conflict in Syria was having alarming and destabilising effects in Lebanon and the region.

He described worsening sectarian tensions in Tripoli, the influx of Syrian refugees and Israeli aerial attacks on Syrian weapons depots. He also correctly assessed that Lebanese parliamentary elections slated for June would not take place. (Elections were postponed to November 2014.)

On 10 July, the Council adopted a presidential statement expressing growing concern about the spillover effects of the Syrian crisis on Lebanon's political, security and humanitarian situations (S/PRST/2013/9). Aside from the regular UN Interim Force in Lebanon (UNIFIL) renewals, this was the Council's first substantive outcome on Lebanon since 22 May 2008.

The security situation has continued to decline in Lebanon. The 25 May announcement by Hezbollah of its military involvement in Syria on behalf of the Syrian government marked a turning point in the heightening sectarian tension in Lebanon and analysts have noted the recent series of attacks is a signal of increasingly severe sectarian reprisal violence.

The Council issued three press statements in July and August in response to serious security incidents. On 9 July, 53 people were injured when a bomb exploded, and on 15 August a car bomb killed 27. Both attacks targeted Dahiyeh, a predominantly Shi'a neighbourhood of Beirut. On 23 August, 47 people were killed when bombs targeting two Sunni

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**UN DOCUMENTS ON LEBANON** [Security Council Resolutions S/RES/2115](#) (29 August 2013) renewed the mandate of UNIFIL for a year. [S/RES/1559](#) (2 September 2004) urged disarmament of all Lebanese and non-Lebanese militias and extension of the government's control over all Lebanese territory. [Security Council Presidential Statement S/PRST/2013/9](#) (10 July 2013) expressed growing concern regarding the spillover effects of the Syrian crisis on Lebanon's political, security and humanitarian situations. [Security Council Press Statements SC/11101](#) (23 August 2013) condemned the attacks in Tripoli. [SC/11095](#) (15 August 2013) and [SC/11055](#) (9 July 2013) condemned attacks in Beirut. [Secretary-General's Reports S/2013/381](#) (26 June 2013) was the most recent 1701/UNIFIL report. [S/2013/234](#) (18 April 2013) was the most recent 1559 report.

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## Lebanon (con't)

mosques in Tripoli exploded. To increase security, Lebanese security forces deployed in Dahiyeh on 23 September. A similar security plan is expected in Tripoli.

Meanwhile, Israeli air strikes in Syria, fears that Syria might transfer its chemical weapons to Lebanon and other cross-border incidents have sparked concerns that Hezbollah or other extremist groups might retaliate, potentially drawing Lebanon further into a broader regional conflict. On 7 August, four Israeli soldiers were injured in a blast after allegedly crossing the blue line between Israel and Lebanon into an area known for landmines. Media reports indicate that Hezbollah claimed responsibility for the blast. An Al-Qaida-linked group, the Azzam Brigades, said it launched four rockets into Israel from southern Lebanon on 22 August. Israeli jets retaliated the next day in Tyre in south Lebanon, bombing a base of the Popular Front for the Liberation of Palestine, which denied any connection with rocket launches or the Azzam Brigades. The Secretary-General urged maximum restraint on both sides.

The humanitarian situation has also deteriorated sharply. In September 2013, the UN High Commissioner for Refugees estimated that there were approximately 764,000 Syrian refugees in Lebanon. Lebanon estimates that the actual figure is 1.2 million. Lebanese President Michel Sleiman, at his 24 September address to the General Assembly, appealed for direct aid to fund the humanitarian response and provision of essential services. On 25 September, the Secretary-General convened the inaugural meeting of the “International Support Group” for Lebanon on the side-lines of the General Assembly.

The political situation remains frozen since Prime Minister Najib Mikati resigned on 22 March. He now heads a Hezbollah-led government in a caretaker capacity as Prime Minister-designate Tammam Salam has been unable to form a new government. Hezbollah has insisted on a share of ministerial portfolios proportionate to its parliamentary representation,

and the 14 March political bloc has refused to participate in a cabinet that includes Hezbollah. Meanwhile, parliament has not met due to a lack of a quorum, and national elections have been postponed until late next year. In this context, the reconvening of the Lebanese National Dialogue—a forum for political leaders to address the issue of Hezbollah’s arms—seems highly unlikely.

On 29 August, the Council adopted resolution 2115 renewing the mandate of UNIFIL for an additional year.

Regarding the Special Tribunal for Lebanon, 13 January 2014 has been set as a tentative start for the trial in absentia of four individuals charged in the 14 February 2005 assassination of former Prime Minister Rafiq Hariri.

### Key Issues

The key issues are the fact that Hezbollah maintains a significant arsenal not controlled by the Lebanese government and the delineation of the border between Lebanon and Syria has not taken place and will not in the foreseeable future. Another key issue is that the conflict in Syria, and Hezbollah’s unambiguous involvement there on behalf of the regime, has negatively impacted Lebanon.

### Underlying Problems

Lebanon’s official policy is one of disassociation from the Syrian crisis. However, Hezbollah’s overt involvement in Syria on behalf of the regime, sectarian violence, and the burgeoning refugee situation throughout the country provide evidence of the pressures such a policy must withstand. The ongoing conflict in Syria will most likely indefinitely stall any effort to implement resolution 1559 fully.

Furthermore, the flow of armaments across the border between Syria and Lebanon has contributed to the expansion of arsenals outside the control of the Lebanese government.

### Options

The Council is unlikely to take any action on Lebanon so soon after issuing the recent press

statements and adopting the 10 July presidential statement expressing concern about the spillover effects of the Syrian crisis on Lebanon. However, since the security situation in Lebanon and along the border with Syria has continued to deteriorate, the Council could adopt a statement reiterating its condemnation of such incidents. In a similar vein, a statement addressing the Syrian refugee situation and subsequent humanitarian crisis in the country might also be an appropriate demonstration of support given the challenges Lebanon is facing. Finally, the Council could also issue further statements encouraging Lebanon to form a government and hold its parliamentary elections in order to maintain political stability.

### Council Dynamics

There is agreement among all Council members that the international community should support Lebanon in its efforts to contain the spillover from the conflict in Syria. This consensus was repeatedly displayed in the recently issued press statements that underscored the importance of Lebanon’s disassociation policy in order to preserve national unity in the face of attempts to undermine the country’s stability.

The 10 July presidential statement demonstrated the Council’s agreement on the importance of preserving Lebanon’s sovereignty, national unity, territorial integrity and political independence. However, there remain strong divisions, particularly between the P5 members, on how to characterise the impact of the Syrian conflict on Lebanon, Hezbollah’s participation in the Syrian conflict, Syria’s role in cross-border attacks and Israeli airstrikes on Syrian weapons depots.

Such divisions may also be reflected in a desire by Council members, particularly the P3, to manage the spillover effects from the Syrian crisis by using a mechanism outside the Council, as demonstrated by the formation of an “International Support Group” for Lebanon.

France is the penholder on Lebanon in the Council.

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## Israel/Palestine

### Expected Council Action

In October the Council is expected to hold its quarterly open debate on the Middle East

featuring a briefing by Under-Secretary-General for Political Affairs Jeffrey Feltman. Discussions will likely focus on the current

direct talks between Israelis and Palestinians, though they may also cover other developments in the region.

## Israel/Palestine (con't)

### Key Recent Developments

On 17 September, UN Special Coordinator for the Middle East Peace Process Robert Serry delivered the latest monthly Middle East briefing to the Security Council (S/PV.7032). Serry's briefing focused on the renewed peace process, which he stressed "should not be neglected, even against a backdrop of turmoil elsewhere in the neighbourhood."

Speaking about the 29 July resumption of direct final status negotiations, Serry acknowledged that momentous and sustained efforts would be necessary to successfully conclude negotiations within the nine-month deadline set for achieving a comprehensive settlement. The US-brokered peace talks are underway and both parties have agreed not to disclose the substance of negotiations in an effort to increase chances of success. According to this agreement, US Secretary of State John Kerry is the only actor authorised to comment on the talks. He has mostly refrained from doing so.

There have been numerous leaks, however, indicating that Palestinian officials are frustrated on multiple fronts. They are displeased with the lack of direct US involvement. Israel had objected to the US having a seat at the table, but the Palestinians believe a US presence is required for fruitful negotiations. Palestinian officials are also believed to have divulged information on the substance of the talks and on contentious proposals made by Israel on such issues as future borders, dates for the next prisoners' release and future security arrangements. Israel has largely held to the agreement not to disclose details of the talks but has publicly challenged the veracity of some of the leaked information. It has also reportedly complained to the US about the leaks, which it believes are a pressure tactic that violates the terms of the talks.

Despite the lack of direct US participation, US officials are continuing to engage with the parties bilaterally. US President Barack Obama met with Palestinian Authority President Mahmoud Abbas on 24 September and at press time appeared set to meet with Israeli Prime Minister Benjamin Netanyahu on 30 September on the sidelines of the UN General Assembly. Kerry met with Netanyahu in Jerusalem on 15 September and with Abbas six days earlier in London. On 25 September, Kerry said that in his meetings with the

parties, it was agreed that US participation "should be increased somewhat" in order to help facilitate that.

In his September briefing, Serry warned that both sides ought to refrain from activities that risk undermining negotiations and noted in particular the August killing of five Palestinians in Jenin and Qalandia refugee camps by Israeli forces; settlement activity in the West Bank and East Jerusalem, which he deemed counterproductive and illegal; and clashes between Palestinians and Israeli settlers and settler attacks on Palestinian farmers.

The situation in the West Bank has been tense, following the 22 September shooting death of an Israeli soldier at a Jewish festival in Hebron. In response to the apparent sniper attack, Netanyahu issued an order to permit settlers to move into a once disputed building in Hebron near the scene of the attack. A day earlier, the body of another Israeli soldier who had reportedly been killed by a Palestinian co-worker was discovered in a well in the West Bank. The US condemned the killing of both soldiers.

On 20 September Israeli forces reportedly forcibly seized a truck from European diplomats who were attempting to deliver aid to 120 Palestinians whose homes had been demolished four days earlier in the Jordan Valley, after an Israeli court ruled they did not have proper building permits. The final status of the Jordan Valley remains a contentious issue.

Meanwhile the relationship between Egypt and Gaza's Islamist government, Hamas, is under increasing strain. Egypt has intensified its military campaign against an Islamist insurgency in the northern Sinai, which it believes to be supported by Gaza militants. On 1 September, Egyptian security forces destroyed more than a dozen homes along the border with Gaza in an apparent effort to build a buffer zone to reduce weapons smuggling and illegal militant crossings. Egypt has also intensified efforts to close tunnels along the border. Israel has reportedly urged the US to support Egypt in its fight against militants, warning that losing Egypt to Islamists would endanger the peace process.

At press time it appeared that the Quartet—the EU, Russia, the UN and the US—would meet at principal level on 28 September alongside the General Assembly events

in New York, its first meeting since April 2012. On 30 July the Quartet welcomed the announcement that direct talks had resumed and expressed its hope that the negotiations would set a clear path towards a two-state solution and the end of conflict.

### Human Rights-Related Developments

On 13 August, a group of UN independent human rights experts expressed deep concern at the alleged ongoing judicial harassment, intimidation and abusive treatment of Issa Amro, a prominent Palestinian human rights defender.

In opening the 24th session of the Human Rights Council (HRC) on 9 September, High Commissioner for Human Rights Navi Pillay expressed concern at Israel's continued policy of forced evictions and demolitions. She was also concerned by the excessive use of force by both Israeli and Palestinian security forces in refugee camps in the West Bank which led to the death of civilians.

On 23 September, the HRC considered the report of the Secretary-General on the human rights situation in the Occupied Palestinian Territory, including East Jerusalem (A/HRC/24/30).

### Key Issues

The key issue is determining what, if anything, the Council can do to enhance the efficacy of direct negotiations and encourage parties to reach a comprehensive final status agreement.

### Options

The Council has very few options on the Middle East peace process, and it is likely that the open debate will again feature the reiteration of previously stated positions.

Council members may also take the opportunity to voice support for the negotiation process or encourage parties to refrain from undertaking actions that could threaten the viability of negotiations, or both.

### Council and Wider Dynamics

Council members, while acknowledging the tremendous challenges, are generally supportive of the current direct negotiations. In the event that the talks conclude without any major developments, there may be impetus for more direct Council action. However, for the time being members are unlikely to pursue any action that might upset the course of the talks. Most members also believe that no Council activity would be possible without the active support of the US.

**UN DOCUMENTS ON ISRAEL/PALESTINE** Security Council Resolutions S/RES/1850 (16 December 2008) declared Council support for the Annapolis peace process and its commitment to the irreversibility of bilateral negotiations. S/RES/1515 (19 November 2003) stated the necessity for a two state solution and unanimously endorsed the Quartet's Road Map. Security Council Meeting Records S/PV.7032 (17 September 2013) was a briefing on the Middle East by Serry. S/PV.7020 (20 August 2013) was a briefing from Assistant Secretary-General Oscar Fernandez-Taranco on the Middle East

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## Israel/Palestine (con't)

The US has a vested interest in the furtherance of the talks and does not want to see the Palestinian Authority explore other avenues, such as the campaign for statehood at the UN or a referral of Israel to the ICC. The US is not generally amenable to Council outcomes on Israel/Palestine.

While significant energy has been diverted

to the Syrian crisis recently, Council members are cognizant of the need to continue to keep a close eye on the peace process.

The Palestinians have voiced frustration over both the structure and substance of the current talks. While they have committed to following the course of US-brokered negotiations for reaching a final status agreement,

it remains to be seen what they will do if no progress has been made at the end of the nine-month timeline. At that time, the Palestinian Authority may choose to pursue other avenues at the UN or the ICC.

The US is the lead on Israel/Palestine in the Council.

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## Afghanistan

### Expected Council Action

In October, the Council is likely to extend the authorisation of the International Security Assistance Force (ISAF) in Afghanistan ahead of its expiry on 13 October.

Given that the Council discussed Afghanistan in a debate on the UN Assistance Mission in Afghanistan (UNAMA) on 19 September, a wider discussion is not anticipated at this point.

UNAMA's mandate expires on 19 March 2013.

### Key Recent Developments

The Council debated the situation in Afghanistan on 19 September. While praising the courage and growing capability of Afghan security forces, Special Representative and head of UNAMA Ján Kubis stated that they would need international support for at least five additional years to achieve requisite capacity.

Regarding the preparations for the 5 April 2014 elections, Kubis noted that the passage in July of two critical pieces of electoral legislation—the “structure law”, which determines the structure and activities of the Independent Electoral Commission and the Electoral Complaints Commission, as well as the wider electoral law, which governs the conduct of the elections—represents a sign of progress. However, he underscored the importance of ensuring that appropriate security measures are in place for the election.

The security situation in Afghanistan remains volatile with attacks throughout the country claiming the lives of large numbers of civilians, Afghan security forces and ISAF soldiers.

On 30 August, 18 people were killed in two

separate attacks by insurgents in Helmand and Kandahar provinces. On 10 September, in Ghazni province, a roadside bomb exploded killing seven civilians and injuring 17 others.

On 28 August, Taliban fighters attacked an ISAF base in Ghazni province. At least seven people, including an ISAF soldier and six Afghans, were killed in the assault, along with seven attackers, and 34 others were injured. In an apparent “green on blue” attack, three ISAF troops were shot dead in Paktia province on 21 September, before the assailant was killed by Afghan security forces.

Several Taliban fighters launched an assault on the US consulate in Herat on 13 September. Seven people, including five insurgents and two Afghan police, were killed and 20 were injured in the assault. The Council issued a press statement condemning the attack on 13 September (SC/11122).

Members of the fledgling Afghan police have been particularly targeted in violent attacks in recent weeks. On 15 September, Lieutenant Negara, the highest ranking female police officer in Helmand province, was shot and later died of her wounds. Insurgents had assassinated her predecessor, Islam Bibi, in July. Between 18 and 22 September, 29 Afghan police officers were killed in two separate Taliban attacks in Badakhshan and Kandahar provinces.

A drone strike on a truck in Kunar province on 7 September resulted in the deaths of as many as 16 people. ISAF confirmed the attack, claiming that 10 insurgents had been killed, but Afghanistan alleged that many civilians, including women and children, were also travelling in the vehicle and died in the strike,

which was condemned by President Hamid Karzai.

Karzai travelled to Islamabad for a two-day summit on 26-27 August with Prime Minister Nawaz Sharif of Pakistan. The leaders pledged to continue to promote cooperation between the two countries and to cooperate on the reconciliation process in Afghanistan. In an effort to assist the intra-Afghanistan reconciliation process, on 7 September Pakistan released seven Taliban fighters from prison. Then, on 21 September, it released Mullah Abdul Ghani Baradar, a founding member of the Afghan Taliban who had served as a key aide to Taliban leader Mullah Omar. Given Baradar's stature, some are hopeful that he may be able to exert influence on the Taliban to participate in peace negotiations with the Afghan government. Previously, on 6 September, Afghanistan swapped 11 Taliban prisoners for Fariba Ahmadi Kakar, a female parliamentarian who was abducted by the Taliban in August in Ghazni province.

Australia, the penholder on Afghanistan, circulated the draft resolution reauthorising ISAF to the wider Council in mid-September. An initial read-through of the draft was held on 17 September. Given the intense activity related to the opening of the General Assembly during the week of 23 September, Council members planned to reconvene in early October to negotiate the text.

### Human Rights-Related Developments

On 17 September, UN High Commissioner for Human Rights Navi Pillay held a press conference in Kabul on her two-day visit to the country and meetings with the government and civil society. Her visit focused mainly on the importance of ensuring that the human rights gains of the past 12 years are not sacrificed to political

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**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/11122** (13 September 2013) condemned the attack on the US consulate in Herat. **Secretary-General's Report S/2013/535** (6 September 2013) was the latest UNAMA report. **Security Council Letter S/2013/558** (17 September 2013) contained ISAF's report on its operations from 1 May 2013 to 31 July 2013. **Security Council Meeting Record S/PV.7035** (19 September 2013) was the latest UNAMA debate.



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## Afghanistan (con't)

expediency during the period leading up to the presidential elections next April. She noted the slow implementation of the law on the Elimination of Violence against Women. She also expressed concerns about the future of the Afghanistan Independent Human Rights Commission, and in particular, the recent flawed process which led to the appointment of its five newest members.

### Key Issues

Several inter-connected security issues warrant Council attention. These include how to address the heightened violence against civilians, how well Afghan security forces will perform as they assume primary responsibility for security and what kind of post-2014 security arrangement may be struck between Afghanistan and the US. (Afghanistan and the US have been negotiating a long-term security deal for the past year, but have yet to reach an agreement.)

A related issue is ensuring that the 5 April 2014 presidential and provincial elections are

not marred by violence and intimidation or fraud.

An additional key issue is whether and how the reconciliation process between the government and the Taliban can gain traction and what role the Council can play in this process.

### Options

The most likely option for the Council is to extend the authorisation of ISAF through the end of the 2014 calendar year, given that the military drawdown is expected to be completed by that point.

The Council could also contemplate activating the Military Staff Committee as a forum to consult on strategies for enhancing security in Afghanistan and the broader region, especially considering that several of the permanent members have a strong national interest in a positive future for Afghanistan.

### Council Dynamics

While some Council members believe that progress is being made in the security transition from ISAF to Afghan forces, there is considerable alarm among several Council members about the deterioration of security in different parts of Afghanistan and the impact of the violence on civilians, especially women and children. There is also widespread recognition that the holding of free and fair elections in 2014 will be critical to the legitimacy of the incoming government and to the country's future success.

Russia is particularly concerned about the long-term security situation in Afghanistan. It has argued that there needs to be greater clarity regarding the potential presence of international forces in Afghanistan after 2014, including the size of such a residual force and the objectives of these forces.

Australia is the penholder on Afghanistan

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## Haiti

### Expected Council Action

In October, the Council is scheduled to renew the mandate of the UN Stabilisation Mission in Haiti (MINUSTAH) before it expires on 15 October, most likely with a 15 percent reduction in troop numbers.

### Key Recent Developments

Political tensions between the executive and legislative branches of government continued to hamper progress in the preparations for partial senatorial, municipal and local elections in Haiti. Following the submission on 27 August to parliament of the draft electoral law, the chamber of deputies established a special commission to analyse the draft. The commission was divided on two issues in particular. While some argued that the mandate of senators elected in 2009 would end in January 2014, as provided by the 2008 electoral law, others viewed 2015 as the end of term, as provided by the constitution. There were also opposing views on whether the president held the authority to appoint the director general of

the Electoral Council.

Despite these divisions, the chamber of deputies on 9 September approved the draft law with provisions ensuring that the terms of the senators elected in 2009 would continue until January 2015 and granting the president the authority to appoint the director general of the Electoral Council. The minister for relations with parliament, Ralph Theano, immediately contested the vote claiming that the procedure had been flawed. At press time, it appeared that the Senate was still in the process of reviewing the proposed draft and had yet to vote on it.

Meanwhile, on 6 September, 13 opposition deputies submitted a motion calling for the indictment of the president, the prime minister and the justice minister on allegations of high treason, abuse of power and crimes against the constitution, among others.

In his latest MINUSTAH report, the Secretary-General expressed deep concern about the continuing delays in the preparation for elections and warned of the possibility

that the senate, and by extension the parliament, would become "dysfunctional" if elections were not held by January 2014 given the controversy surrounding the expiration of the mandate of senators elected in 2009 (S/2013/493).

With regard to MINUSTAH, the report recommended a further reduction of the authorised military strength from 6,270 to 5,021 by June 2014, but no change in the number of police. (This was in line with the 2013-2016 consolidation plan presented in the Secretary-General's 8 March report.)

The Council considered the Secretary-General's report in a debate on 28 August in which the new Special Representative for Haiti and head of MINUSTAH, Sandra Honoré, briefed the Council for the first time since assuming her post on 15 July. In addressing the difficult political situation, she said there was widespread scepticism about the likelihood of elections taking place in 2013 and speculation among legislators that the executive was intentionally delaying the process to ensure that the

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**UN DOCUMENTS ON HAITI** [Security Council Resolution S/RES/2070](#) (12 October 2012) renewed MINUSTAH's mandate until 15 October 2013. [Security Council Press Statement SC/10901](#) (28 January 2013) called for the holding of elections by the end of 2013. [Secretary-General's Reports S/2013/493](#) (19 August 2013) was the latest MINUSTAH report. [S/2013/139](#) (8 March 2013) contained the consolidation plan for MINUSTAH. [Security Council Meeting Record S/PV.7024](#) (28 August 2013) was the most recent debate on Haiti. **USEFUL ADDITIONAL RESOURCE** *Peacekeeping without Accountability: the UN's response to the Haitian Cholera Epidemic*, Yale Law School, Yale School of Public Health and Association Haitienne de Droit de L'Environnement, August 2013.

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## Haiti (con't)

parliament would become dysfunctional. She was engaging with all the relevant actors to promote dialogue and move the process forward.

During a trip to Haiti on 14–15 August, the operational director of the Office for the Coordination of Humanitarian Affairs (OCHA), John Ging, said humanitarian and development efforts were showing significant results but emphasised the importance of continued donor support. OCHA reported in August that there had been a steady decline in funding for cholera response activities since 2012. As of 1 September, the number of cumulative cases of cholera and the number of deaths since the epidemic began in October 2010 stood at 674,326 and 8,253, respectively.

According to a report published in August by the Yale Law School and School of Public Health, a scientific study about the origins of the cholera epidemic in Haiti “overwhelmingly demonstrates that UN peacekeeping troops from Nepal introduced the disease into the country”.

### Human Rights-Related Developments

The bi-annual report on human rights in Haiti prepared by MINUSTAH's Human Rights Section and the Office of the High Commissioner for Human Rights was released in September. The report, which covers the period from January to June 2013, documents allegations of excessive use of force by the police and by the prison administration, with the majority of cases remaining unpunished on the judicial level. According to the report, the numerous cases of corruption and out-of-court settlements constitute obstacles to the fight against impunity in Haiti. Lynchings, prolonged pre-trial detention in prisons and poor prison conditions remain of great concern. The independent expert on human rights in Haiti, Gustavo Gallón, will visit the country from 23 September to 1 October and report to the Human Rights Council in March 2014.

### Key Issues

A key issue is the renewal of MINUSTAH's mandate and whether to authorise the Secretary-General's recommended troop reduction.

A second key issue is the delay in holding elections and whether and possibly how the Council should put additional pressure on local stakeholders to act responsibly. In a 28 January press statement (SC/10901), the Council called for elections to be held by the end of 2013, but this now seems increasingly unlikely.

Another issue is the negative impact of the political stalemate between the executive and legislative branches of government on MINUSTAH's ability to implement its mandate to promote the rule of law and advance good governance and human rights.

### Options

The most likely option for the Council is to adopt a resolution renewing MINUSTAH's mandate for another 12 months and authorise a troop reduction. In addition, such a resolution could:

- emphasise the importance of holding elections and strongly urge political leaders to avoid further delays, in particular with regard to the adoption of the electoral law;
- highlight the ongoing need to strengthen the capacity of the police;
- express continued concern about the impact of the cholera epidemic and call for sustained international support to fight the epidemic;
- emphasise the importance of ensuring accountability for serious human rights violations and welcome the 13 May decree establishing an inter-ministerial commission on human rights; and
- request more regular briefings on the

situation in Haiti to signal that the Council is following the situation very closely.

### Council and Wider Dynamics

Council members are united in their concern about the political situation in Haiti and the delayed elections, as was evident from the 28 August debate. While there are some who still maintain that elections might happen this year, they also acknowledge that it now looks increasingly unlikely. At the same time, however, there is an understanding that elections are not an end in and of itself and should not be the only focus in the current situation as there are other, more fundamental problems that must be dealt with.

With regard to the future of MINUSTAH, all Council members seem to agree that the proposed drawdown must be closely linked to progress on the ground as measured by the indicators in the mission's consolidation plan, although some members appear to be more cautious than others, in particular countries from the region and other troop- and police-contributing countries. It seems the proposed 15 percent troop reduction is balanced enough to be acceptable to all.

While the US is the penholder on Haiti, the Group of Friends of Haiti plays an influential role. (Current members are Argentina, Brazil, Canada, Chile, Colombia, France, Guatemala, Peru, the US and Uruguay.) At press time, the Group had started drafting a resolution, with Council negotiations anticipated to start towards the end of September. In addition to questions related to MINUSTAH and the political situation, it seems discussions have focused on gender issues as there are concerns about widespread impunity for sexual and gender-based violence.

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## Cooperation with Regional and Subregional Organisations

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### Expected Council Action

In October, the Council will hold a briefing on cooperation between the UN and regional and subregional organisations, focusing on strengthening the partnership with the

Organisation of Islamic Cooperation (OIC). A high-level representative of Azerbaijan will preside over the meeting. The UN Secretary-General is expected to brief the Council, along with the Secretary-General of the OIC, Ekmeleddin

İhsanoğlu. A presidential statement is a likely outcome.

### Background

The UN Charter establishes the Security

**UN DOCUMENTS ON COOPERATION WITH REGIONAL AND SUBREGIONAL ORGANISATIONS** Security Council Resolution S/RES/1631 (17 October 2005) was the first resolution adopted by the Security Council on regional organisations. **Security Council Presidential Statement S/PRST/2010/1** (13 January 2010) was on the importance of developing effective partnerships with regional and subregional organisations. **Secretary-General's Reports S/2012/614** (9 August 2012) was on cooperation between the UN and regional and other organisations. **S/2006/590** (28 July 2006) A regional-global security partnership: challenges and opportunities. **A/59/2005** (21 March 2005) In Larger Freedom: towards development, security and human rights for all. **S/1995/1** (25 January 1995) Supplement to an Agenda for Peace. **S/24111** (17 June 1992) An Agenda for Peace. **General Assembly Resolution A/RES/67/264** (17 May 2013) was on the cooperation between the UN and the OIC.

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## Cooperation with Regional and Subregional Organisations (con't)

Council as the principal organ charged with the maintenance of international peace and security, but it also envisions a role for “regional arrangements”, especially in regard to the peaceful settlement of disputes. In Chapter VIII, the Charter encourages regional organisations to contribute towards the maintenance of peace and security insofar as such efforts are subordinate to the Security Council. In addition, Article 54 provides that the Council should “at all times be kept fully informed of activities undertaken or in contemplation” by regional organisations for the maintenance of international peace and security.

The relationship with regional organisations is featured in three important Secretary-General’s reports that largely laid down the strategic vision of the organisation.

The 17 June 1992 report *An Agenda for Peace* highlighted the role that regional organisations could play in preventive diplomacy, early warning systems, peacekeeping and post-conflict peacebuilding. The Supplement to an *Agenda for Peace*, issued on 25 January 1995, outlined modes of cooperation between the UN and regional organisations, including consultation, diplomatic support, operational support, co-deployment and joint operations. The 21 March 2005 report *In Larger Freedom: towards development, security and human rights for all* discussed the “establishment of an interlocking system of peacekeeping capacities” to allow the UN to work with regional organisations in predictable and reliable partnerships.

In initiating the upcoming debate, Azerbaijan seeks to consider the role of the OIC and its experiences in promoting peace and security and fostering a culture of peace at the global level. The OIC has enjoyed observer status in the UN General Assembly since 1975.

The relationship with the OIC, which has

57 member states on four continents, has never been the focus per se of a Council briefing, and its relationship with the UN has mainly been with the General Assembly and the Secretariat, mainly on issues related to conflict prevention, inter-cultural dialogue and the fight against terrorism. In a 2012 report, the Secretary-General explained how the UN and the OIC agreed on a one-year partnership aimed at “enhancing their cooperation and exchange of experiences in the area of mediation and at strengthening the operational capacity of OIC in mediation through the establishment of a mediation unit”. An area of increasing cooperation is counter-terrorism, as reflected by the joint work with the Counter-Terrorism Committee Executive Directorate in areas such as the building of national capacity to fight against terrorism and the role of cultural dialogue in countering incitement to commit terrorist acts.

Furthermore, Azerbaijan seeks to highlight the role of the OIC in supporting UN efforts in addressing conflicts on the Council’s agenda and to explore how to make this cooperation more effective by building on existing capacities and areas of expertise, such as preventive diplomacy. The OIC opened offices in 2011 in Kabul and Mogadishu, it has worked to support mediation efforts in Darfur and Iraq and it has established development programmes in Bosnia and Herzegovina and Sierra Leone. On the margins of the General Assembly in September, OIC foreign ministers met on Somalia, Sierra Leone, Bosnia and Herzegovina, Jammu and Kashmir, Mali and Palestine.

October’s briefing follows the 17 May adoption of a resolution in which the General Assembly expressed that strengthening the cooperation between the UN and the OIC “contributes to the promotion of the purposes and principles of the UN” (A/RES/67/264).

The resolution requested the Secretary-General to report to the General Assembly at its 69th session in 2014 on the state of cooperation between the UN and the OIC.

### Key Issues

The key issue is to have a fruitful discussion on cooperation with the OIC and to reflect the results in the expected presidential statement.

A further issue is to identify mechanisms for cooperation between the Council and the OIC in areas of common interest, such as conflict prevention and counter-terrorism.

### Options

The most likely option is the adoption of a presidential statement that:

- recognises the role of the OIC in promoting peace and security and fostering a culture of peace at the global level;
- identify ways cooperation with the OIC could develop in areas of common interest; and
- emphasise the important role of regional organisations in general and the OIC in particular in the peaceful settlement of disputes.

### Council Dynamics

Council members are generally supportive of the initiative to have a briefing on this topic, as it is the first time the Council will discuss a relationship with the OIC.

Some Council members might be wary that the general terms of the debate may allow participants to talk about conflict situations and issues that are not on the Council’s agenda.

Council members Azerbaijan, Morocco, Pakistan and Togo are members of the OIC. Russia has had observer status since 2005.

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## Security Council Working Methods

### Expected Council Action

In October, the Council will hold its annual open debate on its working methods. The Chair of the Informal Working Group on Documentation and Other Procedural Questions,

Ambassador Maria Cristina Perceval (Argentina) will brief. No outcome is anticipated.

### Key Recent Developments

The debate in October will be the fourth in

what has become an annual practice since 2010 (previously, only two such debates were held: in 1994 and in 2008). The Council’s working methods have continually evolved, with a great outburst of developments in the

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**UN DOCUMENTS ON WORKING METHODS** Notes from the President of the Security Council S/2013/515 (28 August 2013) focused on ways in which to improve the Council’s dialogue with non-Council members and bodies. S/2012/937 (17 December 2012) supported a process of selection of chairpersons of subsidiary organs, with the participation of all members, in a “balanced, transparent, efficient and inclusive way”. **Security Council Meeting Records** S/PV.6870 (26 November 2012) was an open debate on working methods presided by India, with a briefing by Ambassador José Filipe Moraes Cabral (Portugal), then chair of the Informal Working Group on Documentation and other Procedural Questions. **Security Council Letters** S/2013/568 (19 September 2013) welcomed the issuance of the 28 August Note from the President addressing a number of transparency issues.

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## Security Council Working Methods (con't)

early 1990s in response to the end of the Cold War. More recently, since 2006, the Council has made working methods an ongoing area of activity, mostly conducted in the framework of its Informal Working Group on Documentation and Other Procedural Questions. Understandings and commitments reached within the Working Group have been issued in successive Notes from the President of the Council.

The most recent Note on working methods was published on 28 August 2013 and focused on ways to improve the Council's dialogue with non-Council members and bodies (S/2013/515). The document continues a series of commitments on the part of the Council, including making more effective use of public meetings; maintaining regular communication with the Peacebuilding Commission and the chairs of its country-specific configurations; expanding consultation and cooperation with relevant regional and sub-regional organisations; continuing to provide opportunities to hear the views of the broader membership on the working methods of the Council, including in open debates; and considering the methodology of wrap-up sessions and informal briefing sessions.

The wrap-up sessions have seen considerable recent developments. In the early to mid-2000s, the Council held several wrap-up sessions to reflect on its work under a particular presidency. During that period, such sessions were always organised by elected members, and their formats included consultations, a private meeting, a debate and an open debate. In 2013, Pakistan revived the practice, holding a private meeting at the end of its January presidency. As of this writing, five more presidencies—including for the first time one permanent member, the UK—have followed suit. The interest on the part of non-Council members has been remarkable: 28 members at large attended the January meeting. After that first session, attendance at these meetings has ranged from 46 to 74 non-Council members.

In 2006, a renewed Council focus on its working methods was largely prompted by the

initiative of five states known as the “Small Five” or the S5 (Costa Rica, Jordan, Liechtenstein, Singapore and Switzerland). During the 61st session of the General Assembly, the group circulated a draft resolution under the agenda item “Follow-up to the Millennium Summit”, calling for measures aimed at better interaction between the Council and the membership at large. That draft was not put to a vote, but consultations on this initiative continued for the next several years.

In 2012 the S5 tabled a draft resolution (A/66/L.42/Rev.2) during the 66th session of the General Assembly. The draft acknowledged the significant steps already taken by the Council to improve its working methods but emphasised the need for additional measures aimed at enhancing its accountability, transparency and effectiveness. It included 20 recommendations to that effect. In the weeks leading up to the scheduled 16 May 2012 vote, the S5 came under pressure, primarily from the P5 (which have long asserted that the Council has exclusive responsibility to dictate its own working methods) to withdraw the draft. After the Under-Secretary-General for Legal Affairs issued an opinion suggesting that a two-thirds majority would be needed and heeding various submissions to defer action, the S5 withdrew the draft to avoid a procedurally contentious discussion in the General Assembly.

In early 2013 a new group of states emerged as an informal caucus to advocate for improved Security Council working methods. Publicly launched on 2 May, Accountability, Coherence and Transparency (ACT) is a cross-regional group of 22 small and medium states aimed at enhancing the effectiveness of the Council through the improvement of its working methods.

### Key Issues

An overarching issue that has marked much of the working-methods discourse between the Council and the membership at large is the tension between Article 30 of the UN Charter, which states that the Council shall

adopt its rules of procedure, and Article 10, which states that the General Assembly may make recommendations to the Council on its powers and functions.

A key issue in this context is whether all members will be able to find a way to ease this tension and work jointly towards improving the ability of the Council to function efficiently and negotiate effectively while satisfying the desire of the larger membership for added transparency and accountability.

Recurring important issues that non-Council members are likely to want to address include:

- disseminating draft Council documents sooner to non-members;
- encouraging the Council to hold more public meetings; and
- increasing both the frequency and the types of formats used for informal interactions with non-members.

### Council Dynamics

Issues on which there has been considerable momentum and support from several Council members include a willingness to critically and proactively reflect on the Council's work in the format of wrap-up sessions.

On some key issues, however, differences have probably deepened recently between the permanent and elected members. Elected members have been at times taken aback by the fact that on many decisions, discussions first occur within the P5 and that drafts are shared with the full Council quite close to their adoption. Permanent members often argue that on some issues consensus among the P5 is hard to reach and initial negotiations in smaller groups is the only way to overcome the stalemate. (The decision by the Secretary-General to brief the P5 separately from the elected members on Syria on 30 August and 3 September respectively was apparently not well taken by some of the latter.) Tensions also continue regarding the process of selection of chairs of Council subsidiary bodies.

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## Women, Peace and Security

### Expected Council Action

In October the Council will hold its annual open debate on women, peace and security.

The Secretary-General and the new head of UN Women, Phumzile Mlambo-Ngcuka, are expected to brief, possibly along with

a civil society representative. The focus of the debate will be the intersections between the thematic agendas of the rule of law and

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## Women, Peace and Security (con't)

women, peace and security.

The Council has already received the Secretary-General's annual report (S/2013/525) on the implementation of resolution 1325, which in 2000 recognised that conflict has a disproportionate impact on women and urged women's participation in peace and security processes. This report includes several recommendations that may be taken up by the Council in an outcome document following the debate; however, at press time it was unclear if it would be a presidential statement or a resolution.

### Key Recent Developments

The open debate will centre on women, rule of law and transitional justice in conflict-affected situations. Such a focus will provide an opportunity to address the need for women's equal rights, access to justice and participation to be placed at the centre of efforts to restore the rule of law and reform security and judicial sectors in post-conflict situations.

The open debate will also be an opportunity to reflect on the most recent 1325 report (S/2013/525), which noted the increased attention from the international community to sexual violence in conflict and called for greater attention to the full spectrum of threats faced by women and girls. The report also highlighted that despite the emergence of improved practices in the implementation of resolution 1325, there remains a deficit in opportunities for women to exercise leadership and there was continued underrepresentation of women in conflict prevention, conflict resolution, protection and peacebuilding processes. As for the Council, the report identified a gap in that linkages between security and women's participation are often not made.

Meanwhile, recent Secretary-General's reports on other thematic issues demonstrate an improvement in the Secretariat's own cross-cutting approach to the women, peace and security agenda. The report on the rule of law included many such references, including an assessment completed by UN Women regarding the extent to which women's empowerment and gender equality is considered in the work of the UN on access to justice (S/2013/341). The report on security sector reform recommended

that such programmes include a consistent gender dimension (S/2013/480). The small arms report highlighted emerging concerns about the issue of illicit small arms in armed conflict and the linkages to sexual violence in conflict (S/2013/503).

The Council has held two formal meetings on women, peace and security this year. On 17 April, the Council held an open debate on the annual report on sexual violence in conflict. On 24 June, the Council adopted resolution 2106, focusing on accountability for perpetrators of sexual violence in conflict and stressing women's political and economic empowerment as central to the long-term prevention of sexual violence.

On 19 August, Mlambo-Ngcuka (South Africa) was sworn in as the new Executive Director of UN Women, replacing Michelle Bachelet, who stepped down earlier in the year.

### Key Issues

A key issue for the Council is continuing to work to ensure that the norms of the women, peace and security agenda are integrated into all aspects of its work. A further issue is identifying ways the Council could provide better guidance to Council-mandated peacekeeping and political missions to enhance implementation of the agenda on the ground, in particular on women's participation.

Another issue is to ensure that the expanding focus on sexual violence in conflict does not unduly side-line the broader women, peace and security agenda or ignore that women's political and economic empowerment is essential to any prevention and protection response.

### Options

An option for the Council is to adopt a presidential statement or resolution that reaffirms its commitment to advance the women, peace and security agenda. The Council could adopt an outcome that identifies ways to put into operation the robust framework established by resolutions 1325, 1820, 1888, 1889, 1960 and 2106 in order to close the gap between Council decisions and subsequent implementation on the ground—particularly where there is a UN presence or UN-led process.

In this regard the Council could commit to:

- invite the head of UN Women to brief, in particular when considering a mandate to support post-conflict structures that should ensure broad participation and decision-making by women;
- consistently incorporate a gender perspective into its terms of references for visiting missions and include related observations in any briefings or reports following a Council mission—as would be possible in relation to the expected visiting mission to DRC, Rwanda, Uganda and the AU in Addis Ababa in October; and
- improve the quality of gender analysis by calling for gender expertise in all UN-led:
- commissions of inquiries;
- transitional justice mechanisms;
- expert groups to relevant sanctions committees;
- mediation processes, including in support of Special Representatives, Special Envoys and mediation support teams; and
- political and peacekeeping missions, including by the deployment of gender advisers and women protection advisers.

Finally, to address the gap between the women, peace and security framework and its application, the Council could call for an independent review of the implementation of resolution 1325 in preparation for its high-level review in 2015, as recommended by the Secretary-General.

### Council Dynamics

Council members are generally supportive of this thematic issue; however, most are aware that pressing for better implementation of resolution 1325 may be an arduous undertaking in the current Council climate.

It has been difficult over the past two years to advance the women, peace and security agenda, particularly due to the pushback by China and Russia against both the protection and participation aspects. Council members expect that negotiations of any new text would likely be difficult and protracted.

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

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**UN DOCUMENTS ON WOMEN, PEACE AND SECURITY** Security Council Resolutions S/RES/2106 (24 June 2013) focused on accountability for perpetrators of sexual violence in conflict. S/RES/1325 (31 October 2000) recognised that conflict has a disproportionate impact on women. Security Council Presidential Statements S/PRST/2012/23 (31 October 2012) recognised the need in the Council's own work for more systemic attention to the women, peace and security agenda. Security Council Meeting Records S/PV.6984 (24 June 2013) was a ministerial-level open debate on prevention of sexual violence. S/PV.6948 (17 April 2013) was the last annual open debate on sexual violence in conflict. S/PV.6877 (30 November 2012) was the last annual open debate on women, peace and security. Secretary-General's Reports S/2013/525 (4 September 2013) was on women, peace and security. S/2013/149 (14 March 2013) was on sexual violence in conflict.

# Annual Report of the Security Council

## Expected Council Action

In October the Council is expected to adopt its annual report to the General Assembly covering the period from 1 August 2012 through 31 July 2013. The US—which, as Council President in July is responsible for drafting the introduction of the report—is expected to address the Council. It is unclear whether other members will also speak at the adoption of the report, which is due to be presented to the General Assembly in November.

## Background

Under Articles 15 and 24 of the UN Charter the Council is required to submit an annual report to the General Assembly on the “measures that the Security Council has decided upon or taken to maintain international peace and security”. For the wider membership, it is meant to serve as a transparency and accountability mechanism of the Council, which as stated in the Charter “acts on their behalf.”

Most member states, though, have over the years viewed the annual report as not very useful. They have argued that the report should help them better understand the reasons the Council made its decisions. Efforts have been undertaken to improve its readability and analytical content.

Initial modifications of practices relating to the annual report were contained in a 1993 Note by the President of the Council (S/26015). The Council decided to no longer regard the draft annual report as a confidential document up to the point of its adoption. Instead, the Council agreed that the draft report could be made available to member states prior to adoption, and that the report would be adopted in a public session of the Council. The Note also agreed to format changes and recommitted the Council to a timely submission of the report to the General Assembly.

Largely at the initiative of Singapore, in 2002 the Council undertook its most concerted effort to date to improve the report (S/2002/199). An introduction was added

that attempted to address the calls for more analytical content. To make the annual report more readable, its length was reduced from approximately 600 to 300 pages. The reporting period was also adjusted to its current timeframe, amending the previous format that ran from 16 June to 15 June, thus splitting two monthly presidencies in half.

Moreover, at the 2002 adoption, all 15 members intervened, reflecting on the Council’s effectiveness and suggesting ideas about how it could perform better. The debate was seen as in line with the 1993 Note establishing that Council members “who wish to do so may comment on the work of the Council for the period covered by the report”. The interaction was cited, in addition to the new introduction, as a further opportunity to evaluate the performance of the Council. At the time Council members heralded the changes, and praised the introduction, describing it as an “analytical overview”. However, 2002 was to date the only occasion when the report was discussed publicly by the full Council.

In 2012 some members had considered having an exchange among all or most of the 15 members about their views of the Council’s work over the prior year. The adoption was scheduled for 30 October. However, this was delayed due to Hurricane Sandy which struck New York and caused the UN to shut down for several days. The adoption was moved to 8 November and only its drafter, Colombia, spoke during the session.

## Key Issues

A key issue is how to make the report more analytical. In 2002, the introduction was eight pages and focused on the main aspects of the Council’s work. Introductions in recent years have tended to be longer (the 2012 introduction was 54 pages) and included a factual summary of each meeting or Council decision, largely based on end-of-presidency assessments prepared by the relevant member states.

Whether the Council is currently prepared to engage in assessing its performance and

effectiveness is a closely related issue.

## Options

Analysis of all the decisions taken annually may be an impossible challenge. Still, there are ways to produce a more substantial and useful report. This could include:

- producing a more analytical introduction of the reporting period, similar to that in 2002;
  - analysing the broader policy questions that the Council dealt with over the past year;
  - analysing statistics or trends on Council resolutions and presidential and press statements, by comparing this data with previous years and assessing significant variations in the number of outcome documents or favoured product formats; and
  - reflecting divergent views to overcome the difficulty of producing a consensual analysis.
- During the adoption of the report in October the Council could:
- simply adopt the introduction following a presentation by the US; or
  - have members exchange views about the text and the performance of the Council over the year in review.

## Council and Wider Dynamics

Prior to the formal adoption of the introduction, the draft is circulated for comments and approval to the full Council and to the five elected members that left the Council at the end of the previous year. Many Council members argue that consensus on an analytical text about its decision-making is not possible, or that the process is unnecessarily time consuming.

Some Council members contend that criticism of the report coming from the wider membership is unfair because the Council has in recent years made other improvements to enhance transparency. For example UN members have access to all Council decisions and other documents on its much improved website, and internal debates can be followed through a number of tools.

**UN DOCUMENTS ON THE SECURITY COUNCIL'S ANNUAL REPORT** Notes by the President of the Security Council S/2010/507 (26 July 2010) updated recommendations of the Informal Working Group on Documentation and Other Procedural Questions. S/2002/199 (22 May 2002) indicated the inclusion of an introduction to the annual report. S/26015 (30 June 1993) indicated that the annual report would be adopted at a public session. **Security Council Meeting Record S/PV.4616** (26 September 2002) was the public discussion of the annual report in 2002.

# Security Council Elections 2013

## Expected General Assembly Action

On 17 October, the General Assembly is scheduled to elect five non-permanent members of the Security Council for the two-year term beginning on 1 January 2014.

(Please see our 24 September *Special Research Report: Security Council Elections 2013* for more detailed information.)

## Background

The five seats available for election in 2013 will be distributed regionally as follows:

- two seats for the African Group, currently held by Morocco and Togo;
- one seat for the Group of Asia and the Pacific Small Island Developing States (Asia-Pacific Group), currently held by Pakistan;
- one seat for the Group of Latin American and Caribbean States (GRULAC), currently held by Guatemala; and
- one seat for the Eastern European Group, currently held by Azerbaijan.

The Western European and Others Group is not contending this election as its two seats (currently held by Australia and Luxembourg) come up for election every even calendar year.

At press time, four of the candidates—Chad, Chile, Lithuania and Saudi Arabia—seemed to be headed for a “clean slate” election as sole candidates for their respective regional groups. However, unlike Chile—a UN member state since 1945 that has served four terms on the Council (1952-1953, 1961-1962, 1996-1997 and 2003-2004), the other three have never been members of the Security Council. Saudi Arabia also joined the UN in 1945, but it is one of four original UN member states that have yet to serve on the Council. (The others are the Dominican Republic, El Salvador and Haiti.)

One race will likely be contested this year as Gambia and Nigeria are competing for the one seat allotted by the African Group to West Africa. Gambia, a UN member state since 1965, has had one term on the Council (1998-1999). Admitted to the UN in 1960, Nigeria has been a Council member four times (1966-1967, 1978-1979, 1994-1995 and 2010-2011).

## Voting Procedures

A country must secure votes from two-thirds of the member states present and voting at the General Assembly session in order to secure a seat on the Council, regardless of whether the election is contested. This means that 129 votes are required at a minimum to win a seat

if all 193 UN member states participate. A member state can be prohibited from voting as a result of arrears in payment of financial contributions, in accordance with Article 19 of the UN Charter.

Elections to the Council, as with other principal organs of the UN, require formal balloting, even if candidates have been endorsed by their regional group and are running on a “clean slate”. If no candidate obtains the required number of votes in the first round, voting in the next round is restricted to the candidates that received the most votes. In this restricted ballot, the number of countries included is limited to twice the number of vacant seats; for example, if one seat is available only the two countries that received the most votes in the first round would contest the next round. (Any votes for other candidates during this restricted voting round are considered void.) This restricted voting process can continue for up to three rounds of voting. If, at this point, a candidate still fails to garner the minimum number of votes, unrestricted voting is reopened for up to three rounds. This pattern of restricted and unrestricted voting continues until a candidate is successful in securing the required two-thirds of the votes.

In theory, while unlikely, it is possible that a country running on a “clean slate” may not garner the requisite votes of those present in the General Assembly in the first round of voting. Such a country may then be challenged in subsequent rounds and ultimately not obtain a seat.

Historically, there have been a number of instances in which extended rounds of voting were required to fill a contested seat. The most recent such situation occurred in 2006 when Guatemala and Venezuela went through 47 voting rounds before both withdrew and Panama was elected in the 48th round. In 1979, Colombia and Cuba contested a seat for 154 rounds, a record for Security Council elections, before Mexico was elected as a compromise candidate in the 155th round.

## Potential Council Dynamics in 2014

While it is difficult to evaluate how Council dynamics in 2014 will evolve with the new membership, the interests of the current candidates provide some perspective on general patterns that might emerge.

The candidates appear to have a strong national interest in Council agenda items within their respective regions. Several of them

are influential regional actors whose perspectives are likely to carry weight in the Council. Chad and Nigeria, if elected, are likely to maintain their strong engagement on Mali where both have contributed a significant number of peacekeepers to the UN Multidimensional Integrated Stabilization Mission in Mali. (It appears that Nigeria is drawing down its peacekeeping presence in the country.) Saudi Arabia will enter the Council at a time of significant turmoil in the Middle East and has an important stake in developments in several neighbouring situations. Chile should find a strong ally in its support of Haiti in fellow GRULAC Council member Argentina. Both are members of the Group of Friends of Haiti, and jointly they contribute more than 1,000 of the 8,690 peacekeepers serving with the UN Stabilization Mission in Haiti.

There may be a larger number of elected Council members championing human security issues next year. Candidates such as Chile and Lithuania have underscored their support for agenda items such as the protection of civilians, children and armed conflict and women, peace and security. Their perspective on these matters is likely to resonate with several other elected members. Azerbaijan and Pakistan, which take a more restrictive approach to these agenda items, will be leaving the Council, which could provide an opportunity for progress in the eyes of those supporting human security issues. However, it should be noted that permanent members China and Russia, which hold similarly conservative perspectives on such matters, will continue to exert their influence.

Chad, which is in the annex of the Secretary-General’s report on children and armed conflict for recruitment of child soldiers, has signed an action plan that it is striving to implement in an effort to be delisted. It will be interesting to see how it approaches children and armed conflict and other protection issues as a Council member.

EU representation on the Council will increase from three to four countries, as Lithuania will join France, Luxembourg and the UK, which are also EU members. EU countries share similar perspectives on a number of agenda items and coordinate on some of them. However, it should be noted that at times the solidarity of the P3, or even the P5, can trump coordination among EU Council members.

## Notable Dates for October

REPORT DUE	REPORTS FOR CONSIDERATION IN OCTOBER	REQUESTING DOCUMENT
4 September	SG report on the implementation of resolution 1325 (women, peace and security)	S/PRST/2012/23
24 September	SG report on the Peace, Security and Cooperation Framework for the DRC and the Region	S/RES/2098
27 September	SG report on MONUSCO (DRC)	S/RES/2098
27 September	SG report on UNISFA (Abyei)	S/RES/2104
1 October	SG report on MINUSMA (Mali)	S/RES/2100
7 October	Somalia government's report on the registration, distribution, use and storage of weapons by state security forces	S/RES/2111
10 October	Joint AU/UN review of AMISOM (Somalia)	S/RES/2111
16 October	SG report on UNAMID (Darfur)	S/RES/2113
17 October	SG report on the implementation of resolution 1559 (Lebanon)	S/PRST/2004/36 S/RES/1559
21 October	SG report on piracy off the coast of Somalia	S/RES/2077

MANDATES EXPIRE	RELEVANT DOCUMENT
13 October	ISAF authorisation (Afghanistan)
15 October	MINUSTAH (Haiti)

### OTHER IMPORTANT DATES

early October	The Council will undertake a visiting mission to the Great Lakes Region (DRC, Rwanda and Uganda) and will also hold its annual consultative meeting with the AU Peace and Security Council in Addis Ababa.
17 October	The General Assembly will hold elections for five non-permanent members of the Security Council.
18 October	The Council will hold its annual open debate on women, peace and security.
22 October	The Council will hold its quarterly open debate on the Middle East.
28 October	The Council will hold a briefing on cooperation between the UN and the Organisation of Islamic Cooperation.
29 October	The Council will hold its annual open debate on its own working methods.

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## Security Council Deadlocks and Uniting for Peace: An Abridged History

Uniting for Peace has been implemented 11 or 12 times since the adoption of General Assembly resolution 377 (V) on 3 November 1950, depending on how one characterises the first case (*see case 1 below*). The Security Council has referred a majority of the cases, but has not done so since 1982 (*see cases 2-8 to the right*), while the General Assembly has done so most recently albeit not since 1997 (*see cases 9-12 to the right*).

The first request from the General Assembly interestingly came from a permanent member of the Security Council, the USSR (*see case 9*), and all General Assembly requests have dealt with situations that place one or more of the P3 (France, United Kingdom, United States) on the spot. All the Security Council requests save two (*see cases 2 and 8*), on the other hand, were in response to vetoes by the USSR.

### Resolution 377 (V) (1950) aka Uniting for Peace (3 November 1950)

“If the Security Council, because of lack of unanimity of the permanent members, fails to exercise its primary responsibility for the maintenance of international peace and security in any case where there appears to be a threat to the peace, breach of the peace, or act of aggression, the General Assembly shall consider the matter immediately with a view to making appropriate recommendations to Members for collective measures, including in the case of a breach of the peace or act of aggression the use of armed force when necessary, to maintain or restore international peace and security. If not in session at the time, the General Assembly shall therefore meet in emergency special session within twenty-four hours of the request. Such emergency special session may be called if requested by the Security Council on the vote of any seven members [*nine since 1965*], or by a majority of the Members of the United Nations.”

### Uniting for Peace invoked by the Security Council

Situation	Security Council Stalemate	Security Council Request	General Assembly Outcome
<b>Case 2</b> Middle East (1956)	S/3710, S/3713/Rev.1 [FR and UK vetoed]	Resolution 119 (1956) [FR and UK voted against]	First Emergency Special Session on “The Situation in the Middle East” (Suez Canal) adopted seven resolutions, including Resolution 1000 (ES-I) mandating the UN Emergency Force (UNEF).
<b>Case 3</b> Hungary (1956)	S/3730/Rev.1 [USSR vetoed]	Resolution 120 (1956) [USSR voted against]	Second Emergency Special Session on “The Situation in Hungary” adopted five resolutions, including Resolution 1004 (ES-II) mandating a commission of inquiry into foreign intervention in Hungary.
<b>Case 4</b> Middle East (1958)	S/4050/Rev.1, S/4055/Rev.1 [USSR vetoed]	Resolution 129 (1958)	Third Emergency Special Session on “The Situation in the Middle East” adopted Resolution 1237 (ES-III) calling for early withdrawal of foreign troops from Jordan and Lebanon.
<b>Case 5</b> Congo (1960)	S/4523 [USSR vetoed]	Resolution 157 (1960) [USSR voted against, France abstained]	Fourth Emergency Special Session on “The Situation in the Congo” adopted Resolution 1474 (ES-IV) confirming the mandate of the UN Operation in the Congo (ONUC).
<b>Case 6</b> Bangladesh (1971)	S/10416, S/10423 [USSR vetoed]	Resolution 303 (1971) [FR, UK and USSR abstained]	As the Twenty-Sixth Regular Session was in session no Emergency Special Session was necessary and the issue was dealt with under the agenda item “UN Assistance to East Pakistan Refugees”.
<b>Case 7</b> Afghanistan (1980)	S/13729 [USSR vetoed]	Resolution 462 (1980) [USSR voted against]	Sixth Emergency Special Session on “The Situation in Afghanistan” adopted Resolution ES-6/2 calling for the immediate, unconditional and total withdrawal of foreign troops from Afghanistan.
<b>Case 8</b> Middle East (1982)	S/14832 [US vetoed]	Resolution 500 (1982) [UK and US abstained]	Ninth Emergency Special Session on “The Situation in the Middle East” adopted Resolution ES-9/1 declaring Israel a non peace-loving state and calling on members to apply a number of measures on Israel.

### Uniting for Peace invoked by the General Assembly

**Case 1**  
Korea (1951)

Following three vetoes by the USSR on the situation in Korea [S/1653 (6 September 1950), S/1752 (12 September 1950), S/1894 (30 November 1950)], six Security Council members requested the General Assembly to consider the situation [A/1618 (4 December 1950)]. Although the Security Council removed the item from its agenda— a procedural issue not subject to the veto— enabling the General Assembly to freely discuss the matter under Article 11 of the United Nations Charter, in resolution 498 (V) [1 February 1951] the General Assembly nonetheless employed language from Uniting for Peace: “*noting that the Security Council, because of lack of unanimity of the permanent members, has failed to exercise its primary responsibility for the maintenance of international peace and security with regard to Chinese communist intervention in Korea [...].*” Moreover, this is the case most frequently associated with Uniting for Peace as resolution 377 (V) was adopted in response to the 6 and 12 September 1950 vetoes by the USSR referenced above.

Situation	Security Council Stalemate	General Assembly Request	General Assembly Outcome
<b>Case 9</b> Middle East (1967)	N.A. [USSR draft resolution failed to get nine votes]	USSR (A/6717) and General Assembly vote (98-3-3)	Fifth Emergency Special Session on “The Situation in the Middle East” adopted six resolutions, including Resolutions 2253 and 2254 (ES-V) calling on Israel to rescind unilateral measures in Jerusalem.
<b>Case 10</b> Palestine (1980)	S/13911 [US vetoed]	Senegal (A/ES-7/1)	Seventh Emergency Special Session on “The Question of Palestine” adopted eight resolutions (ES-7/2 through ES-7/9) calling for the unconditional and total withdrawal of Israel from territories occupied since 1967.
<b>Case 11</b> Namibia (1981)	S/14459, S/14460/Rev.1, S/14461, S/14462 [FR, UK and US vetoed]	Zimbabwe (A/ES-8/1)	Eighth Emergency Special Session on “The Question of Namibia” adopted Resolution ES-8/2 condemning South Africa for occupation and calling for assistance to liberation struggle.
<b>Case 12</b> Palestine (1997)	S/1997/199, S/1997/241 [US vetoed]	Qatar (A/ES/10/1)	Tenth Emergency Special Session on “The Question of Palestine”, still in session, adopted inter alia, Resolution ES-10/14 requesting an advisory opinion from the International Court of Justice.