

# Monthly Forecast

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## Overview

Argentina will hold the presidency of the Council in October.

On 16 October the General Assembly will hold [elections to fill five seats on the Security Council](#). Angola, Malaysia and Venezuela are running on clean slates, while New Zealand, Spain and Turkey are competing for two seats.

In the Security Council, the annual open debate on Council [working methods](#) focused on implementation of recent presidential notes, with briefings by the Ombudsperson Kimberly Prost of the 1267/1989 Al-Qaida Sanctions Committee and ICC Prosecutor Fatou Bensouda is planned. An open debate on [women, peace and security](#) will assess challenges facing women refugees and IDPs. The Secretary-General and the High Commissioner for Refugees are possible briefers together with the head of UN Women and a civil society representative. The quarterly open debate on [Israel/Palestine](#) is also scheduled with a briefing by Under-Secretary-General for Political Affairs Jeffrey Feltman.

A briefing on [peacekeeping operations](#) by Under-Secretary-General for Peacekeeping Hervé Ladsous and [UN force commanders](#) from MONUSCO in the DRC, MINUSMA in Mali and UNDOF in the Golan Heights is planned.

Briefings, followed by consultations, are expected on:

- developments in [Mali](#), by Special Representative and head of MINUSMA Albert Koenders;
- developments in [Somalia](#) by Special Representative Nicholas Kay;
- the [UN Mission in South Sudan](#), by its head and Special Representative Ellen Løj;
- [Somalia piracy](#) by Feltman;
- developments in the [DRC](#), by MONUSCO head Martin Kobler and Special Envoy to the Great Lakes Region Said Djinnit, on efforts to implement the PSC Framework;
- the work of the [1572 Côte d'Ivoire Sanctions Committee](#) by its chair, Ambassador Cristian Barros (Chile); and
- [humanitarian access in Syria](#) by Assistant Secretary-General for Humanitarian Affairs

Kyung-wha Kang.

Briefings in consultations are likely on:

- the peace agreement and security situation in [Yemen](#) by Special Advisor Jamal Benomar;
- destruction of [Syria's chemical weapons](#) by Special Coordinator Sigrid Kaag;
- the work of the [UN Interim Security Force for Abyei](#) (UNISFA) by Assistant Secretary-General for Peacekeeping Edmond Mulet;
- implementation of resolution 1559 concerning [Lebanon](#) by Special Envoy Terje Rød-Larsen;
- steps necessary to maintain [UNDOF's](#) ability to carry out its mandate by DPKO; and
- [Western Sahara](#), by Special Envoy Christopher Ross and possibly Special Representative and head of the UN Mission for the Referendum in Western Sahara, Kim Bolduc.

President of the [International Court of Justice](#) Peter Tomka will brief on the Court's activities in a private meeting.

Formal sessions will be needed to adopt resolutions renewing the mandates of [UNISFA](#), the [UN Stabilization Mission in Haiti](#), [AMISOM](#) and the [751/1907 Somalia-Eritrea Sanctions Monitoring Group](#) and to adopt the introduction to the [annual report of the Security Council](#) to the General Assembly.

A [public wrap-up session](#) is scheduled for the end of the month.

Throughout the month members will be following closely events in the [Central African Republic](#), [Libya](#) and [Ukraine](#) and further meetings may be required. •

## In Hindsight: The Security Council and Health Crises

Last month's emergency meeting on the ebola outbreak in West Africa was a rare situation when the Council considered a public health crisis and adopted a resolution. However, this was not the first time. The Council has also over the years held a series of meetings on the AIDS epidemic and previously discussed pandemics in the context of new challenges.

On 10 January 2000, the Council held its first meeting of the new millennium as an open debate on "The situation in Africa: the impact of AIDS on international peace and security". Participants hailed it as precedent-setting; it was the first time the Council discussed a health issue as a security threat (S/PV.4087). The Council was prompted to consider the epidemic because of concern that the socio-economic consequences of the epidemic in Africa—such as weakened state institutions, millions of orphans and reversed economic development—could lead to conflict. By highlighting the seriousness of the epidemic with an open debate, the Council's main objective was to generate greater global action. Then US Vice-President Al Gore chaired the meeting and former Secretary-General Kofi Annan was among the briefers.

There was controversy over the Council's considering this non-traditional security threat. Notably, Russia and China did not make statements. Later that month, the president of the Council said in a letter to the president of the General Assembly that it was "high time" the UN develop a comprehensive agenda to combat AIDS and suggested the Assembly play a role in doing so (S/2000/75).

In July 2000, the Council added "HIV/AIDS and international peacekeeping operations" as an item to its agenda and adopted resolution 1308, which recognised that "the HIV/AIDS pandemic, if unchecked, may pose a risk to stability and security". Resolution 1308 requested the UN to provide AIDS awareness training before and during deployment of peacekeepers. (Narrowing the issue to how it affected peacekeepers was more acceptable to those Council members who were reluctant to encroach on non-traditional security issues.)

Over the next five years, the Council received occasional briefings on the topic and two presidential statements were adopted

(S/PRST/2001/16 and S/PRST/2005/33). Starting in January 2000 the Council incorporated language on AIDS in several resolutions renewing peacekeeping operations' mandates and in its thematic resolutions. The agenda item specifically related to AIDS disappeared from the Council "seizure list" in 2009, but on 7 June 2011, the Council revisited the subject of AIDS and its impact on international peace and security during Gabon's presidency, using its catch-all agenda item "Maintenance of international peace and security" (S/PV.6547). Resolution 1983, adopted at the meeting, asked the Secretary-General to consider the needs of people living with AIDS, particularly women and girls, in conflict and post-conflict situations, and recognised peacekeepers' role in contributing to an integrated UN response to AIDS.

The Council also considered pandemics at a 23 November 2011 debate on new challenges to international peace and security (S/PV.6668). Portugal's Foreign Minister Paulo Portas spoke presciently in light of the ebola epidemic: "Integrating the fight against pandemics into the peacebuilding strategies of post-conflict countries...is an essential measure to avoid jeopardizing the gains made in the consolidation of peace."

The Council briefly discussed the current ebola epidemic on 8 July during its meeting on the UN Office for West Africa (S/PV.7213). Though Doctors Without Borders had declared the epidemic "totally out of control" on 20 June, the situation was still broadly perceived as a health crisis rather than a security issue. Following the meeting, a Council press statement on a range of issues in West Africa expressed "deep concern" over the outbreak and highlighted the need for "prompt assistance" (SC/11466).

It was not until the first week of September, however, that the Council, as it began considering the mandate renewal of the UN Mission in Liberia (UNMIL), focused closer attention on the epidemic and its potential to destabilise Liberia. Two weeks earlier, on 16 August in Monrovia, Liberia, protestors overran an ebola isolation centre, followed by the government quarantining the West Point slum, which also led to violence. In addition, the Council needed to consider

the health of peacekeepers and concerns of troop-contributing countries (TCCs), some of which raised the possibility of withdrawing their soldiers. A 4 September meeting with TCCs and a 9 September briefing and consultations on Liberia focused exclusively on ebola (S/PV.7260). A few days later, the Council adopted resolution 2176, expressing "grave concern" over the Ebola epidemic in the region and authorising a three-month technical rollover of UNMIL, which halted the mission's ongoing drawdown.

During the consultations on Liberia, Council president in September, Ambassador Samantha Power (US), suggested a dedicated Council session on the ebola epidemic. This session, held on 18 September under the agenda item "Peace and Security in Africa", was the Council's first "emergency meeting" on a health crisis (S/PV.7268). Similar to the initial meeting on AIDS, it was organised as an open debate with the idea that a Council meeting could spur greater global action. At the session, the Council adopted resolution 2177 in which it determined that "the unprecedented extent of the ebola outbreak in Africa constitutes a threat to international peace and security". The resolution had 134 co-sponsors, the highest number for a resolution adopted by the Council.

Resolution 2177, the Council's third resolution on a health crisis, stands out as the first recognition by the Council of the threat posed by an epidemic to international peace and security. In resolution 1308, the Council had refrained from this explicit designation and resolution 1983 was more tepid, recognising the challenges of the AIDS epidemic to the "development, progress and stability of societies". Reflecting the urgent need to deal with ebola, resolution 2177 also called for actions from member states, regional organisations, the private sector and the UN that were more comprehensive than those addressed in Council resolutions on AIDS. It may signal a higher degree of consensus within the Council regarding the security implications of a health crisis and a more hands on engagement with the UN's overall handling of the crisis.

## Status Update since our September Forecast

### Golan Heights (UNDOF)

Council members were briefed on 3 September by peacekeeping head Hervé Ladsous under “any other business” on a series of events that began on 27 August, when armed opposition forces overran government forces at the Quneitra crossing on the Syrian side of the armistice line. The next day, Al-Nusra Front detained 45 Fijian peacekeepers and besieged 72 Filipino peacekeepers. In response to the incidents, Council members released three press statements (SC/11540, SC/11546 and SC/11548). The Filipino peacekeepers quickly escaped, while the Fijian peacekeepers were held for two weeks only to be released on 11 September. On 17 September, Council members were briefed in consultations by Assistant Secretary-General for Peacekeeping Operations Edmund Mulet on the regular UNDOF report (S/2014/665) and on the relocation of UNDOF personnel and equipment to the Alpha (Israeli) side of the mission’s area of operations. On 19 September, the Council adopted a presidential statement requesting the Secretary-General to update the Council within 30 days on the steps necessary to maintain UNDOF’s ability to carry out its mandate while adjusting the mission’s posture to minimise risk to personnel (S/PRST/2014/19).

### Liberia

On 4 September, the troop-contributing countries for the UN Mission in Liberia (UNMIL) held a meeting chaired by US Ambassador Samantha Power (S/PV.7258). Special Representative Karin Landgren briefed via video teleconference and Under-Secretary-General for Peacekeeping Operations Hervé Ladsous was present. The principal topic was the measures being taken to protect the health of peacekeepers from being infected with ebola. On 9 September, Landgren briefed the Council on the UNMIL report (S/2014/598), as well as on the rapid escalation of the ebola outbreak (S/PV.7260). Also briefing were Mårten Grunditz, Permanent Representative of Sweden in his capacity as Chair of the Liberia PBC configuration, and Liberia’s National Defense Minister Brownie J. Samukai. The briefing was followed by consultations where Council members discussed the Secretary-General’s recommendation to adopt a technical rollover of the mission in light of the ebola outbreak

(S/2014/644). On 15 September, the Council adopted resolution 2176, which requested an update on the situation by 15 November and renewed the mandate of UNMIL for a period of three months.

### Children and Armed Conflict

On 8 September, the Council held an open debate on children and armed conflict (S/PV.7259). Special Representative for Children and Armed Conflict Leila Zerrougui, Deputy Executive Director of UNICEF Yoka Brandt and Under-Secretary-General for Peacekeeping Operations Hervé Ladsous briefed, as well as Forest Whitaker as UNESCO’s Special Envoy for Peace and Reconciliation and Sandra Uwiringiyimana, a victim of the conflict in the DRC. In addition to Council members, 44 member states spoke, as well as representatives from the EU and the League of Arab States. In presenting the latest report on children and armed conflict (S/2014/339), Zerrougui highlighted the impact of activities of groups like ISIS in Iraq and Boko Haram in Nigeria on children, as well as the toll on children as a result of the conflict in Gaza. Many member states also focused on emergent threats, such as ISIS and Boko Haram and the situations in Syria and Gaza. The “Children, Not Soldiers” initiative was also highlighted and progress in some countries was noted.

### Libya

On 15 September, the Council was briefed (S/PV.7264) by Bernardino León, the new Special Representative of the Secretary-General and head of the UN Support Mission in Libya on the latest Secretary-General’s report (S/2014/653) and by Rwanda as the chair of the 1970 Libya Sanctions Committee. The briefings were followed by consultations.

### Central African Republic

On 15 September, Council members issued a press statement (SC/11562) welcoming the transition of authority from the African-led International Support Mission in the Central African Republic (MISCA) to the UN Multi-dimensional Integrated Stabilization Mission in the Central African Republic (MINUSCA). They stressed the importance for MINUSCA to accelerate the deployments of its civilian, police and military capabilities, including the necessary logistical support

and command and control structure, in order to reach its full operational capacity as soon as possible.

### Iran

On 15 September, the chair of the 1737 Iran Sanctions Committee, Ambassador Gary Quinlan (Australia), presented his quarterly briefing on the Committee’s work to the Council (S/PV.7265). There were no Committee meetings during the reporting period. The Council also received two reports on Iran from the Director General of the IAEA. On 5 September they received the quarterly report on implementation of the NPT Safeguards Agreement and relevant provisions of Council resolutions on Iran (S/2014/681). According to this report, Iran had only implemented three of the five practical measures agreed with the agency in May under the Framework for Cooperation initially agreed in November 2013. The two outstanding measures related to information sharing on its research into high explosive detonators that could be used to trigger a nuclear weapon and on studies that could be relevant to calculate the explosive yield of a nuclear weapon. Iran had also yet to propose new practical measures. On 23 September, Council members received the report on the status of Iran’s implementation of the joint plan of action agreed with the P5+1 in November 2013. It concluded that Iran had continued to comply with the measures agreed under the plan. On 18 September, a new round of talks between Iran and the P5+1 began in New York and continued over the ministerial week of the General Assembly’s general debate.

### Afghanistan

The Council held its quarterly debate on Afghanistan (S/PV.7267) on 18 September. Jan Kubiš, Special Representative and head of the UN Assistance Mission in Afghanistan (UNAMA), briefed via video teleconference from Kabul on the Secretary-General’s latest report on the situation in Afghanistan (S/2014/656). Kubiš advocated for the formation of a government of national unity to break the electoral stalemate between the two presidential candidates, Ashraf Ghani and Abdullah Abdullah, arguing that “all other options are either accompanied by heavy risks or undermine the country’s

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## Status Update since our September *Forecast* (con't)

constitutional framework.” On 21 September, Council members issued a press statement (SC/11572) in which it welcomed the agreement by Ghani and Abdullah to form a government of national unity.

### Iraq

On 19 September, US Secretary of State John Kerry chaired a ministerial-level Council debate on Iraq—the culmination of US coalition-building that resulted in some 50 countries, including ten Arab countries, agreeing to back the US-led action against ISIS in military, humanitarian and support

capacities (S/PV.7271). Special Representative for Iraq Nickolay Mladenov briefed along with the new Iraqi Foreign Minister Ibrahim al-Jaafari. In addition to Council members, 24 other member states participated, largely representing the “coalition countries”. Iran and Syria also participated. Council members adopted a presidential statement that day, urging the international community to strengthen and expand support for Iraq as it fights ISIS (S/PRST/2014/20).

### Counter-terrorism

On 24 September, the Council held a

summit-level open debate chaired by US President Barack Obama (S/PV.7272). The Council adopted resolution 2178, expanding the current counter-terrorism framework by imposing obligations on member states to respond to the threat of foreign terrorist fighters. On 6 and 14 September, Council members condemned ISIS for the murders of a US journalist, Steven Sotloff (SC/11550) and a UK aid worker, David Haines (SC/11557). On 24 September, Council members condemned the murder of French citizen Hervé Gourdel by *Jund al-Khilafa*, a group claiming allegiance to ISIS (SC/11581).

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## Syria

### Expected Council Action

The US-led airstrikes against the Islamic State of Iraq and al-Sham (ISIS) expanded from Iraq to targets in Syria on 22 September. It seems unlikely the Council will meet separately to consider these expanded airstrikes. However, the strikes will be at the front of Council members’ thinking during their regular Syria deliberations in October.

Early in the month, Sigrid Kaag, the former Special Coordinator of the Organization for the Prohibition of Chemical Weapons (OPCW)-UN Joint Mission, will brief Council members. Though the Joint Mission came to a close on 30 September, OPCW will continue to track implementation of resolution 2118 and Kaag will continue to brief in an advisory, good-offices capacity.

Assistant Secretary-General for Humanitarian Affairs Kyung-wha Kang will brief the Council on humanitarian access pursuant to resolutions 2139 and 2165 in late October.

Finally, Special Envoy for Syria Staffan de Mistura will likely brief Council members in October following a round of September meetings in Damascus and the region, as well as meetings in New York during leaders’ week of the 69th General Assembly.

### Key Recent Developments

On 10 September, US President Barack Obama announced that his strategy to

degrade and destroy ISIS included the possibility of expanding the air campaign from Iraq to Syria.

US Secretary of State John Kerry chaired a 19 September Council debate on Iraq—the culmination of US coalition-building that resulted in some 50 countries, including ten Arab states, agreeing to back the US-led action against ISIS in military, humanitarian and support capacities. Kerry said such a coalition could defeat the ISIS threat “wherever it exists” and Iraqi Foreign Minister Ibrahim al-Jaafari said ISIS fighters must be removed, including from neighbouring countries—both thinly veiled references to Syria. Council members adopted a presidential statement that day, urging the international community to strengthen and expand support for Iraq as it fights ISIS.

The next day, Al-Jaafari noted in a letter to the Security Council that ISIS posed a direct threat to Iraq and had established a safe haven outside of Iraq’s borders; he requested the US to strike ISIS. In a 23 September letter to the Secretary-General, the US said that Iraq had requested it to lead the international effort to strike ISIS in Syria to end continuing attacks on Iraq, and it cited article 51 of the UN Charter—the right of individual or collective self-defence under Chapter VII.

US-led airstrikes against ISIS targets in Iraq that had begun on 8 August extended to

Syria on 22 September in active cooperation with Bahrain, Jordan, Saudi Arabia and the United Arab Emirates, with Qatar providing support. The strikes were carried out in eastern Syria around ISIS’s self-proclaimed capital of Raqqa, particularly along the borders with Iraq and Turkey and ISIS-controlled oil refineries.

Strikes were also carried out near Aleppo against the Khorasan group which, according to the US, cooperates with the Al-Qaida-affiliated Al-Nusra Front and was plotting an imminent attack against “the US and Western interests”. (Some analysts argued that it was more likely that the strike was intended to help armed opposition groups maintain an advantage around Aleppo. However, the strike has thrown various opposition groups into further disarray, sowing mutual mistrust since the accuracy of the strike would have required intelligence from the ground.)

Another prong of the US anti-ISIS strategy is to provide military assistance to the Syrian opposition and Saudi Arabia has recently agreed to host a training base for this purpose. More humanitarian and non-lethal aid was pledged on 24 September at a Friends of Syria meeting in New York.

Meanwhile, the civil war in Syria continued unabated on its devastating course. In late September, the UN Refugee Agency braced itself for hundreds of thousands of

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**UN DOCUMENTS ON SYRIA** Security Council Resolutions S/RES/2165 (14 July 2014) and S/RES/2139 (22 February 2014) were on humanitarian access. S/RES/2118 (27 September 2013) was on chemical weapons. Security Council Presidential Statement S/PRST/2014/20 (19 September 2014) welcomed the new Iraqi government, and urged international support for Iraq’s fight against ISIS. Security Council Letters S/2014/695 (23 September 2014) and S/2014/691 (20 September 2014) were from the US and Iraq, respectively, on Iraq’s request for the US to strike ISIS in Syria. Security Council Meeting Records S/PV.7271 (19 September 2014) was a ministerial-level debate on Iraq, particularly the ISIS threat. S/PV.7273 (30 September 2014) was a briefing on humanitarian access in Syria. Secretary-General’s Report S/2014/696 (24 September 2014) was on humanitarian access.

## Syria (con't)

Syrian Kurds to cross into Turkey as ISIS fought to consolidate its control along the Turkish border. Turkey has also joined the anti-ISIS coalition but how they might cooperate is unclear as Turkey is most at risk for reprisal attacks.

On 22 August, when then-High Commissioner for Human Rights Navi Pillay announced the updated death toll, now conservatively estimated at 191,000, she rebuked the Security Council for failing to refer the case of Syria to the ICC (China and Russia vetoed a referral on 22 May). On 25 September, France and Mexico organised a ministerial meeting on the margins of the General Assembly about regulating the use of the Council's veto in situations of mass atrocities. While not specific to Syria, the meeting was likely inspired by the Council's paralysis on Syria.

Kaag last briefed on 4 September, reporting on the destruction plan for the 12 chemical weapons production facilities in Syria and on the successor arrangements to carry out the remaining verification and inspection activities under resolution 2118. One of these remaining activities will be clarifying discrepancies in the declared chemical weapons stockpile—in particular the three additional production facilities only disclosed by Syria to the OPCW on 17 September. During the 4 September consultations, many Council members also exhibited an interest in keeping a reporting line open to the Council regarding the use of chlorine bombs. Indeed, a 10 September report from the OPCW fact-finding mission on this issue found evidence that chlorine bombs had been used consistently and repeatedly. There were compelling indications that helicopters delivered these bombs, and only the government has aerial capacity.

On 30 September, Under-Secretary-General for Humanitarian Affairs Valerie Amos reported that since the adoption of resolution 2165, there had been 14 cross-border aid deliveries, but cross-line deliveries within Syria remain difficult. The government continues to use administrative obstacles to slow aid delivery, in particular truck sealing procedures and case-by-case negotiations of deliveries to hard-to-reach areas. Meanwhile, armed opposition groups and terrorist groups, including ISIS, block access to each other's areas of control. Other key elements

of resolution 2139 remained unimplemented, such as observing medical neutrality and ceasing aerial bombardments. There are 3.03 million refugees and 6.4 million internally displaced persons. Almost half of the population, 10.8 million, require humanitarian assistance, and of those 4.7 million are in hard-to-reach areas and 241,000 are in besieged areas.

### Human Rights-Related Developments

On 16 September, during its 27th session, the Human Rights Council considered the report of the Commission of Inquiry on Syria (A/HRC/27/60). The head of the Commission, Paulo Sérgio Pinheiro, said that despite extreme violence by ISIS, the government was responsible for the majority of violations. He recalled that the Commission had repeatedly urged the Security Council to refer Syria to the ICC and said its inaction nourished violence in Syria. The report documented continued mass atrocities by government forces amounting to war crimes and crimes against humanity; disregard of the special protection accorded to hospitals and medical and humanitarian personnel; indiscriminate and disproportionate aerial bombardment; and the use of chlorine gas, an illegal weapon. Non-state armed groups committed war crimes, violated international humanitarian law, targeted religious personnel and journalists and indiscriminately shelled civilian neighbourhoods. The report also documented crimes against humanity committed by members of ISIS in Aleppo and Raqqa, including torture, murder, enforced disappearances and forcible displacement.

On 25 September, the Human Rights Council adopted a resolution that strongly condemned the lack of cooperation by the Syrian authorities with the Commission and decided to transmit all of the Commission's reports to the General Assembly and the Secretary-General for "appropriate action" (A/HRC/27/L.5/Rev.1). (Under article 99, the Secretary-General could transmit the report to the Security Council and request that it be regularly briefed on the Commission's work.) Current Security Council members Argentina, Chile, France, the Republic of Korea, the UK and US voted in favour of the resolution with Russia and China voting against.

### Key Issues

The key issue for the Council—in the fourth year of a conflict that can no longer be contained inside Syria—is to ensure that its recent focus on counter-terrorism efforts does not override its attention to the original and overarching issue, finding ways to support a cessation of violence and resuscitate efforts for a political solution.

A related issue is the ever-escalating militarisation of the conflict now that the US-led

airstrikes have begun and the US has decided to provide military support and training to moderate elements of the opposition.

Another issue is how the Council ensures that the US-led military operation in Syria remains limited to addressing the imminent threat posed by ISIS. The US letter citing article 51 to help Iraq assert its self-defence does not absolve the Council of its primary responsibility for international peace and security. (Article 51 gives states the right of individual or collective self-defence "until the Security Council has taken measures necessary to maintain international peace and security." It goes on to say that such action should be reported, as the US did, but that this should in no way affect the authority and responsibility of the Council to "take at any time such action as it deems necessary in order to maintain or restore international peace and security".)

Ongoing issues include tracking whether and how resolutions 2139 and 2165 on the humanitarian situation—in particular aerial bombardment—and resolution 2118 on chemical weapons are being implemented.

### Options

Council members could invite de Mistura to discuss his recent meetings with key regional players in Damascus, Ankara, Beirut, Cairo, Doha and Riyadh on ways to revive the political process. (He did not go to Tehran, though it seems such a visit was envisaged at one point.)

In particular, Council members could determine, in consultation with de Mistura, whether the 30 June 2012 Geneva Communiqué should remain the guiding document for a political solution given that it has been superseded by political realities on the ground, not least the re-election of President Bashar al-Assad in a sham election, the lightning advance of ISIS into Iraq and the recent US-led airstrikes.

Council members could discuss with de Mistura how his approach will differ from those of his predecessors, Kofi Annan and Lakhdar Brahimi. They could also discuss whether his UN mandate (no longer a joint post with the Arab League) will provide greater latitude to move a political process forward and how he plans to implement his mandate to fully involve countries in the region, a reference to Iran.

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## Syria (con't)

An important, though less likely option, for the Council includes heeding the Secretary-General's call for the international community to support an end to all violence in Syria, in particular by stopping the flow of arms into Syria and impose an arms embargo.

The Council could also convene to discuss the scope of the US-led military action in Syria against ISIS.

### Council and Wider Dynamics

Despite a dramatic shift of the situation on the ground, the Council seems to be in a holding pattern on Syria. The accountability track is frozen following the 22 May veto of the ICC referral. Meanwhile, activity on both the chemical weapons and humanitarian tracks has shifted down into monitoring mode. It is unlikely either will garner much attention before year's end when the authorisation for cross-border aid deliveries will need to be revisited and Kaag leaves her "good offices" role on the chemical weapons track.

On the political track, Council members will be interested in de Mistura's preliminary plans for reviving the political process. However, there are limited expectations that any bold plans will be forthcoming in the near term, and Council members are as yet unsure if the quiet cooperation between Iran and the US vis-à-vis ISIS will be a help or a hindrance in this regard. Few Council members expect that there will be an attempt at a third round of highly publicised peace talks and instead presume his efforts will be focused on discreet shuttle diplomacy.

Recent activity by the Council has been

limited to counter-terrorism efforts, and the US-led military response to ISIS as a wider regional threat is likely to exacerbate that trend.

While US-led airstrikes in Iraq are being carried out at the request of the Iraqi government, there has been no such request from Syria nor is the US looking to strengthen the Syrian regime as it has with the Iraqi government.

Both Iran and Russia, key backers of the Syrian regime, publicly stated that airstrikes will fuel tension in the region and that Syria's express consent is required in the absence of authorisation by the Security Council. However, their criticism is unlikely to go beyond public platitudes, especially as Syria itself has granted tacit, if not explicit, approval when it did not formally protest the airstrikes. Iraqi officials informed Syria of the 22 September strikes in advance, and Syria said that due to prior notice the strikes were not considered an act of aggression. While the US is not directly cooperating with Syria, it is telling that Iraq—a client state of both Iran and the US—notified Syrian authorities.

The opposition-in-exile Syrian National Coalition welcomed the strikes, but rebels on the ground expressed worry that strikes will lead to infighting as well as leaving a power vacuum in areas formerly controlled by ISIS that the government will fill.

Assad has portrayed himself as a bulwark against the rise of terrorism. In reality, confrontations between government forces and ISIS were rare until ISIS advanced into north-western Iraq in June. Council members believe that the significantly increased clashes

between the Syrian government and ISIS are largely due to pressure put on Damascus by Tehran to stem the flow of Sunni militants into Iraq. However, it is unclear if the same leverage will be applied to the regime to meaningfully participate in any political process. During recent P5+1 talks with Iran on the margins of the General Assembly, it seems Iran offered its cooperation on ISIS in return for concessions on the nuclear file. Council members remain wary about forecasting whether there will be any similar links made between the nuclear file and a political solution for Syria, which both Iran and the US prefer to treat as discrete issues.

While the US and its allies in the region, such as Saudi Arabia, may have a convergence of interest with Iran in confronting ISIS, the struggle between Riyadh and Tehran for regional influence remains one of the defining factors in the Syrian civil war and the fragile security situations in Iraq, Lebanon and Yemen. It is unclear how the Council's counter-terrorism approach and the international response to ISIS have in any way affected this fundamental underlying dynamic.

Council members Australia, France, Jordan, the UK and the US are part of the anti-ISIS coalition.

France is the penholder on Syria overall, while Australia, Jordan and Luxembourg are the penholders on the humanitarian track. In practice, however, most texts need to be agreed between Russia and the US prior to agreement by the broader Council.

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## Ukraine

### Expected Council Action

In October the Council is expected to maintain its focus on the situation in Ukraine. Assistant Secretary-General for Human Rights Ivan Šimonović is expected to brief on the human rights situation in Ukraine and the findings of the fifth monthly report of the Human Rights Monitoring Mission there. The Council may hold other meetings on

Ukraine depending on developments.

At press time, no outcome was expected.

### Key Recent Developments

Ukraine continues to face significant political, security and humanitarian challenges in light of continued sporadic fighting between the Ukrainian government forces and separatists in the east. On 5 September,

Ukrainian President Petro Poroshenko signed a ceasefire agreement with representatives of pro-Russian separatists from Donetsk and Lugansk. The agreement was reached under the auspices of a trilateral contact group consisting of Ukraine, Russia and the Organization for Security and Cooperation in Europe (OSCE). Among other things, the agreement calls for an immediate ceasefire,

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**UN DOCUMENTS ON UKRAINE** [Security Council Resolution S/RES/2166](#) (21 July 2014) condemned the downing of Malaysia Airlines flight MH17 and called for an investigation of the crash. [Security Council Letters S/2014/657](#) (9 September 2014) contained the preliminary report on the investigation of the downing of flight MH17. [S/2014/264](#) (13 April 2014) Russia requested urgent consultations on the situation in Ukraine. [S/2014/136](#) (28 February 2014) Ukraine requested an urgent meeting, citing the situation in Crimea as a threat to the territorial integrity of Ukraine. [Security Council Meeting Records S/PV.7269](#) (19 September 2014) was a meeting on the preliminary MH17 investigation report. [S/PV.7253](#) (28 August 2014) was a meeting on the political situation in Ukraine following reports of Russian troops entering Ukrainian territory.

## Ukraine (con't)

greater autonomy for Donetsk and Lugansk, release of prisoners, amnesty for separatists and inclusive national dialogue. Despite frequent violations of the ceasefire, at press time the agreement was still holding.

In further efforts to strengthen the initial ceasefire, the Ukrainian government and the separatists signed a memorandum on a peace plan at the trilateral contact group meeting in Minsk on 19 September. The memorandum mandates the creation of a buffer zone 30 kilometres from the frontlines, withdrawal of heavy artillery, a ban on military aircraft use and withdrawal of “foreign militarized formations, military equipment, militants and mercenaries” on both sides. The OSCE is set to monitor the implementation of the agreement.

The Ukrainian parliament on 16 September passed legislation granting special status to Donetsk and Lugansk for three years pending decentralisation measures that will require amending the Ukrainian constitution. Moreover, the parliament adopted a bill granting amnesty to rebel fighters with the exception of those responsible for the downing of Malaysia Airlines flight MH17. The same day, both European and Ukrainian parliaments ratified Ukraine’s association agreement with the EU. However, the implementation of the free-trade part of the agreement was postponed until 2016 because of pressure from Russia.

On 21 July, the Council adopted resolution 2166 condemning the downing of flight MH17 and calling for an independent international investigation. The Dutch Safety Board (DSB) took the lead on the international investigation. After completing the initial stage, the investigation came to a halt in early August amid heavy fighting around the crash site and the inability of both sides to ensure the security of the site. On 9 September, the DSB issued a preliminary investigation report, which Netherlands transmitted to the Council the same day. The report said the crash of flight MH17 could be attributed to impact by a large number of high-energy objects. However, the report did not specify responsibility for downing the plane. On 19 September, Under-Secretary-General for Political Affairs Jeffrey Feltman briefed the Council on the DSB’s preliminary investigation report.

The fighting in the east has had devastating effects on the humanitarian situation,

resulting in more than 3,200 casualties, around 275,000 internally displaced persons (IDPs) and an estimated 341,000 refugees. In addition, fighting has caused heavy damage to the infrastructure and disrupted basic public services. Russia has sent three convoys of humanitarian aid to Donetsk and Lugansk, without Ukrainian consent. Council members held consultations on 22 August to address the issue. However, the Council did not react to two other instances when Russian humanitarian convoys crossed into Ukraine. The humanitarian situation is likely to deteriorate sharply as winter approaches.

### Human Rights-Related Developments

During a 28 August to 3 September visit to Ukraine, Šimonović presented the fifth report on the situation of human rights in Ukraine, based on the work of the UN Human Rights Monitoring Mission there. It documents intense fighting and the use of heavy weaponry by both sides in densely populated areas of eastern Ukraine, resulting in increased loss of civilian life with an average of 36 people killed every day. Armed groups continued to commit killings, abductions, torture and other serious human rights abuses and violations of international humanitarian law, while reports of human rights violations committed by government battalions are noted as requiring further investigation. Accountability, legislative developments, the situation of IDPs and human rights issues in Crimea are also covered.

The Special Rapporteur on the Human Rights of IDPs conducted a visit to Ukraine from 16 to 25 September at the invitation of the Ukrainian government. He met with IDPs who described indiscriminate shelling and destruction of their homes. In a press conference on 25 September, he urged the government of Ukraine to establish more effective systems and intensify its efforts to meet the needs and protect the human rights of IDPs, including the urgent adoption of an IDP law based on international human rights standards. He also called on the international community to provide immediate and long-term support for reconstruction and essential services. A full report will be presented to the Human Rights Council in June 2015.

### Key Issues

Determining what role the Council could play in addressing the crisis in Ukraine will be the key issue—in particular whether it can bolster the continuation of the ceasefire.

Also, the role of the UN in the investigation of the downing of flight MH17 is another issue the Council might consider.

Finally, with winter approaching, the humanitarian aspect of the crisis in Ukraine

will likely become more important. The role of the UN and its agencies in addressing the humanitarian situation could be an issue for the Council.

### Options

One option for the Council is to consider hearing a briefing by the OSCE on implementation of the ceasefire agreement and its activities on the ground. (Through its role in the trilateral contact group, the OSCE plays an active role in Ukraine, and it is currently charged with monitoring the ceasefire agreement.)

The Council could also consider the suggestion made by Russia at the 19 September meeting to ask the Secretary-General to appoint a special representative to work together with the OSCE on the independent international investigation of the MH17 incident.

If the ceasefire holds and the peace plan is implemented, the Council could issue a statement commending both sides.

Should the ceasefire collapse, the Council could consider addressing the situation in Ukraine through a Chapter VI resolution by either working with Russia or insisting on its obligation to abstain from voting, in line with article 27(3) of the UN Charter (which requires a party to a dispute to abstain from voting).

### Council Dynamics

The Council has gradually become less involved in the situation in Ukraine. The prevailing view of most members seems to be that the solution lies not in the Council but rather with other diplomatic avenues that facilitate direct talks and a high-level dialogue between Russia and Ukraine. At the moment, the trilateral group on Ukraine has the leading role in addressing the crisis. Supportive of the efforts by the trilateral group, the Council seems unlikely to interfere in the process led by the OSCE.

The Council has met 25 times on the situation in Ukraine, yet those meetings have been mainly used by the members to state their positions and hear from the Secretariat. The Council took action on Ukraine only once, when it adopted resolution 2166 condemning the downing of flight MH17. All other attempts to take action did not materialise due to the split between Russia and

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## Ukraine (con't)

other Council members, particularly the P3 and Lithuania.

Russia's annexation of Crimea and Sevastopol in March deeply divided the Council, leaving it deadlocked on the issue. Russia will

likely oppose any resolution that would question the legal status of Crimea and Sevastopol, now a de facto part of the Russian Federation. On the other hand, the P3 and Western countries insist that any new resolution on

Ukraine references the territorial integrity and sovereignty of Ukraine in line with General Assembly resolution A/RES/68/262.

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## Somalia

### Expected Council Action

In October, Special Representative Nicholas Kay is scheduled to brief the Council on the most recent report of the Secretary-General on the UN Assistance Mission in Somalia (UNSOM) and Under Secretary-General for Political Affairs Jeffrey Feltman is scheduled to brief the Council on the Secretary-General's report on piracy due 17 October.

The Council is expected to adopt resolutions renewing authorisation of the AU Mission in Somalia (AMISOM) and addressing aspects of the 751/1907 Somalia-Eritrea sanctions regime, including the partial lifting of the arms embargo (expires on 25 October), the humanitarian exemption (expires on 25 October) and the mandate of the Somalia and Eritrea Monitoring Group (expires on 25 November).

### Key Recent Developments

On 30 August, AMISOM and the Somali National Army (SNA) launched Operation Indian Ocean against *Al-Shabaab*, a follow-up military offensive to Operation Eagle earlier in the year. According to AMISOM press releases, the offensive has thus far taken towns in Hiraan, Lower Shabelle, Middle Shabelle, Lower Juba and Bakool. One core objective of Operation Indian Ocean appears to be capturing the port city of Baraawe, about 200 kilometres south of Mogadishu in Lower Shabelle. The city has been an *Al-Shabaab* stronghold, enabling the insurgency to export charcoal and import weapons. On 3 September, the Federal Government of Somalia (FGS) announced a 45-day window

of opportunity for *Al-Shabaab* members to accept an offer of amnesty.

The US confirmed on 5 September that airstrikes near Baraawe on 1 September had killed the leader of *Al-Shabaab*, Ahmed Abdi Godane. On 6 September, the group announced that it had appointed Sheikh Ahmad Umar Abu Ubaidah as Godane's successor. According to media reports, Abu Ubaidah had served as a senior advisor and prominent figure within the *Amniyyat*, an elite division of *Al-Shabaab* responsible for terrorist attacks and the internal consolidation of Godane's control. Two days after Abu Ubaidah's appointment, *Al-Shabaab* launched suicide attacks against AMISOM and SNA convoys outside Mogadishu, killing 12 people. An *Al-Shabaab* spokesman said the attack was in retaliation for Godane's death and threatened there would be future attacks specifically targeting Americans.

The federal state formation process, which is a precursor to a planned revision of the constitution in 2015 and national elections in 2016, has shown uneven progress. On 23 June, representatives of the Bay, Bakool and Lower Shabelle regions signed an agreement to form an Interim Southwest Administration. On 30 July, representatives in central Somalia reached an agreement "in principle" to form a regional administration, which was subsequently joined by the region of Himan and Heeb on 6 August. On 28 August, there was a clash between forces of secessionist Somaliland and the Khatumo Administration (which is backed by the FGS) in Saaxdheer, Sool region. The

disputed territory, which is assumed to be oil-rich and is also subject to an overlapping claim by semi-autonomous Puntland, has previously been a source of conflict. On 30 August, Colonel Barre Hiiraale reconciled with the Interim Jubba Administration led by rival Ahmed Madobe.

Corruption, particularly regarding public finances, continues to be a problem. As reported by Reuters on 16 July, a confidential report from the Somalia and Eritrea Monitoring Group to the 751/1907 Somalia-Eritrea Sanctions Committee accused the country's president, a former foreign minister and a US law firm of conspiring to divert Somali government assets (either stolen or frozen following the fall of Siad Barre's regime in 1991) recovered abroad. The Monitoring Group stated the situation "reflects exploitation of public authority for private interests and indicates at the minimum a conspiracy to divert the recovery of overseas assets in an irregular manner". Citing corruption concerns and the lack of a competitive tender process, the six-member Financial Governance Committee (which includes representatives of the FGS, African Development Bank, International Monetary Fund and the World Bank) has recommended that the FGS either revoke or revise nine contracts. These include its contract with the US law firm Schulman Rodgers and an oil exploration deal with Soma Oil, a UK company headed by the former leader of the Conservative Party, Michael Howard.

The humanitarian situation continues to deteriorate in Somalia. According to the

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**UN DOCUMENTS ON SOMALIA** [Security Council Resolutions S/RES/2142](#) (5 March 2014) renewed a partial lifting of the arms embargo in Somalia until 25 October 2014. [S/RES/2124](#) (12 November 2013) authorised AMISOM to 31 October 2014. [S/RES/2111](#) (24 July 2013) extended the mandate of the Somalia and Eritrea Monitoring Group until 25 November 2014. [S/RES/2036](#) (22 February 2012) imposed an embargo on the export of charcoal from Somalia. [Security Council Presidential Statement S/PRST/2014/9](#) (22 May 2014) concerned arms and ammunition management by the Federal Government of Somalia. [Security Council Letter S/2014/243](#) (3 April 2014) were the Secretary-General's recommendations for improved regulation of small arms by the Federal Government of Somalia. [Sanctions Committee Documents S/2014/655](#) (5 September 2014) transmitted the report of the Emergency Relief Coordinator. [S/2013/413](#) (12 July 2013) was the final report of the Monitoring Group on Somalia. [Secretary-General's Report S/2014/699](#) (25 September 2014) was the most recent UNSOM report.

**USEFUL ADDITIONAL RESOURCES** *Kenya: Al-Shabaab - Closer to Home*, International Crisis Group, 25 September 2014 Katrina Manson, "Somalia to rewrite contracts in response to corruption concerns", *Financial Times*, 17 September 2014. *The Power These Men Have Over Us: Sexual Exploitation and Abuse by African Union Forces in Somalia*, Human Rights Watch, September 2014.

## Somalia (con't)

Office for the Coordination of Humanitarian Affairs, one million people are in a state of humanitarian emergency with extreme food insecurity, which is an increase of 20 percent since January. Another 2.1 million people are in a situation of “stress” and are in danger of slipping into a food security crisis. The UN Refugee Agency reports that 130,000 people have been newly displaced this year, with insecurity due to military conflict being the main cause of internal displacement. Only 34 percent of the consolidated appeal of \$933 million requested for 2014 has been funded to date. On 10 August, Resident and Humanitarian Coordinator for Somalia Philippe Lazzarini warned that Somalia is in danger of a crisis similar to the famine in 2011, in which 260,000 people died. In the report to the 751/1907 Somalia-Eritrea Sanctions Committee that was due 20 September, Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator Valerie Amos recommended renewing the humanitarian exemption to the sanctions regime, which expires on 25 October.

On 23 and 24 September, the 751/1907 Somalia-Eritrea Sanctions Committee added two names to the consolidated 1844 sanctions list (resolution 1844 imposed targeted sanctions in the form of a travel ban, asset freeze, and targeted arms embargo). The first person added, Maalim Salman, is the head of foreign fighters for *Al-Shabaab*. The second person added was Ahmed Diriye (aka Sheikh Ahmed Umar Abu Ubaidah) and is the new head of *Al-Shabaab* following the death of Godane.

On 24 September, there was a high-level meeting on Somalia on the margins of the General Assembly, “Implementing Vision 2016: Inclusive Politics in Action”, held at the initiative of Ethiopia, Italy and the UK. The Secretary-General addressed the meeting, highlighting several of the difficult tasks ahead in the statebuilding process, including facilitating national reconciliation, reinforcing the rule of law, creating electoral institutions and delivering public services. The meeting was co-chaired by the President of Somalia, Hassan Sheikh Mohamud, and the Chairperson of the AU Commission, Nkosazana Dlamini Zuma.

### Human Rights-Related Developments

On 25 September, the Human Rights Council considered the report of the independent expert on the situation of human rights in Somalia (A/HRC/27/71). The report recommends prioritisation of justice and security sector reforms. It also notes evidence that military operations have exacerbated the displacement of civilian populations and allegations that AMISOM troops were responsible for human rights violations against civilians during an offensive against *Al-Shabaab* in Jubbaland in March.

### Key Issues

The principal set of issues for the Council to consider in October concerns sanctions, including the partial lifting of the arms embargo, the humanitarian exemption and the mandate of the Monitoring Group.

The Council will also need to assess the track record of AMISOM, including with respect to recurring allegations of sexual violence and other human rights abuses perpetrated by its troops, in order to establish parameters for the upcoming renewal of the AU mission’s authorisation, which expires on 31 October.

### Options

Perhaps the most likely course of action regarding sanctions-related options would be for the Council to renew the following without significant revision: partial lifting of the arms embargo, the humanitarian exemption and the mandate of the Monitoring Group.

In light of evidence suggesting the amount of arms and ammunition imported since March 2013 exceeds the needs of the SNA (*Africa Confidential* has reported 13,000 weapons and 5.5 million rounds of ammunition), the Council may wish to consider imposing a quantitative limit on arms and ammunition that can be imported.

Another option the Council may wish to consider would be adding new individual listings for violations of the charcoal embargo and misappropriation of public finances. As previously suggested by the Monitoring Group, the Council could impose a moratorium on future oil contracts until an adequate regulatory and legal framework is established.

Regarding AMISOM, the Council will most likely renew authorisation without substantial changes to the mandate of the

mission. Alternatively, taking into account credible reports regarding violations of human rights and international humanitarian law by AMISOM troops, the Council could choose to incorporate stronger accountability language. This could include a threat to reassess the UN support package in the absence of concrete steps toward better accountability for troops who violate human rights and international humanitarian law.

### Council and Wider Dynamics

Counter-insurgency and counter-terrorism remain the predominant priorities of regional and international actors in Somalia. Within the Council, there continues to be strong backing for the military offensive against *Al-Shabaab* by AMISOM and the SNA. The US, which had previously disclosed specific drone strikes and isolated actions by special operations forces in the country, publicly acknowledged in July that it has maintained a limited military presence of up to 120 troops within Somalia since 2007. Other Council members may also be actively involved: France’s foreign intelligence service reportedly provided specific information for targeting Godane. The EU, which has been paying AMISOM’s salaries and conducting a training mission for the SNA, relocated its training facilities to Mogadishu earlier this year. Meanwhile, analysis by humanitarian actors suggests chronic insecurity and the war against *Al-Shabaab* have had adverse humanitarian consequences. There is significant evidence of human rights violations by AMISOM troops, particularly rape and sexual exploitation, war profiteering and mismanagement of arms and ammunition by the Somali National Security Forces (SNSF) could still be a problem (the final report of the Monitoring Group due on 8 October should provide more clarity on this point). Nonetheless, it remains unlikely that the Council will fail to renew either AMISOM’s authorisation or the partial lifting of the arms embargo for the SNSF.

The UK is the penholder on Somalia, the US is the penholder on piracy, Russia is the penholder on legal aspects of counter-piracy measures and the Republic of Korea is the chair of the 751/1907 Somalia-Eritrea Sanctions Committee.

# South Sudan

## Expected Council Action

The new Special Representative and head of the UN Mission in South Sudan (UNMISS), Ellen Margrethe Løj, is expected to brief the Council, followed by consultations. She will report on the situation in South Sudan and present the UNMISS report. At press time, no outcome was anticipated.

The mandate of UNMISS expires on 30 November.

## Key Recent Developments

South Sudan continues to be mired in a severe humanitarian, political and security crisis. Approximately 1.4 million people remain internally displaced, more than 458,000 have gone to neighbouring countries and thousands have died since the civil war erupted in December 2013. The peace talks in Ethiopia, mediated by the Intergovernmental Authority on Development (IGAD), are at an impasse, with several analysts arguing that the government and the opposition still believe that the conflict can be resolved militarily. Sporadic clashes have continued in Upper Nile and Unity states in violation of the 10 July ceasefire agreement.

The Council was heavily focused on South Sudan in August. On 6 August, Assistant Secretary-General for Peacekeeping Operations Edmond Mulet briefed the Council, reporting that the country was on the verge of a “humanitarian catastrophe” with nearly four million people “facing alarming levels of food insecurity”. Mulet outlined the sporadic clashes that had been occurring between government and opposition forces, and in the consultations after the briefing, he gave a pessimistic assessment of the status of the peace talks.

The Council issued two statements on South Sudan in early August. On 6 August, a press statement expressed outrage at attacks by a local militia targeting members of the Nuer ethnic group that led to the deaths of at least six South Sudanese humanitarian aid workers in Maban County, Upper Nile state (SC/11512). On 8 August, the Council adopted a presidential statement in which it expressed its readiness to consider—in consultation with relevant partners, including

IGAD and the AU—“all appropriate measures, including targeted sanctions, against those who take action that undermines the peace, stability, and security of South Sudan” (S/PRST/2014/16).

On 12 August, the Council went to South Sudan as part of its visiting mission to Europe and Africa (8-14 August). In a meeting with the South Sudan cabinet in Juba, Ambassador Samantha Power of the US, which is the penholder on South Sudan and co-led the South Sudan leg of the trip with Rwanda, spoke on behalf of the Council. She urged the government to develop in earnest plans for a transitional government of national unity, underscored that there was no military solution to the conflict and warned that the Council was prepared to impose “consequences” on spoilers to the peace process.

Following their discussion with the cabinet, the Council met with South Sudanese President Salva Kiir. Kiir reportedly said that he remained committed to the peace talks in Addis Ababa but that opposition leader Riek Machar had failed to demonstrate the same level of commitment. When pressed on the limitations being imposed by the government on humanitarian access, he said that “nature” had made it difficult for aid to be delivered, an apparent reference to the rainy season in South Sudan. Kiir also said that the people who had sought protection in UNMISS bases across the country should return home, implying that the security conditions permitted them to do so.

Council members spoke with Machar via videoconference. Machar told them that IGAD is not an impartial mediator, as it consists of two of his adversaries, South Sudan and Uganda, and that Uganda’s military presence in South Sudan was hindering the peace process.

In Malakal, Council members visited an UNMISS facility housing approximately 17,000 internally displaced persons (IDPs). The Malakal camp is one of nine UNMISS “protection of civilians” sites across the country, harbouring more than 96,000 people too fearful to return home because of the inter-communal violence that has been plaguing the country. After witnessing the

overcrowded and unsanitary conditions in this camp, Council members held a meeting with the IDPs, who expressed their anger at Kiir and Machar for their plight. Their consistent plea was for peace so they could return to their homes.

The security situation has remained volatile since the Council departed the country on 13 August. Skirmishes between government forces—the Sudan People’s Liberation Army (SPLA)—and SPLA in Opposition forces took place in Panianj and near Bentiu in Unity state on 13-14 August. On 23 August, clashes between the SPLA and the SPLA in Opposition were reported in Nassir, Upper Nile, where the SPLA also fired on SPLA in Opposition positions on 27, 29 and 30 August. Fighting erupted between the parties in oil-rich Renk County, Upper Nile, on 19-20 September, which both sides accuse the other of initiating.

On 26 August, an UNMISS cargo helicopter crashed near Bentiu, with three of the four crew members losing their lives. Media reports indicated that the chopper was shot down by forces loyal to SPLA in Opposition General Peter Gadet. The Council condemned the incident in a press statement on 27 August (SC/11538).

The IGAD-mediated peace talks have continued to falter. On 25 August, IGAD held a summit in Addis Ababa with the warring parties and other stakeholders. While media reports initially indicated that the SPLM and the SPLM in Opposition had agreed to a matrix on modalities for implementing their cessation-of-hostilities agreement, it later became apparent that the SPLM in Opposition had only signed and initialled the preamble to the matrix, which recommended it to stop fighting. However, it had neither signed nor initialled the annex, which delineated the steps needed to implement the agreement, a point made by the SPLM in Opposition when it disavowed its adherence to the matrix.

A second document, entitled “Protocol on Agreed Principles on Transitional Arrangements towards Resolution of the Crisis in South Sudan”, suffered an equally troubling fate. While the government of South Sudan

**UN DOCUMENTS ON SOUTH SUDAN** [Security Council Resolution S/RES/2155](#) (27 May 2014) revised the mandate of UNMISS to focus on protection of civilians, facilitation of humanitarian access and human rights verification and monitoring. [Security Council Presidential Statement S/PRST/2014/16](#) (8 August 2014) expressed the Council’s readiness to consider sanctions against spoilers in South Sudan. [Security Council Press Statements SC/11538](#) (27 August 2014) condemned the downing of an UNMISS helicopter. [SC/11512](#) (6 August 2014) expressed outrage at attacks in which at least six South Sudanese humanitarian aid workers were killed.

**USEFUL ADDITIONAL RESOURCE** *PSC to focus on the faltering South Sudan peace process*, Institute for Security Studies, 17 September 2014

## South Sudan (con't)

and all other IGAD member states signed this document on 25 August, the SPLM in Opposition refused to do so, as its content is highly unfavourable to its interests. The protocol says that the head of state and government of South Sudan (i.e. Kiir) will remain in power during an envisaged 30-month transition period, culminating in elections 60 days before the period's completion. The protocol indicates that the position of prime minister will be established, based on a nomination by the SPLM in Opposition, but it states that whoever fills this position "shall be acceptable to the President" and "will not be eligible to stand for any public office in the national elections at the end of the Transitional Period". On 18 September, James Gatdet Dak, a spokesman for Machar, complained that the protocol was a "bias[ed] and unjust document...already rejected by all the stakeholders except the government". Curiously, there were also no signature lines on the protocol document for other stakeholders in the peace process—civil society, political parties, the former high-level political detainees and religious leaders—even though they were mentioned in the protocol's preamble.

The peace talks reconvened on 15 September in Bahir Dar, Ethiopia, a new site nearly 360 miles northwest of Addis Ababa. At press time, one of the key issues being discussed was how power would be distributed in a government of transitional unity, including what the prospective role and responsibilities of a prime-minister might be.

On 25 September, a high-level ministerial event on South Sudan was held on the margins of the General Assembly. The Secretary-General conveyed the following message to South Sudan's leaders: "You opened the wounds that caused so much suffering. Now heal them." Under-Secretary-General for Humanitarian Affairs Valerie Amos moderated a panel on humanitarian and protection issues in South Sudan that included the participation of Under-Secretary-General for Peacekeeping Operations Hervé Ladsous, Special Representative for Children and Armed Conflict Leila Zerrougui, the head of the ICRC Peter Maurer, the head of *Médecins Sans Frontières* Jerome Oberreit and Special Representative to the AU Haile

Menkerios. Kiir did not attend the meeting, although his presence had been expected. South Sudan was instead represented by its foreign minister.

On 26 September, the Secretary-General met with Kiir in New York and reiterated his concern with the humanitarian and security situation in South Sudan. He urged Kiir to stop the fighting and come to an inclusive agreement on a transitional government.

### Human Rights-Related Developments

The Human Rights Council held a panel discussion on 24 September focused on identifying effective measures to improve the human rights situation and strengthen UN support for the work of the AU Commission of Inquiry on South Sudan and the IGAD-led peace process. Deputy High Commissioner for Human Rights Flavia Pansieri gave the opening remarks and presented the High Commissioner's interim report on the human rights situation in South Sudan (A/HRC/27/74).

### Key Issues

The fundamental issue remains how to compel the parties to stop fighting and negotiate a transitional government of national unity in good faith.

A related issue is whether there needs to be a rethinking of the mediation process, as key stakeholders have voiced repeated criticism of IGAD's mediation and a political solution to the crisis still appears elusive.

Another related issue is how effectively Kiir and Machar control the forces under their command, as some have argued that command and control is a challenge in the current conflict.

Also a key issue is what role the Council, in conjunction with the broader UN system and other humanitarian and human rights actors, can play in alleviating the humanitarian crisis and protecting civilians in South Sudan.

### Options

While political divisions in the region and on the Council appear to be an impediment, targeted sanctions (i.e. an asset freeze and travel ban) and an arms embargo remain potential options.

The Council could also call for the establishment of a South Sudan contact group to facilitate effective diplomatic engagement on

South Sudan. This group would consist of countries in the region and elsewhere that have a significant stake in South Sudan's political and economic recovery.

Another option would be to call on the UN, the AU, IGAD, international financial institutions and other relevant stakeholders to develop and oversee an accountability mechanism for expenditures by the government of South Sudan. This would help to address concerns about the rampant corruption and unequal distribution of wealth that have plagued the country.

### Council and Wider Dynamics

Council members have expressed anger and disappointment at the callousness of Kiir and Machar in the face of enormous suffering in South Sudan. While Council members remain unified in their concern about the situation on the ground, this has yet to result in an effective strategy to exert leverage on the key decision-makers.

Targeted UN sanctions have been discussed for several months now, but action has not been taken. This is likely because Council members have been waiting for IGAD to initiate these measures first and then follow suit. Such sequencing is preferable: it would give the Council the political backing of the sub-region and, consequently, heighten the chances that China and Russia, which have both been uneasy about using sanctions in South Sudan, would support a resolution imposing these measures. It should also be noted that targeted measures—or alternatively, an arms embargo—are not likely to be effective without buy-in from IGAD, given the strong financial and political ties that South Sudan's elites presumably have in neighbouring countries that are part of IGAD.

IGAD appears largely divided regarding how to approach the conflict. To the impatience of some on the Council, IGAD has to date been unwilling to initiate robust measures against the parties (including sanctions) that might provide the US, as penholder on South Sudan, with the political leverage it needs to introduce a resolution that could both be adopted and have an impact on the calculations of the key players.

# Yemen

## Expected Council Action

In October, Special Adviser Jamal Benomar is expected to brief Council members in consultations on Yemen.

## Key Recent Developments

On 18 August, tens of thousands of protesters took to the streets in Sana'a and several other cities after Abdulmalek al-Houthi—the leader of the Houthis, a Zaidi Shi'a rebel group from the north—called for demonstrations against the “corrupt” government, which he said had failed to carry-out reforms. Al-Houthi called for President Abdo Rabbo Mansour Hadi to dissolve the government and to reinstate fuel subsidies that were ended on 30 July, resulting in a near-doubling of prices. Following the first day's demonstrations, armed Houthi rebels began arriving to Sana'a, establishing protest camps surrounding the city and close to government ministries. Houthi representatives insisted they would not use violence except in self-defence. Demonstrations and pro-government/anti-Houthi counter-protests gripped the capital during the next month, leading to fears that the situation could easily spiral into violence.

After a briefing with Benomar on 29 August, the Council adopted a presidential statement expressing grave concern about the deterioration of the security situation following the Houthis' actions and said al-Houthi was undermining the political transition. The statement called on the Houthis to take several steps, including dismantling the protest camps. The Council further recalled that individuals or entities threatening Yemen's peace, security or stability could be subject to targeted sanctions (S/PRST/2014/18).

On 2 September, Hadi dismissed his cabinet, repeated his offer he had made at the outset of the crisis, namely for the Houthis to participate in a new government, and agreed to partially reinstate fuel subsidies. The Houthis rejected the concessions and vowed to escalate their civil disobedience campaign. Over the next week, nine Houthi supporters were killed in two incidents with security forces. Meanwhile, fighting continued in Al Jawf governorate between Houthis and armed groups affiliated with Al-Islah, Yemen's Islamist political party. The Houthis

also continued to occupy the city of Amran, seized in fighting in July, despite having agreed to withdraw.

Developments in Sana'a took a more violent turn starting 18 September. Houthi rebels besieged Iman University, run by a radical Sunni Islamist cleric in a suburb of Sana'a, and clashed with the military. By the next day, fighting expanded into the city between Houthis and forces loyal to General Ali Mohsen Al-Ahmar, who is close to Al-Islah. Most security forces however refrained from confronting the Houthis. It is believed that former President Ali Abdullah Saleh was involved in this decision. Yemen's state-run television station was shelled before being taken over by Houthi forces on 20 September; they also seized government buildings. During four days of fighting, at least 340 people, mostly combatants, were killed.

On 21 September, President Hadi along with Houthi delegates and major political parties signed an agreement to stop the fighting. It also addressed Houthi grievances. The Peace and National Partnership Agreement calls for establishing a new technocratic government within one month and reduces fuel prices by 25 percent. The deal stipulated that Hadi should appoint two advisors from the Houthis and the Southern Movement and a new prime minister within three days of its signing. At press time, the two presidential advisers were appointed, though a new prime minister had yet to be named. Despite the agreement, the following day Houthi forces took over the headquarters of the First Armoured Division, commanded by Al-Ahmar, who fled to Saudi Arabia. Al-Houthi made a speech on 23 September, announcing that he would build a government of national participation. In a speech that same day, Hadi described the Houthis' take-over of Sana'a as a “conspiracy” and warned it could lead to civil war.

Gulf Cooperation Council foreign ministers met on 22 September in New York and issued a statement welcoming the Peace and National Partnership Agreement. The Council issued a press statement on 23 September that also welcomed the agreement as “the best means to stabilize the situation and prevent further violence” and underlined the

need for all parties, including the Houthis, to fulfil their commitments (SC/11578). A Friends of Yemen statement on 24 September called for the agreement's full implementation based on the outcomes of the National Dialogue Conference.

Meanwhile, the 2140 Yemen Sanctions Committee met on 10 September to discuss the interim report of the Committee's Panel of Experts. The report made general recommendations and did not include specific cases, which would enable the Committee to consider imposing targeted sanctions. On 16 September, the Committee issued a press statement encouraging the Panel to develop case studies on individuals or entities threatening Yemen's peace, security or stability, given the pace of developments in the country (SC/11564).

Overshadowed by these events was the worsening of fighting with Al-Qaida in the Arabian Peninsula (AQAP). On 8 August, AQAP kidnapped and executed 14 soldiers, and the government reinforced its forces in Hadramawt governorate due to increased attacks.

## Human Rights-Related Developments

The Human Rights Council considered the report on the human rights situation in Yemen that documents delays in addressing accountability for serious human rights violations committed in 2011; extrajudicial killings as part of the military operations between December 2013 and February 2014, with 43 civilians reportedly killed; continued enforced disappearances and detention without trial; deterioration in the safety and security of journalists, with more than 197 violations reported; continued recruitment of children by various armed groups; and the continued increase in gender-based violence (A/HRC/27/44).

On 16 September, the spokesperson for the High Commissioner for Human Rights urged authorities in Yemen to investigate the killing of nine people in Sana'a during protests that took place on 7 and 9 September; 67 others were reported injured, including 33 by live ammunition from security forces.

## Key Issues

A key issue is how the 21 September agreement and the Houthis' latest military and political victories impact Yemen's political transition and whether the transition can be salvaged. A closely related issue is whether the 21 September agreement can hold.

**UN DOCUMENTS ON YEMEN** Security Council Resolution S/RES/2140 (26 February 2014) expressed support for the political transition and established sanctions against those threatening the peace, security or stability of Yemen. Security Council Presidential Statement S/PRST/2014/18 (29 August 2014) expressed grave concern about the deterioration of the security situation in Yemen in light of the actions taken by the Houthis. Security Council Press Statements SC/11578 (23 September 2014) welcomed the Peace and National Partnership Agreement signed on 21 September. SC/11470 (11 July 2014) expressed grave concern about the serious deterioration of the security situation in Yemen in light of the violence in Amran.

## Yemen (con't)

Another issue is the risk of further violence, including sectarian violence, following the defeats of the Sunni Islah party and their supporters by the Shiite Houthis. A related concern is AQAP capitalising on these developments.

Whether to apply sanctions against those who are destabilising Yemen is another issue, especially when individuals or groups who could be candidates for sanctions may join a new government.

### Options

One option for the Council is to closely monitor the situation but take no action.

Another option could be to designate for targeted sanctions individuals who deviate from the Peace and National Partnership Agreement (this could be done either by the 2140 Yemen Sanctions Committee or by the Council through a resolution).

A resolution or presidential statement could also be adopted to:

- condemn any individuals or groups whose actions are not consistent with their commitments from the 21 September agreement;
- reaffirm that the government be inclusive of all Yemeni constituencies; and
- call for the restoration of state authority over all of Yemen's territory.

The 2140 Committee could also decide to designate individuals or entities upon receiving new information from the Panel of Experts.

### Council and Wider Dynamics

The differences among Council members regarding Yemen have mainly circled the question of whether to identify spoilers to the transition and impose targeted sanctions or consider as sufficient the mere threat of targeted measures. At the last 2140 Yemen

Sanctions Committee meeting, there was heavy pressure from some members for the Committee to begin designations, and it seemed the Committee was moving in that direction. Events in Yemen, however, seem to have outpaced the Council's ability to react to them.

With the Houthis in *de facto* control of Sana'a and expected to participate in the new government, this could further complicate members' ability to agree to sanctions targeting Houthi leaders. While some members may seek a strong Council reaction to any deviation from the recent 21 September agreement, other members could have concerns that sanctions, or strong condemnation of the group, could hurt the Council's ability to interact with the Houthis, which are now a major actor in the country.

The UK is the penholder on Yemen. Lithuania chairs the 2140 Committee.

## Mali

### Expected Council Action

In October, the Council expects a briefing from the Special Representative 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 2015.

### Key Recent Developments

On 25 June, the Council unanimously adopted resolution 2164 renewing MINUSMA's mandate. The resolution emphasised MINUSMA's mandate to provide support to the national political dialogue and reconciliation processes and directed the mission to expand its presence beyond key population centres, notably in areas where civilians are at risk.

The implementation of the 18 June 2013 Ouagadougou preliminary agreement and the advancement of the political process in

Mali remain key challenges for the stability of the country. So far two rounds of the inter-Malian negotiation process in July and September have been convened by Algeria with the support of MINUSMA, the AU, the Economic Community of West African States (ECOWAS) and regional governments.

As manifested by the clashes in July in Kidal and Gao, there are currently two rebel coalitions. The "Coordination" comprises the *Mouvement National de Libération de l'Azawad* (MNLA), the *Haut Conseil pour l'Unité de l'Azawad* and the *Mouvement Arabe de l'Azawad* (MAA). The "Platform"—which is perceived to be close to the government—comprises the *Coordination des Mouvements et Fronts Patriotiques de Résistance*, the *Coalition du Peuple pour l'Azawad* (CPA) and another MAA faction.

A roadmap and a declaration of cessation of hostilities were signed separately by the government with the two respective coalitions—which

refuse to sit together at the negotiating table. However, at press time, there were difficulties during the September round of negotiations in reaching agreement in procedural issues, such as the format of the peace talks, and on substantive issues, such as the territorial structure of the state or the establishment of transitional justice mechanisms.

A 22 September Secretary-General's report highlights how the reporting period was marred by ceasefire violations, which included "territorial gains made by the armed groups and clashes between armed groups, including self-defence militias reportedly ethnic-based and close to the Government" (S/2014/692). Following its 21 May failed offensive to retake Kidal from the MNLA, the Malian Defence and Security Forces (MDSF) withdrew from Kidal and other locations in the north. Despite the signing of a ceasefire by armed groups and the government on 23 May, armed groups have since occupied new municipalities (such

**UN DOCUMENTS ON MALI** [Security Council Resolution S/RES/2164](#) (25 June 2014) renewed the mandate of MINUSMA. [Security Council Presidential Statement S/PRST/2014/15](#) (28 July 2014) welcomed the commencement on 16 July of the inter-Malian negotiation process in Algiers. [Security Council Press Statements SC/11568](#) (19 September 2014) condemned the attack in which five Chadian MINUSMA peacekeepers were killed and three were severely injured. [SC/11558](#) (14 September 2014) condemned the attack in which one Chadian MINUSMA peacekeeper was killed and four were injured. [SC/11551](#) (6 September 2014) welcomed the release of two Algerian diplomats who were taken hostage by the *Mouvement pour l'Unité et le Jihad en Afrique de l'Ouest*, condemned the assassination of another Algerian diplomat and regretted the death of the Algerian consul while in captivity. [SC/11547](#) (2 September 2014) condemned the attack in which four Chadian MINUSMA peacekeepers were killed. [SC/11523](#) (18 August 2014) condemned a suicide attack that killed two Burkinabe MINUSMA peacekeepers and injured seven. [SC/11461](#) (1 July 2014) condemned an attack that killed a MINUSMA peacekeeper and injured six. [SC/11438](#) (11 June 2014) condemned an attack on MINUSMA in which four Chadian peacekeepers were killed. [Secretary-General's Report S/2014/692](#) (22 September 2014) was a MINUSMA report covering 27 May to 15 September 2014.

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## Mali (con't)

as Ber and N'Tillit) in the north in addition to retaining control of Kidal and Ménaka. The Malian government denounced these moves in an 11 September letter to the Council (S/2014/660). The resumption of hostilities has led to new displacements and reversed a trend of steadily returning refugees and internally displaced persons.

The security situation has been affected by the withdrawal of the MDSF from Kidal and the end of *Opération Serval*. In July, French forces launched *Opération Barkhane* which has a regional scope, as opposed to *Serval's* exclusive focus on Mali. Since 27 May, at least 28 attacks have targeted MINUSMA personnel, resulting in the death of at least 17 peacekeepers and more than 55 injured. Although mission facilities are subject to rocket attacks, most of the casualties are the result of improvised explosive devices (IEDs), which are sometimes activated in suicide vehicle attacks.

As of 1 September, MINUSMA had reached 71 percent of its planned deployment, and it has enhanced its force projection throughout the north and in rural areas. In addition to security and weather conditions, operational challenges such as the absence of some force enablers or essential contingent-owned equipment continue to hinder the implementation of its mandate. The Secretary-General has also noted the current budgetary constraints to expand MINUSMA's outreach beyond the main population centres.

A high-level meeting was held on 27 September on the margins of the General Assembly to galvanise international support for the political process led by Algeria.

### Key Issues

An overarching issue is the slow progress of the political process and the implementation of the Ouagadougou preliminary agreement

(with the division among armed groups and the two-track nature of the process as a central feature).

The marked increase in terrorist groups' activities and the deliberate targeting of MINUSMA is an immediate issue for the Council. Given the deadly attacks in these last months, ensuring that the concerns of troop- and police-contributing countries are addressed on the ground in Mali and in the Council in New York are closely related issues.

Ensuring accountability for the crimes committed since 2012 while pursuing a political settlement is a key issue. Another issue is the timely establishment of an international commission of inquiry, as provided in resolution 2164, which is still pending.

The return of state authority to most of the north and the resumption of the cantonment of armed groups is a further issue.

### Options

The Council could adopt a statement:

- calling on all parties to respect the ceasefire and engage in the Algeria-led political process in good faith;
- threatening to impose sanctions on spoilers violating the ceasefire or undermining the political process;
- welcoming the holding of hearings on the negotiation process with civil society;
- reiterating the Council's request to the Secretary-General to establish an international commission of inquiry to investigate international crimes, including the 16-17 May violence in Kidal; 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 by the Secretary-General (S/2013/189).

### Council Dynamics

Council members are increasingly worried about the lack of progress in the political process and the continuous attacks targeting MINUSMA in northern Mali. The challenges of transnational terrorism and the presence of jihadist groups in Algeria, Mali and Libya that have benefited from political instability in northern Mali continue to be of concern to Council members.

Overall, Mali is an issue on which there is a high degree of consensus in the Council. Ahead of the negotiations on resolution 2164, Mali again requested—as it had done with AU support ahead of the establishment of MINUSMA—a more robust mandate for the mission and for it to include the forceful disarmament of armed groups. These requests were not reflected in the resolution since Council members agreed that emphasis should be placed on the political dimension of the conflict. During the negotiations, African Council members, particularly Rwanda, echoed Mali's concerns regarding the use of language equating the government and the armed groups and advocated for the inclusion of language echoing the call by ECOWAS for armed groups to withdraw from occupied areas and return to pre-17 May positions.

Since 29 August, ten Chadian peacekeepers have been killed and at least 33 injured in four attacks. On 19 September, Chad issued a statement complaining that “the Chadian contingent serve[s] as a shield for the other contingents positioned further back” and asked the mission to improve its operating conditions. As of 1 September, Chad had 1,205 military personnel deployed in MINUSMA.

France is the penholder on Mali.

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## Peacekeeping

### Expected Council Action

The Council expects a briefing on UN peacekeeping from Under-Secretary-General for Peacekeeping Operations Hervé Ladsous and force commanders Lieutenant General Carlos Alberto dos Santos Cruz (Brazil) of the UN Organization Stabilization

Mission in the DRC, Major General Jean Bosco Kazura (Rwanda) of the UN Multi-dimensional Integrated Stabilisation Mission in Mali and Lieutenant General Iqbal Singh Singha (India) of the UN Disengagement Observer Force. No outcome is expected following the briefing.

### Background

Similar sessions have been held yearly since 2012, with force commanders briefing the Council on cross-cutting operational challenges regarding the implementation of Council peacekeeping mandates and responding to members' questions. Most recently—on

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## Peacekeeping (con't)

26 June 2013—force commanders briefed Council members on the use of advanced technologies in peacekeeping, inter-mission cooperation and pre-deployment training.

Following a presidential statement on peacekeeping adopted in August 2009, which encouraged regular discussions about peacekeeping with the Department of Peacekeeping Operations and the Department of Field Support, the Council began holding a series of quarterly consultations on peacekeeping. These covered such important issues as how to formulate mandates that better address the need for balance between resources and tasks. The statement also called for better information-sharing on military operational challenges and more meaningful engagement with troop- and police-contributing countries (TCC and PCCs). Although no formal decision appears to have been taken, these quarterly peacekeeping briefings were discontinued in November 2011.

### Key Recent Developments

Most peacekeeping discussions in the Council during the past year have focused on country-specific situations. However, two recent open debates—organised by Russia and Rwanda—provided opportunities for a discussion on new trends in peacekeeping and the importance of regional partnerships for peacekeeping.

On 11 June, under the Russian presidency, an open debate was held on new trends in peacekeeping such as the establishment of more robust mandates, the use of new technology, inter-mission cooperation and multi-dimensional mandates. During the meeting, the Secretary-General announced the launch of a review of UN peacekeeping and identified “mandates, political leverage, logistical support, training, accountability, rules of engagement, technological innovation, and clarity on caveats of TCC and PCCs” as some of the areas that may warrant a review. He is expected to appoint a high-level review panel shortly.

Resolution 2167 of 28 July focused on the political, operational and financial aspects of partnerships between UN peacekeeping and regional organisations. As a concrete

follow-up, the Council asked the UN Secretariat to initiate, in cooperation with the AU, a lessons-learned exercise on the transitions from AU to UN peacekeeping operations in Mali and the CAR and to present specific recommendations for future transitional arrangements. Additionally, the resolution also asked the Secretary-General to produce, with the AU and the EU, a joint assessment report on the partnerships between the UN and regional organisations in peacekeeping operations. Although the resolution stressed the need to enhance the predictability, sustainability and flexibility of financing for regional organisations when they undertake peacekeeping under a Council mandate, it made no significant changes to the *ad hoc* financing system currently in place.

On 3 July, after lengthy negotiations, the General Assembly agreed on a \$7.06 billion budget for peacekeeping operations, which included the first increase in troop reimbursement rates in almost two decades. (Once definitive funding is approved for missions in CAR, South Sudan and Darfur the figure is expected to go up to \$8.6 billion later this year.) A summit on strengthening international peacekeeping was held on 26 September on the margins of the high-level segment of the General Assembly. The meeting was chaired by the US co-hosted by Rwanda, Bangladesh, Japan and Pakistan. The summit brought together financial contributors along with TCC and PCCs in order to make concrete commitments to support peacekeeping.

The Working Group on Peacekeeping Operations, chaired by Rwanda, has held four meetings this year on such issues as the establishment of new missions and re-hatting challenges, inter-mission cooperation, women’s participation in peacekeeping and TCC and PCCs preparedness to implement Council mandates.

The substantive session of the Special Committee on Peacekeeping Operations (C34) ran from 24 February to 21 March. Unlike last year, the C34 was able to agree on a final report. (Neither of the previous two reports had been agreed to during the substantive session, as the final 2012 report was

adopted in September 2012, and the 2011 report in May 2011.)

### Key Issues

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

A related issue is enhancing the Council’s own understanding of operational challenges in peacekeeping missions. The impact of this understanding on the timing and design of peacekeeping mandates is a further related issue.

### Options

Options for the Council include:

- taking advantage of the interactivity of the meeting’s format to tackle some of the cross-cutting operational challenges to peacekeeping;
- agreeing to more regular briefings to the Council and the Working Group by relevant force commanders as mission mandates come up for renewal; and
- reviving the practice of quarterly peacekeeping consultations on cross-cutting issues with key Secretariat officials.

### Council and Wider Dynamics

According to the report of the Finnish workshop for newly elected Council members, held on 21-22 November 2013, the annual briefing by the force commanders was raised by some Council members as a model for Council meetings, because of the substance of the topics discussed (cross-cutting operational issues for peacekeeping operations) and the interactivity allowed by the format. Although, according to the report, having regular briefings by force commanders was agreed as an outcome of the workshop (S/2014/213), there has not been a significant increase in such meetings.

Recent open debates on peacekeeping show how developments in this field are creating some momentum for key discussions at the strategic, tactical and operational levels of peacekeeping. However, interventions by member states also show how the persistent cleavage between financial contributors and TCC and PCCs frame the debate.

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**UN DOCUMENTS ON PEACEKEEPING** *Security Council Resolutions S/RES/2167* (28 July 2014) was on regional partnerships and peacekeeping. *S/RES/2086* (21 January 2013) was on multidimensional peacekeeping operations. *Security Council Presidential Statement S/PRST/2009/24* (5 August 2009) was a statement aimed at improving the Council’s dialogue with the UN Secretariat and TCC and PCCs. *Security Council Meeting Records S/PV.7196* (11 June 2014) was an open debate on new trends in peacekeeping operations. *S/PV.6987* (26 June 2013) was a briefing by force commanders focusing on advanced military technology, the need for in-mission assessments of pre-deployment training and inter-mission cooperation. *Note by the President of the Security Council S/2013/630* (28 October 2013) enumerated steps for enhancing cooperation between the Security Council and TCC and PCCs. *Selected General Assembly Documents A/68/19* (1 April 2014) was the final report of the C34.

# Women, Peace and Security

## Expected Council Action

In late October the Council will hold its annual open debate on women, peace and security. The head of UN Women will brief, possibly along with the Secretary-General, the High Commissioner for Refugees and a civil society representative. The emphasis of the debate will be on the effects of displacement on women, focusing on refugees and internally displaced persons (IDPs). A presidential statement is a possible outcome.

The Council will also consider the Secretary-General's annual report (S/2014/693) 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.

## Key Recent Developments

The open debate will focus on the additional challenges displaced women face as a result of unequal citizenship laws, asylum processes and lack of access to identification documents. It will also examine women's roles as leaders within their temporary communities as well as the conflict that caused the displacement. Participants are also likely to reflect on displaced women's heightened risk for human trafficking, sexual violence, forced marriage, early marriage and lack of access to basic resources, such as education and health services.

The UN Refugee Agency has said that forced displacement figures for 2013 exceeded 50 million, reaching levels unseen since World War II. The majority of the world's refugees originate from Afghanistan, Syria and Somalia, with new displacements from intensifying conflicts in the Central African Republic, Iraq and South Sudan. All of these conflicts are on the Council's agenda and will likely be the situations on which member states concentrate at the debate.

Of these situations, Somalia is particularly relevant in the consideration of the effects of displacement on women due to persistent allegations of sexual exploitation and abuse of Somali women and girls who live in IDP camps by troops of the AU Mission in Somalia (AMISOM) and Somali forces.

The Council's Monitoring Group that

assists the 751/1907 Somalia/Eritrea Sanctions Committee has repeatedly reported that allegations of sexual exploitation and abuse continue to be levelled on a regular basis against AMISOM troops, but the mission has not established systems to methodically investigate charges of wrongdoing in a transparent and timely manner. In addition, the Monitoring Group and the Secretary-General's reporting on conflict-related sexual violence have also laid a great deal of the blame for the preponderance of sexual violence in Somalia at the feet of on the Somali authorities—both as perpetrators and ineffectual bystanders.

In contrast, the reporting to the Council by the UN Assistance Mission in Somalia, mandated to provide support to the government, lacks the same analytical robustness on these issues, perhaps likely reflecting the Council's own primary focus on the threat *Al-Shabaab* poses to the Somali government. Similarly, despite the substantive women, peace and security references in the AMISOM mandate, in practice AMISOM's counter-terrorism role in Somalia takes precedence in Council discussions to the detriment of other issues, including the adherence to a zero tolerance policy on sexual exploitation and abuse.

In September, Human Rights Watch released a report echoing these conclusions and described AMISOM troops using a range of tactics, including humanitarian aid to coerce vulnerable women and girls into sexual activity. The report also documents cases of rape or sexual assaults on women seeking assistance at AMISOM bases.

AU troops operate under UN Security Council authorisation and the mission receives a Council-mandated logistical support package from the UN. All facets of the Council's work on Somalia, sanctions, security and political aspects, will be on the Council's October programme of work, including the renewal of AMISOM's authorisation and its logistical support package (see the Somalia brief in this *Monthly Forecast*).

In addition, Somalia is a timely case given that Council members undertook a visiting mission to Somalia in August and met with women's groups, striving to fulfil the promise in resolution 2122 to focus a visiting mission in 2014 on women, peace and security. The

UK, penholder on women, peace and security and Somalia, led this leg of the visit. Nevertheless, women's concerns garnered only cursory attention, as is the case in most Council visits. (The visiting mission also included stops at The Hague and South Sudan.)

## Key Issues

An ongoing key issue for the Council is ensuring that the norms of the women, peace and security agenda are integrated into all aspects of its work and subsequently implemented in a meaningful way. In this regard, a related 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.

How Council members will use this open debate as a platform to build momentum for the independent review of the implementation of resolution 1325 is also a key issue. (The independent review was requested by the Council in resolution 2122 in preparation for the high-level review of this thematic issue in 2015.)

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 in any prevention and protection response.

## Options

An option for the Council is to invite a female leader from one of the IDP camps in Mogadishu to brief. Such engagement would take advantage of the Council's focus in October on Somalia and women, peace and security and could demonstrate that the Council's commitment to security in Somalia goes beyond counter-terrorism.

The Council could also adopt a presidential statement that encourages UN agencies, humanitarian responders, host states and Council-mandated missions to promote women's leadership in refugee and IDP settings and to actively pursue accountability for sexual exploitation and abuse to diminish some of the risks women and girls face in displaced communities. Similar language could

**UN DOCUMENTS ON WOMEN, PEACE AND SECURITY** Security Council Resolutions S/RES/2122 (18 October 2013) addressed the persistent gaps in the implementation of the women, peace and security agenda. S/RES/2106 (24 June 2013) focused on accountability for perpetrators of sexual violence in conflict. S/RES/1325 (31 October 2000) was the founding resolution on women, peace and security. Security Council Meeting Records S/PV.7160 (25 April 2014) was an open debate on conflict-related sexual violence. S/PV.7044 (18 October 2013) was an open debate on women, peace and security. Secretary-General's Reports S/2014/693 (24 September 2014) was the most recent 1325 report. S/2014/181 (13 March 2014) was on conflict-related sexual violence.

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

also be incorporated in the expected renewal of the AMISOM authorisation.

### Council Dynamics

Council members are generally supportive, or at least neutral, on this thematic issue, and most view 2014 as a year to consolidate implementation of resolutions 2106

and 2122. Since the Council has not sought new outcomes on women, peace and security recently, the dynamic among members has been relatively quiet.

However, the calm may be disrupted if a draft presidential statement is circulated for negotiation. Several Council members would likely use these negotiations as an

opportunity to set forth expectations for the 2015 high-level review of resolution 1325 and anticipate that China and Russia may in turn be interested in curtailing those expectations.

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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## Haiti

### Expected Council Action

In October the Security Council will adopt a resolution extending the UN Stabilization Mission in Haiti (MINUSTAH) before the current mandate expires on 15 October.

### Key Recent Developments

On 11 September, the Council held a debate on the Secretary-General's latest report on MINUSTAH (S/2014/617), featuring a briefing by the Special Representative and head of mission, Sandra Honoré. Haiti also participated in the debate, along with Brazil, Canada, Colombia, Ecuador, Guatemala, Mexico, Peru, Spain, Uruguay and the EU.

Commenting on the political deadlock over the electoral process, Honoré said that, given the time needed for logistical preparations, the window for holding the elections before the end of the year was rapidly closing. She noted that if elections were not held by 12 January 2015 (when the terms of the remaining two-thirds of the senators and all members of the chamber of deputies expire) parliament would become dysfunctional and a constitutional vacuum would result. She welcomed ongoing efforts to find a way out of the impasse but emphasised that any solution must be based on the constitution and have a solid legal frame allowing for "credible, inclusive and transparent elections".

With regard to the Secretary-General's recommendation in his report for a further drawdown of MINUSTAH, Honoré stressed that this was based on a careful analysis of the situation on the ground, the capacity of the Haitian National Police (HNP) and the mission's activities. (The report calls for a downsizing of the mission's military component by

over 50 percent by June 2015.) She expressed confidence that the mission would be able to fulfil its mandate with a reduced presence, including in areas related to the electoral process and development of the HNP. While noting that the performance of the police continued to improve, Honoré nevertheless strongly emphasised that all stakeholders had to redouble their efforts to enable the police to meet major benchmarks by 2016 and assume full responsibility for security and stability in Haiti.

In the period since the Council's meeting, there appears to have been little progress towards resolving the political deadlock. Efforts to launch a new dialogue between President Michel Martelly and the senators blocking the adoption of the amended electoral law (which is needed for the elections process to move forward) have been unsuccessful so far. The senators have continued to refuse to meet with the president, and did not participate in consultations convened by Martelly on 22 and 23 September.

On 24 September, Martelly departed for New York and on 26 September spoke at General Assembly where he said he had spared no effort in trying to find a consensus on the elections and also expressed support for the gradual withdrawal of MINUSTAH. He attended a donors' meeting on 25 September.

Adding to the already difficult political situation, there has been increasing controversy about the investigation of former president Jean-Bertrand Aristide on charges of corruption. Amid ongoing demonstrations by Aristide's supporters claiming the investigation was politically motivated, the

Martelly-appointed investigative judge issued an order for Aristide to be put under house arrest. A delegation of opposition politicians visited Aristide on 16 September to show their solidarity, defying the judge's order that all visitors seek permission in advance.

In other developments, on 20 September five inmates escaped from a prison in Cap-Haitien. That followed a 10 August breakout from a prison in Port-au-Prince in which 329 prisoners escaped (and of whom only 80 have been caught), thus adding to already existing concerns about the capacity of the Haitian corrections sector.

### Key Issues

The continued political impasse over matters relating to the elections remains a key issue for the Council, in particular with regard to its potential impact on the security situation and the future stability and development of Haiti.

A further key issue for the Council in October is the renewal of MINUSTAH's mandate and whether to authorise a reduction in its military strength. This includes the question of whether the timing is right for such a decision amid continuing uncertainty surrounding the elections and growing concerns that the deadlock might lead to a constitutional crisis.

Other ongoing key issues include the need to strengthen the rule of law, enhance the capacity of the HNP, improve the humanitarian situation, combat cholera and promote economic development.

### Options

Options for the Council include adopting a resolution which could:

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UN DOCUMENTS ON HAITI Security Council Resolution S/RES/2119 (10 October 2013) renewed MINUSTAH's mandate until 15 October 2014. Secretary-General's Report S/2014/617 (29 August 2014) was the latest MINUSTAH report. Security Council Meeting Records S/PV.7262 (11 September 2014) was the most recent debate on Haiti. S/PV.7040 (10 October 2013) was the adoption of resolution 2119 with a UK explanation of vote.

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## Haiti (con't)

- extend MINUSTAH's mandate for one year and authorising a further drawdown of the mission's military component by June from 5,021 personnel to 2,370 (equivalent of two battalions) while keeping the police contingent unchanged at 2,601, as recommended by the Secretary-General; or
- authorise a short term technical roll-over of four to six months that would keep current numbers in place in anticipation of more clarity on the timeline for elections; and
- express concern about the political crisis and its impact on the stability and socio-economic development of Haiti, urging political actors to resolve their differences and calling for fair, just and transparent elections to be held as soon as possible.

### Council and Wider Dynamics

At press time, the Council had yet to begin negotiations on MINUSTAH's mandate renewal, but most members indicated their

positions in the 11 September debate, with the overwhelming majority supporting the Secretary-General's recommendation. Argentina and Chile, however, reiterated concerns expressed earlier about the risks associated with an accelerated drawdown while Jordan also seemed to have some reservations.

At the time of writing, it was unclear how these divisions might be bridged. The US is the penholder on MINUSTAH and normally prepares the first draft resolution on the basis of discussions in the Group of Friends on Haiti, but so far this group has also been divided. (The Group of Friends comprises Argentina, Brazil, Canada, Chile, Colombia, France, Guatemala, Peru, the US and Uruguay, which is the chair.) Brazil, Canada, France and the US strongly favour the proposed drawdown plan, emphasising that it is the result of a careful and thorough review and has the support of the force commander and the Haitian government, but the other Latin American members of the group appear to support a proposal made by Chile to extend MINUSTAH's

mandate for a period of six months without any reduction in its authorised strength.

Also, it is possible that continuing differences among Council members over whether MINUSTAH should be mandated to conduct so-called quick-impact projects may affect the negotiations. When MINUSTAH's mandate was last renewed in October 2013, the UK gave an explanation of vote in which it called for an end to this practice, arguing that other UN actors were better placed to perform such tasks. Other Council members, however, seem to feel equally strongly that quick-impact projects are still relevant to the objectives of the mission.

Discussions in the Group of Friends were on hold during the ministerial week of the General Assembly, but MINUSTAH's mandate renewal was expected to be a theme in some of the bilateral high-level meetings during this time, along with the larger issues related to the situation in Haiti. At press time, the Group of Friends was expected to meet again on 30 September.

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## Israel/Palestine

### Expected Council Action

In October, Under-Secretary-General for Political Affairs Jeffrey Feltman will brief the Council during its quarterly open debate on the Middle East. Feltman is likely to focus on developments following the 26 August Egyptian-brokered ceasefire that ended 50 days of fighting between Israel and Gaza militants.

### Key Recent Developments

The Council was last briefed on the situation by Special Coordinator for the Middle East Peace Process Robert Serry on 16 September during the monthly meeting on the Middle East. He characterised the situation in Gaza as worryingly fragile and advocated that the calm brokered in Cairo be solidified through continuing talks under Egyptian auspices to resolve outstanding issues.

Serry stressed that Gaza must now be opened for reconstruction and recovery, while security concerns with regard to dual-use material must be addressed. To this end, he announced that he had brokered a trilateral agreement among Israel, the Palestinian Authority (PA) and the UN to enable work at the scale required in Gaza. The agreement gives a lead role to the PA in the reconstruction effort while providing security assurances through UN monitoring, that construction materials will not be diverted from their civilian purposes. Serry said he would welcome the Council's support and guidance in the implementation of the agreement. He asserted that the Palestinian Government of National Consensus, under President Mahmoud Abbas's leadership, must be empowered to assume its rightful responsibilities and

oversee the reconstruction.

Regarding accountability for alleged violations of international law committed by both sides during the hostilities, Serry noted that the Secretary-General plans to commission a board of inquiry to investigate a number of incidents involving UN premises.

The parties resumed negotiations in Cairo on 23 September to address outstanding issues. The following day, the head of the Palestinian Fatah delegation, Azzam al-Ahmad, met with Hamas deputy leader, Musa Abu Marzouk, to begin reconciliation talks on issues including security, elections and governance of Gaza.

Meanwhile, Abbas has been working to garner support for a peace plan that he hopes will be adopted in a Council resolution. Speaking to the General Assembly on

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**UN DOCUMENTS ON ISRAEL/PALESTINE** [Security Council Resolution S/RES/1860](#) (8 January 2009) called for an immediate, durable and fully respected ceasefire leading to the full withdrawal of Israeli forces from Gaza. [Security Council Presidential Statement S/PRST/2014/13](#) (28 July 2014) called for respect for international humanitarian law, expressed support for an immediate ceasefire, called on parties to engage to achieve a durable ceasefire and called for the implementation of resolution 1860. [Secretary-General's Report S/2014/650](#) (4 September 2014) was a report on the question of Palestine submitted to the General Assembly. [Security Council Letter S/2014/621](#) (25 August 2014) was a letter from Palestine reminding member states of their obligations to investigate and prosecute humanitarian law violations, including those committed by their nationals serving in Israeli forces. [Security Council Meeting Records S/PV.7266](#) (16 September 2014) was the most recent briefing by Serry. [S/PV.7232](#) (31 July 2014) was an urgent meeting on the humanitarian situation in Gaza, a day after Israel's shelling of a UN shelter. [Security Council Press Statement SC/11472](#) (12 July 2014) called for de-escalation, reinstatement of the November 2012 ceasefire, respect for international humanitarian law and support for the resumption of direct negotiations. [Other S/2014/568](#) (4 August 2014) was the draft resolution on Gaza put in blue by Jordan. [General Assembly Documents A/RES/194](#) (11 December 1948) called for a right of return for Palestinian refugees.

## Israel/Palestine (con't)

26 September, Abbas said the plan would set a deadline for Israel's withdrawal from the West Bank and for the establishment of an independent Palestinian state, with East Jerusalem as its capital, over the entire territory occupied in 1967, and would entail a solution to the plight of Palestine refugees on the basis of General Assembly resolution 194 of 1948. This plan would be linked to the immediate resumption of negotiations to demarcate the borders, reach a comprehensive agreement and draft a peace treaty. On 4 September, Palestinian officials met with US Secretary of State John Kerry to present the plan. Speaking with Abbas at a joint press conference on 19 September, French President Francois Hollande said, "We will have a resolution, to be presented to the Security Council, [it] will say very clearly...what the solution to the conflict must be". Abbas had presented the plan to the Arab League on 7 September, and the group later adopted a resolution reaffirming the "Arab decision" to approach the Security Council for such a resolution. Palestinian authorities have publicly noted that if such a resolution were to be put forth and vetoed by the US, other avenues could include going to the General Assembly and the ICC.

On 31 August, Israel announced its intentions to expropriate close to 1,000 acres of Palestinian land in the area of Bethlehem in the occupied West Bank. The US called on Israel to rethink the move, with the State Department reiterating its long-held policy of opposing settlement expansion. On 9 September, the envoys of five EU countries—the UK, France, Germany, Italy and Spain—submitted a joint official protest to Israeli Prime Minister Benjamin Netanyahu's office. The Secretary-General issued a statement saying the seizure "risks paving the way for further settlement activity, which... is illegal under international law and runs totally counter to the pursuit of a two-state solution".

On 22 September, the Ad Hoc Liaison Committee, which seeks to promote dialogue between donors, the PA and the Israeli government, met at UN headquarters. A donor conference co-hosted by Egypt and Norway will be held in Cairo on 12 October. The PA estimates that the reconstruction of Gaza will cost \$7.8 billion.

### Human Rights-Related Developments

The Human Rights Council held a special session

on 23 July and passed a resolution condemning widespread, systematic and gross violations of international human rights arising from Israeli military operations carried out in the Occupied Palestinian Territories beginning on 13 June (A/HRC/RES/S-21/1). The resolution established an independent, international commission of inquiry to investigate all violations of international humanitarian and human rights law, identify those responsible and propose ways and means to protect civilians. A written report is to be presented in March 2015. The resolution was adopted by a vote of 29 in favour, with the US voting against and 17 abstentions, including Security Council members France, the Republic of Korea and the UK. Doudou Diène (Senegal), William Schabas (Canada) and Mary McGowan Davis (US) were appointed as members of the commission of inquiry.

The new Special Rapporteur on the Palestinian territories occupied since 1967, Makarim Wibisono, will undertake his first official visit to the region from 20 to 28 September to gather first-hand information on the current human rights situation there following Israel's military operations, with a focus on children. Despite requests, he was not granted access by Israel and will instead visit Egypt and Jordan and seek access to Gaza through the Rafah crossing. A press conference was planned for 28 September, with an oral update to the General Assembly in October and a report to the Human Rights Council in March 2015.

### Key Issues

Key issues for the Council pertaining to Gaza in the post-ceasefire phase include the role it can play in solidifying the cessation of hostilities through negotiations on outstanding issues and achieving a clearly defined agreement, while ensuring that such an agreement prohibits a return to the status quo by providing for the lifting of the blockade and establishing security arrangements to prevent a resumption of hostilities.

Encouraging and facilitating emergency humanitarian and reconstruction assistance for the devastated Gaza Strip remains a key issue.

Another key issue regarding Gaza is ensuring that impartial investigations into alleged war crimes committed during the conflict are conducted and that those found accountable are prosecuted.

The overarching issue is determining how to move forward on achieving a two-state solution in light of the breakdown of US-brokered negotiations in late April.

A related issue for the Council is Israel's continuing settlement expansion in the West

Bank, which undermines prospects for attaining a peace agreement.

### Options

One option is for the Council to adopt a resolution concerning Gaza that supports the ceasefire and also tackles the root causes of the conflict. Such a resolution could provide for the establishment of a mechanism to monitor compliance with the ceasefire agreement.

Another option is to adopt a resolution that addresses the conflict in its entirety, rather than narrowly addressing Gaza.

Issuing a statement welcoming the trilateral agreement on reconstruction brokered by Serry is a further option.

### Council Dynamics

The Council met several times throughout the most recent outbreak of violence, with meetings called by Jordan as the Arab Group representative, though outcomes have been weak, with the Council issuing one press statement and one presidential statement. (Council action on the issue has long been constrained by the veto-wielding US, which traditionally protects Israeli interests, making the adoption of decisions critical of Israel's conduct or limiting Israel's options hard to achieve.)

Jordan circulated a draft resolution on 22 July that called for an immediate ceasefire and the "withdrawal of the Israeli occupying forces" from Gaza, lifting of the blockade and renewed efforts to achieve a comprehensive peace based on the vision of two states on pre-1967 borders. This draft was discussed several times in consultations; however, consensus was never reached as some members, particularly the European members, felt that a resolution ought to be sequenced after a ceasefire agreement was reached and should support the cessation of hostilities. The US did not engage on the substance of the draft. On 4 August, Jordan put the resolution in blue, with no action taken at press time.

Two other draft resolutions—one drafted by France, the UK and Germany, and another later by the US—surfaced in late August. While the drafts differed, particularly on the establishment of a mechanism to monitor the provisions of any ceasefire reached, both sought to address obstacles to establishing a durable peace and called for a sustainable ceasefire on the basis of returning Gaza to the PA's control, security arrangements to

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## Israel/Palestine (con't)

prevent a resumption of hostilities and the lifting of economic and humanitarian restrictions. The drafts were discussed bilaterally, mainly between the P3 and Jordan. These negotiations appeared to be proceeding with some urgency in mid-September. However,

it appears that both Israel and Palestine may have had reservations concerning the text. At press time—a month after the ceasefire was brokered—no further texts had been circulated to the larger Council membership.

It remains to be seen how Council

members will receive Abbas' initiative for a resolution setting a deadline for ending the occupation. France has publicly announced support for the initiative, and Jordan would also endorse the resolution.

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## Western Sahara

### Expected Council Action

In October, Council members expect a briefing in consultations by Christopher Ross, the Secretary-General's Personal Envoy for Western Sahara. The incoming Special Representative and head of the UN Mission for the Referendum in Western Sahara (MINURSO) Kim Bolduc, may also brief the Council. MINURSO's mandate expires on 30 April 2015.

### Key Recent Developments

The Council last considered Western Sahara in April prior to adopting resolution 2152, which extended the mandate of MINURSO for a year. The resolution supported the Secretary-General's request for 15 additional military observers; encouraged the parties to continue their efforts to enhance the promotion and protection of human rights in Western Sahara and the refugee camps in Tindouf, Algeria that house approximately 95,000 Sahrawis, including the freedom of expression and association; and welcomed initiatives taken by Morocco, including the then-planned visit of the High Commissioner for Human Rights in 2014, which took place in May.

On 16 April, the Council held a meeting with MINURSO's troop- and police-contributing countries. On 17 April, then Special Representative Wolfgang Weisbrod-Weber (he left his post on 31 July) briefed Council members in consultations along with Ross on MINURSO's activities and developments covered in the latest MINURSO report. On Ross' current strategy of bilateral consultations and shuttle diplomacy, in which he meets with the parties as well as Algeria and Morocco, the report says that Ross' October briefing "will provide an opportunity to

convey a first assessment on whether or not this new approach is proving fruitful", and if no progress occurs before April 2015, "the time will have come to engage the members of the Council in a comprehensive review of the framework that it provided for the negotiating process in April 2007."

On 6 May, the Secretary-General sent a letter to the Council announcing his intention to appoint Kim Bolduc (Canada) as his Special Representative and head of MINURSO. Bolduc was to take up her position on 1 August, replacing Weisbrod-Weber. Morocco was apparently displeased that it had not been consulted about the appointment and at press time Bolduc had not yet been able to travel to her post.

Oil exploration and resource exploitation in the territory continue. On 19 June, Mohamed Abdelaziz, Secretary General of the *Frente Popular para la Liberación de Saguía el-Hamra y Río de Oro*, or Polisario, sent a letter to the Secretary-General concerning the recently renewed Moroccan contracts with US and French firms for oil and gas exploratory drilling off the coast of Western Sahara. The letter said that these contracts were not in accordance with the wishes of the Sahrawi people and undermined the negotiation efforts of the Special Envoy. Abdelaziz urged the Secretary-General to call upon Morocco and the companies concerned to "immediately desist from any further illegal activities with respect to the natural resources of Western Sahara". In light of the increased interest in the natural resources of Western Sahara, the Secretary-General in his April report called on all relevant actors to "recognize the principle that the interests of the inhabitants of these territories are paramount", in accordance with Chapter 11, article 73 of

the UN Charter.

In late June, during its summit in Malabo, Equatorial Guinea, the AU appointed former Mozambican President Joaquim Chissano as its Special Envoy for Western Sahara. Chissano's role will be to seek ways for the AU to support international efforts aimed at finding a settlement to the conflict. Morocco's foreign office dismissed the appointment, contending that "the African Union has no legal basis, no political fundament, nor moral legitimacy to intervene in that issue which is the exclusive domain of the United Nations". (Morocco left the AU's precursor, the Organisation of African Unity, in 1984 after it granted membership to the Polisario-proclaimed Sahrawi Arab Democratic Republic.)

Meanwhile, tensions between Morocco and Algeria continue to escalate. In mid-July, Morocco announced the construction of an electric fence along the border with Algeria, with a stated purpose of protecting Morocco against terrorist threats from the Sahel. Algeria responded by deploying troops along the border.

### Human Rights-Related Developments

Navi Pillay, who was then High Commissioner for Human Rights, visited Morocco from 26 to 29 May. It was the first visit by a High Commissioner for Human Rights in 13 years. In a press conference in Rabat on 29 May, Pillay who did not visit Western Sahara, reported that a technical team from her office did so prior to her visit. The team reported state development projects and investments in economic, social and cultural areas, but also heightened scrutiny by the state of the exercise of freedom of expression, association and peaceful assembly. Pillay welcomed invitations extended to UN independent human rights experts to visit Western Sahara. Pillay commended recent developments in Morocco, including the strengthening of the National Council for

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**UN DOCUMENTS ON WESTERN SAHARA** Security Council Resolutions S/RES/2152 (29 April 2014) renewed the mandate of MINURSO for one year, until 30 April 2015. S/RES/1754 (30 April 2007) provided the framework for the negotiating process. **Secretary-General's Report S/2014/258** (10 April 2014) was the most recent MINURSO report. **Security Council Letters S/2014/322** (6 May 2014) was a letter from the Secretary-General announcing his intention to appoint Kim Bolduc as his Special Representative and head of MINURSO. S/2007/210 (16 April 2007) was a letter from South Africa to the Council transmitting the Polisario's proposal for a political solution. S/2007/206 (11 April 2007) was a letter from Morocco to the Council transmitting the Moroccan initiative for "negotiating an autonomy statute for the Sahara region".

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## Western Sahara (con't)

Human Rights (CNDH) and the creation of an inter-ministerial delegation on human rights, but noted that protections under the constitution and legislative reforms needed better implementation. Addressing the issue of torture, Pillay welcomed the creation of the National Preventive Mechanism while calling for a thorough investigation into the case of 21 prisoners arrested at Gdiem Izik, a protest camp in the Moroccan-controlled part of Western Sahara that was dismantled by police in November 2010. She also offered technical assistance and capacity-building for the regional commissions of the CNDH, which she said were playing an encouraging role in Western Sahara.

### Key Issues

The ongoing core issue for the Security Council remains supporting the process of devising a political solution and form of self-determination for Western Sahara.

At this time the main issue is ascertaining what the Council can do to break the deadlock between the parties and, in the likely event that no progress is made by April 2015, determining what alternative approach ought to be adopted by Special Envoy Ross.

A key issue is that given the protracted nature of the conflict, the threat of a resumption of military hostilities exists. There is also the threat of popular unrest and the recruitment of frustrated Sahrawi youth, who have spent their entire life in the camps, by violent extremist or criminal networks proliferating throughout the region.

Another key issue is the question of the legality of natural resource exploration and

exploitation. In January 2002, in response to a 13 November 2001 request from the Security Council for an opinion on “the legality in the context of international law, including relevant resolutions of the Security Council and the General Assembly of the United Nations, and agreements concerning Western Sahara of actions allegedly taken by the Moroccan authorities consisting in the offering and signing of contracts with foreign companies for the exploration of mineral resources in Western Sahara”, then Under-Secretary-General for Legal Affairs Hans Corell issued an extensive opinion. It said that “if further exploration and exploitation activities were to proceed in disregard of the interests and wishes of the people of Western Sahara, they would be in violation of the principles of international law applicable to mineral resource activities in Non-Self-Governing Territories” (S/2002/161). The Council has not addressed the question of natural resources since receiving the Corell opinion.

Human rights monitoring and agreement on a mechanism that is independent, impartial, sustained and comprehensive is an ongoing issue.

The deteriorating relationship between Morocco and Algeria remains an issue of concern.

### Options

One option for the Council is to simply receive the briefing and take no action.

Revisiting a discussion of the Correll opinion is another option.

Undertaking a visit to Western Sahara prior to the April expiry of MINURSO’s mandate is a further option.

Recognising the lack of progress between the parties, the Council could also explore options for innovating its approach to the conflict by organising additional meetings with the parties and stakeholders, such as convening regular public briefings in addition to consultations, inviting relevant UN organs such as UN High Commissioners for Refugees and Human Rights to brief the Council or convening separate Arrria formula meetings with the parties.

### Council Dynamics

Council members remain supportive of the shuttle diplomacy undertaken by Ross.

The Group of Friends on Western Sahara—France, Russia, Spain, the UK and the US—four of whom are permanent Council members, joined by Spain as the former colonial power, leads on decisions pertaining to this issue. The role of other Council members remains limited and, generally, most other members do not follow the situation closely apart from receiving the semi-annual briefings and annual report of the Secretary-General.

The US is the penholder on Western Sahara.

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## Sudan and South Sudan

### Expected Council Action

Council members are expected to hold consultations on the UN Interim Security Force for Abyei (UNISFA) and adopt a resolution renewing the mandate of the mission prior to its expiration on 15 October. A high-level representative from the Department of Peacekeeping Operations is expected to brief during the consultations.

### Key Recent Developments

Abyei remains one of the most intractable issues in Sudan-South Sudan relations. Both

countries still cannot agree on the criteria for voter participation in a referendum to determine whether Abyei joins Sudan or South Sudan. Sudan continues to maintain a security presence in this disputed area and South Sudanese troops sporadically infiltrate Abyei in contravention of the 20 June 2011 agreement and resolutions 1990 and 2046, prompting concerns that Abyei could become a powder-keg for a Sudan-South Sudan war. Additionally, temporary administrative and security units—including the Abyei Area Executive Council, the Abyei

Area Administration and the Abyei Police Service—envisaged by the 2011 agreement and designed to provide stability to the region until its final status can be determined have never been established.

In his July report on Abyei, the Secretary-General reiterated his concern about “the potential for a serious escalation of tensions between the Ngok-Dinka and Misseriya communities that could lead to an outbreak of hostilities during the upcoming migration season”, which is expected to begin in November. Analysts have long feared that

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UN DOCUMENTS ON SUDAN/SOUTH SUDAN [Security Council Resolution S/RES/2156](#) (29 May 2014) renewed the mandate of UNISFA until 15 October. [Secretary-General's Report S/2014/518](#) (23 July 2014) was a report of the Secretary-General on Abyei. [Security Council Letter S/2011/384](#) (23 June 2011) contained the 20 June 2011 agreement between Sudan and South Sudan.

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## Sudan and South Sudan (con't)

skirmishes between the Ngok-Dinka (a group with significant representation among South Sudan's leadership whose ancestral homeland is Abyei) and the Misseriya (a migratory Arab group that travels through Abyei to graze its cattle) could spark a conflict between Sudan and South Sudan. The anger and frustration of the Ngok-Dinka have been particularly pronounced since the assassination of their paramount chief at the hands of a Misseriya gunman in May 2013 and the unwillingness of Sudan and South Sudan to honour the results of the Ngok-Dinka's unilateral Abyei referendum in October 2013, in which they voted overwhelmingly to join South Sudan.

On 12 September, the AU Peace and Security Council adopted a communiqué [PSC/PR/COMM.(CDLVI)] on the work of the AU High-Level Implementation Panel (AUHIP) mediating between Sudan and South Sudan, in which it expressed "concern that key elements of the June 2011 agreement have not yet been implemented, and that these delays affect the normalization of the life of the people of Abyei". The communiqué also recalls the affirmations of President Omar al-Bashir of Sudan and President Salva Kiir of South Sudan that they would work together to address the final status of Abyei.

On 7 September, the National Election Commission of Sudan announced that Abyei would be included among the areas participating in Sudan's 2015 national elections. South Sudan has contested this decision, with Kiir spokesman Ateny Wek Ateny, arguing that "neither Juba nor Khartoum can take a unilateral decision" regarding the status of the region.

While engaging with Council members

in an informal interactive dialogue on 17 September, Thabo Mbeki, the AUHIP chair, admitted the need for a strategy on Abyei but noted that South Sudan's preoccupation with its own civil war had distracted it from focusing on the region. Mbeki also alluded to South Sudan's concerns about the placement of the centre line of the Safe Demilitarised Border Zone, a buffer zone between Sudan and South Sudan. According to the Secretary-General's 23 July report on Abyei, South Sudan is concerned that the coordinates of the centre line could be used to "demarcate the agreed border corridors in disputed border areas [which] would then amount to de facto border demarcation." (Sudan and South Sudan have yet to make progress on border demarcation.)

The rainy season has hampered the operation of the Joint Border Verification and Monitoring Mechanism (JBVMM) along the Sudan-South Sudan border in recent months. Several JBVMM missions have been cancelled—including on 31 July and 6 August—because of poor weather conditions, which limit visibility. (The monitoring missions are currently done via air because adequate troop strength is not yet available to protect the monitors, and operating bases for the monitors are still being constructed.)

### Key Issues

A key issue is ensuring that the challenging security situation in Abyei does not escalate into large-scale violence, given the ongoing tensions between the Misseriya and Ngok-Dinka communities, the presence of Sudanese police in Abyei and the intermittent incursions of South Sudanese troops there.

A related issue is how to jump-start negotiations between Sudan and South Sudan on the establishment of temporary administrative institutions in Abyei and the final status of the region.

### Options

The most likely option is for the Council to renew the mandate of UNISFA for an additional four months. In doing so, it could choose to:

- reiterate its demands for Sudan and South Sudan to withdraw security forces from Abyei;
- urge the two countries to reengage in concerted negotiations to establish temporary administrative institutions in Abyei; and
- call on the parties to revitalise the Abyei Joint Oversight Committee, which has been dormant for well over a year, to oversee political and security issues in Abyei.

### Council Dynamics

The Council remains frustrated with the lack of progress by Sudan and South Sudan in resolving the political and security challenges facing them in the Abyei. There is an understanding in the Council that while this impasse remains, Abyei will continue to be unstable. Some members also appear to be impatient about the fact that what was supposed to be an interim force to provide order in the region and protect its residents has now dragged on for more than three years without the parties coming to agreement on the fundamental issues dividing them.

The US is the penholder on UNISFA.

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## Democratic Republic of the Congo

### Expected Council Action

In October, the Council will be briefed by Special Representative Martin Kobler, head of the UN Organization Stabilization Mission in the Democratic Republic of Congo (MONUSCO), as well as the recently appointed Special Envoy to the Great Lakes Region, Said Djinnit. The briefing will be followed by consultations.

The mandate of MONUSCO—including

its intervention brigade—expires on 31 March 2015.

### Key Recent Developments

The Council was last briefed on the situation in the DRC on 7 August by Kobler and outgoing Special Envoy to the Great Lakes Region Mary Robinson. Also addressing the Council was Angola's Minister of Defence João Manuel Gonçalves Lourenço,

representing the International Conference of the Great Lakes Region (ICGLR).

Kobler told Council members that, despite greatly improved security and last year's surrender of the March 23 rebel movement (M23), the protracted conflict in the DRC would persist if other armed groups in the east failed to lay down their weapons. He specifically singled out the *Forces démocratiques de libération du Rwanda* (FDLR), as

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

some 1,500 of its combatants remain active and are not conforming to the DRC's six-month voluntary disarmament plan. Kobler further expressed his support for the position of the Southern African Development Community (SADC) and the ICGLR countries to use force against those unwilling to disarm. Lourenço expressed his concerns over the slow progress of the voluntary surrender and disarmament of FDLR members.

The ICGLR held a mini-summit on 13-14 August on the DRC and the Great Lakes Region resulting in a communiqué giving the FDLR an ultimatum for voluntary surrender by 2 December as set out by a joint ICGLR-SADC meeting of defence ministers on 2 July. (The communiqué, however, contained a reservation by Rwanda, which opposes any postponement of military action against the FDLR). It also announced ICGLR's intention to review the surrender process in October so as to measure progress and plan military action if necessary.

On 26 August, Council members issued a press statement expressing deep concern regarding the sustained threat posed by FDLR and reaffirming support for its swift neutralisation. Council members took note of the ICGLR-SADC ultimatum. The statement further expressed concern about reports indicating that the FDLR has interpreted the ultimatum's timeline as a pretext to stall previously scheduled demobilisations. The statement also encouraged the DRC to maintain military pressure against those leaders and members of the FDLR who do not engage in the demobilisation process or who continue to carry out human rights abuses.

The press statement also called for the full and swift implementation by the DRC of its national commitments under the Peace, Security and Cooperation Framework (PSC Framework), particularly regarding security sector reform. It noted the need to hasten the return from Rwanda and Uganda to the DRC of former M23 combatants who are eligible for reintegration.

On 20 August, in response to Kobler's call on *Radio France Internationale* for FDLR

combatants to disarm and be repatriated to Rwanda, six Rwandan opposition parties issued a press release, rejecting the call and indicating that Rwanda would not uphold the combatants' rights if they returned. In a 1 September letter to the chair of the SADC, President Robert Mugabe of Zimbabwe, the FDLR reiterated its commitment to disarmament and called for political pressure to be applied to Rwanda to enter political dialogue.

The Regional Oversight Mechanism of the PSC Framework, comprised of its signatories, met in New York on 22 September, on the margins of the General Assembly. A communiqué issued at the end of the meeting called upon all concerned stakeholders to step up efforts to neutralise all negative forces, accelerate the implementation of the agreement between the DRC and the M23, fully restore state authority in eastern DRC and end impunity.

According to media reports on 14 September, Didier Bitaki—the leader of the 2,800-member *Mai Mai Kifua* group, which operates in Walikale territory in North Kivu Province—said that his group will not disarm before the government provides assurances that it will protect civilians in the territory the group controls and sends the Congolese military to control that area.

On 19 September, DRC President Joseph Kabila promoted General Gabriel Amisi, to head of one of three newly-created national zones of defence, comprising the capital Kinshasa and western provinces. Amisi was previously suspended after a report by the Group of Experts assisting the DRC Sanctions Committee had accused him of supplying arms to rebel forces as part of a criminal network for personal gain (S/2012/843).

Kabila is also rumoured to be considering a constitutional amendment that would allow him to run for a third term in 2016. (Kabila has not announced any plans to stand again, but a number of his supporters have made public appeals for him to change the constitution before his second term expires in 2016.)

In sanctions-related developments, on 20

August, Ambassador Dina Kawar (Jordan), the chair of the 1533 DRC Sanctions Committee, briefed Council members in consultations on the activities of the Committee and the Group of Experts' midterm report (S/2014/428). (For more on the midterm report, see our August *Monthly Forecast*).

### Human Rights-Related Developments

On 26 September, the Human Rights Council adopted a resolution requesting the High Commissioner for Human Rights to commission a study on the impact of technical assistance and capacity building on the human rights situation in the DRC and to present it at the Human Rights Council's thirtieth regular session (A/HRC/27/L.32).

### Key Issues

A key issue for the Council is to oversee MONUSCO's operations, including the intervention brigade, in neutralising the rebel groups, including the FDLR.

Another key issue is to ensure the implementation of the PSC Framework at the national and regional levels, in particular the disarmament and reintegration of combatants.

A continuing issue is the transition of MONUSCO's operations from western to eastern DRC and the operations of the intervention brigade.

### Options

Options include taking no action at this time or adopting a statement:

- calling on the DRC and other countries to improve implementation of their commitments under the PSC Framework;
- expressing concern over continued violence in eastern DRC and calling for armed groups to disarm and undergo reintegration; and
- expressing support for the activities of the ICGLR and the SADC, in particular in support of DRC action against the FDLR and other groups.

### Council Dynamics

Council members continue to be concerned with the slow or stalled progress on several

**UN DOCUMENTS ON THE DRC** [Security Council Resolutions S/RES/2147](#) (28 March 2014) renewed the mandate of MONUSCO, including its intervention brigade, until 31 March 2015. [S/RES/2136](#) (30 January 2014) renewed the sanctions regime and the mandate of the DRC Group of Experts. [Security Council Press Statement SC/11533](#) (26 August 2014) reaffirmed support for the swift neutralisation of the FDLR. [Security Council Meeting Record S/PV.7237](#) (7 August 2014) was a briefing by Kobler and Robinson on the DRC chaired by UK Under-Secretary of State for Foreign and Commonwealth Affairs Mark Simmonds. [Secretary-General's Reports S/2014/450](#) (30 June 2014) was a report on MONUSCO. [Sanctions Committee Documents S/2014/428](#) (19 June 2014) was the DRC Group of Experts midterm report.

**OTHER RELEVANT FACTS** [Special Representative of the Secretary-General and Head of Mission](#) Martin Kobler (Germany). [MONUSCO Force Commander](#) Lt. Gen. Carlos Alberto dos Santos Cruz (Brazil). [MONUSCO Size, Composition and Cost of Mission Strength as of 31 July 2014](#): 21,187 troops (including 484 military observers and 1,164 police), 963 international civilian personnel, 2,964 local civilian staff and 477 UN volunteers. [Approved budget \(1 July 2013-30 June 2014\)](#): \$1.46 billion. [Mission Duration](#): July 2010 to present.

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

fronts of the PSC Framework commitments. Several Council members are of the view that at this point, more focus should be given to national reforms, the reintegration of former rebels, neutralising remaining groups and the establishment of state authority. They hope that Djinnit, briefing for the first time

as Special Envoy, will be able to report on renewed progress on at least some issues.

Council members will be monitoring closely the results of the ICGLR-SADC summit in October and any decisions taken on further action against the FDLR, which has shown no recent signs of laying down its arms.

Several Council members are of the view that the situation must be monitored closely to ensure that the DRC government follows through on this issue so that security and state authority are established in eastern DRC.

France is the penholder on the DRC.

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## Lebanon

### Expected Council Action

Council members expect to receive the semi-annual briefing in consultations from Special Envoy Terje Rød-Larsen on the latest report on the implementation of resolution 1559, which is due in early October. Adopted in 2004, resolution 1559 urged the disarmament of all militias and the extension of government control over all Lebanese territory. Discussion is expected to focus on the enormous impact the Syrian crisis is having on the political, security and humanitarian situations in Lebanon.

### Key Recent Developments

The Syrian crisis continues to have deleterious effects on Lebanon. Though Lebanon maintains an official position of disassociation from the Syrian conflict, Lebanese militants continue to engage in the conflict, in violation of resolution 1559, and extremist groups have launched several attacks on Lebanese security forces in border areas.

Fighting on Lebanon's eastern border with Syria continues to threaten stability, with on-going conflict in Aarsal, in the Bekaa Valley bordering Syria. At least 19 Lebanese security personnel were killed during five days of intense fighting in early August between Lebanese forces and extremists from the Islamic State of Iraq and al-Sham (ISIS) and Al-Nusra Front, and while the militants were forced to retreat from Aarsal, they did so with 29 kidnapped security personnel, from the Lebanese Armed Forces (LAF) and Internal Security Forces (ISF). Both ISIS and Al-Nusra demanded the release of Islamist prisoners being held in Roumieh Prison in return

for the soldiers. The Lebanese government has been engaged in indirect negotiations with the militants—mediated by Qatar—to secure the release of its soldiers.

ISIS beheaded two other Lebanese soldiers in captivity in August. When ISIS militants beheaded the second of these soldiers, a Shi'a, on 9 August, dozens of people took to the streets in an angry protest. On 19 September, militants from Al-Nusra executed an abducted soldier, the first instance of Al-Nusra killing a captive. On 24 September, families and supporters of the abducted soldiers stepped up protests by blocking the main roads between Beirut and the Bekaa Valley to pressure the government to secure the soldiers' release. The kidnappings and beheadings by Sunni extremists have contributed to the rise of sectarianism and unrest in the Bekaa Valley, and criminal gangs have taken advantage of the chaos, resulting in a spate of kidnapping-for-ransom cases.

Also on 19 September, a roadside bomb killed two LAF soldiers on the outskirts of Aarsal. Over the next three days, more than 200 Syrian men were arrested in the area, most of whom had been sheltering in informal tented settlements. Some of the militants responsible for the roadside bombing were believed to have hidden in refugee camps; refugees complained that innocent Syrians had been among those arrested.

In a televised speech on 23 September, Hezbollah leader Hassan Nasrallah said that the group opposes Lebanon's participation in the US-led international coalition fighting terrorism. He said that the US is not qualified to lead an anti-terrorism coalition and

argued that some countries in the anti-terrorism coalition were supporting, funding and arming terrorist groups, including ISIS. He added that the Lebanese people were able to protect their country from terrorist threats. He urged the coalition's member states to accelerate the delivery of weapons to the LAF to help in the battle against terrorism.

The political situation remains stagnant. More than four months after the term of President Michael Sleiman expired on 25 May, Lebanon's parliament remains unable to elect a new head of state. On 23 September parliament speaker Nabih Berri postponed the presidential election session until 9 October. While the March 14 coalition, which is backing the nomination of Lebanese Forces leader Samir Geagea, has attended the legislative sessions, March 8 lawmakers, who reportedly back parliament member Michel Aoun, have boycotted them, saying the parliamentary sessions were useless unless rival parties agree on a consensus candidate beforehand. UN officials and the Council have repeatedly urged parliament to elect a president without further delay.

A ministerial high-level meeting of the International Support Group for Lebanon—established to help Lebanon cope with the crisis in neighbouring Syria by supporting state institutions and the LAF—was held on 26 September, on the sidelines of the 69th General Assembly.

### Key Issues

The overarching issue at this time is that the conflict in Syria, and Hezbollah's unambiguous involvement there on behalf of the regime, has negatively impacted Lebanon and will

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**SELECTED UN DOCUMENTS ON LEBANON** Security Council Resolutions S/RES/2172 (26 August 2014) extended the mandate of UNIFIL for one year. S/RES/1559 (2 September 2004) urged the disarmament of all militias and the extension of government control over all Lebanese territory. Security Council Presidential Statement S/PRST/2014/10 (29 May 2014) expressed disappointment that presidential elections were not completed within the constitutional timeframe and urged Lebanon to hold elections quickly. It also called on all parties to respect Lebanon's policy of disassociation and to refrain from any involvement in the Syrian crisis—a reference to Hezbollah's fighting in Syria. Secretary-General's Report S/2014/296 (24 April 2014) was the 1559 report covering October 2013–April 2014. Security Council Press Statement SC/11507 (4 August 2014) condemned the attacks by violent extremist groups against the Lebanese forces in the area of Aarsal.

## Lebanon (con't)

most likely indefinitely stall efforts to implement resolution 1559 fully.

The fact that Hezbollah maintains a significant arsenal not controlled by the government and that the flow of arms across the border between Lebanon and Syria has contributed to the expansion of arsenals outside the control of the Lebanese government are related issues.

Another issue is the danger that Lebanon will be embroiled by sectarian conflict and that Shi'a-Sunni tensions will be exacerbated by fighting between the LAF and Sunni extremists entering from Syria.

### Options

One option is for the Council to merely receive the briefing and take no action.

Alternatively, given the deteriorating security situation in Lebanon, the Council could opt to issue a statement again urging all Lebanese parties to respect Lebanon's policy of disassociation and to refrain from any involvement in the Syrian crisis and condemning the beheadings and continuing detention of Lebanese security forces by ISIS and Al-Nusra.

Given the lack of progress towards electing a president, another option is to issue a statement reiterating the Council's concern

and encouraging the election to take place in an expeditious manner in order to maintain stability.

### Council Dynamics

The Council remains united in its support for Lebanon's sovereignty, territorial integrity and security. The Council is also united in its concern about the continued vacancy in the presidency, particularly given the extreme challenges facing Lebanon at this time.

France is the penholder on Lebanon in the Council.

## Working Methods

### Expected Council Action

In October, the Council will hold its annual open debate on working methods. Ambassador María Cristina Perceval (Argentina), the chair of the Informal Working Group on Documentation and Other Procedural Questions (the Working Group), will brief. Also expected to brief are the Ombudsperson of the 1267/1989 Al-Qaida Sanctions Committee, Kimberly Prost, and ICC Prosecutor Fatou Bensouda. No outcome is anticipated.

### Key Recent Developments

This will be the fifth annual Council working methods debate and the seventh debate on this topic in UN history. (Previous debates were held in 1994, 2008, 2010, 2011, 2012 and 2013.) Argentina will likely aim to assess the implementation of working methods agreed to during its chairmanship of the Working Group in 2013 and 2014 and focus the discussion on two specific issues: the follow-up on Council referrals to the ICC and the possible extension of the mandate of the 1267/1989 Al-Qaida Sanctions Committee's Ombudsperson to other sanctions regimes.

Since the last open debate, on 29 October

2013, the Working Group has agreed on three notes by the president (the usual format for issuing its outcomes). A 14 April note encouraged wider participation of Council members in drafting Council documents and asserted that any member of the Council could be a penholder (S/2014/268). This was followed on 5 June by a note on the appointment of chairpersons of subsidiary bodies (S/2014/393), which encouraged the early appointment of those chairs. It also called for increased communication between the outgoing and incoming chairs through informal meetings and the provision of a written briefing detailing the work of the outgoing chair. The most recent note, issued on 4 August, focused on the need for enhanced dialogue between Council members, especially during crises or fast-evolving situations (S/2014/565).

There has been a number of working methods developments this year. On 30 July, at the end of its Council presidency, Rwanda organised the first public "wrap-up session" since 2005. In August, the UK held the wrap-up in a public format, and Argentina is planning one in October. These meetings, aimed at enhancing the transparency of

the Council's work, allow Council members to exchange views on situations addressed during the month as well as on its working methods. The public format of this session, in addition to creating a record of the discussion, offers the wider public a glimpse into the ongoing internal debate on the working methods of the Council.

The practice of horizon-scanning briefings by the Department of Political Affairs (DPA) on issues of concern, initiated by the UK in late 2010, seems to have ebbed, with only three held in 2013 and none in 2014. In May, however, a new informal DPA briefing format emerged. These briefings are organised at the initiative of the Under-Secretary-General for Political Affairs. They are held toward the middle of the month, in a conference room not on Council premises and are usually attended at political coordinator level. So far, they have focused on thematic issues rather than situation-specific items (May's briefing was on mediation, sanctions in June, elections in July, and regional cooperation in August). No DPA briefing was held in September.

In 2014, there was renewed interest in the veto power of the P5. This was triggered

**UN DOCUMENTS ON WORKING METHODS** Notes by the President of the Security Council S/2014/565 (4 August 2014) stressed the need to enhance cooperation and consultation among Council members. S/2014/393 (5 June 2014) proposed measures to improve the effectiveness and continuity of the work of the Council's subsidiary bodies. S/2014/268 (14 April 2014) called for wider participation of Council members in the drafting of Council documents. S/2013/515 (28 August 2013) focused on ways to improve the Council's dialogue with non-Council members and bodies. S/2012/402 (5 June 2012) expressed members' commitment to several efficiency-enhancing working-methods modifications. S/2010/507 (26 July 2010) focused on enhancing Council transparency, as well as interaction and dialogue with non-Council members. S/2006/507 (19 July 2006) described the outcome of the six months of work of the Working Group in 2006 under the leadership of Japan. Security Council Meeting Records S/PV.7052 and Resumption 1 (29 October 2013) was the annual open debate on working methods. S/PV.3483 (16 December 1994) was the first open debate on Security Council working methods. Other S/2013/613 (16 October 2013) was the concept paper for the Council's 2013 open debate on its working methods. S/2013/568 (19 September 2013) was a letter to the Council sent on behalf of ACT by Switzerland, welcoming the issuance of the 28 August 2013 note by the president addressing a number of transparency issues. A/66/PV.108 (16 May 2012) was the meeting of the General Assembly in which the S-5 withdrew its draft resolution on working methods.

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## Working Methods (con't)

by the French proposal to adopt a voluntary code of conduct whereby China, France, Russia, the UK and the US would refrain from using their veto on decisions aimed at ending or preventing mass atrocities. On 25 September, France and Mexico co-chaired a ministerial-level event on this issue on the margins of the 69th session of the General Assembly. The event was presided over by French Foreign Minister Laurent Fabius and Mexican Secretary for Foreign Affairs José Antonio Meade Kuribreña.

### Key Issues

A new key issue for Council members will be the implementation of the recently adopted notes by the president addressing some of the challenges in the internal division of labour within the Council.

For the full UN membership, an important issue will be the progress made in the discussions on the voluntary code of conduct regarding the veto in cases involving mass atrocities.

An overarching issue in the working-methods discourse between the Council and the membership at large will continue to be 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.

### Options

While no outcome is anticipated, options for discussion, in addition to topics suggested by Argentina, may include focusing on the implementation of the recent notes as well as on developments in recent Council practice. For example:

- a discussion of practical steps needed to allow for more equitable distribution of penholders and chairs of subsidiary bodies including the possibility of co-penholders;
- suggesting that chairs of subsidiary bodies be appointed by a specific deadline (for example early November); or
- considering the pros and cons of reviving the Horizon Scanning format, in particular in the context of the Secretary-General's "Rights up Front Agenda" launched in December 2013.

### Council and Wider Dynamics

The divide between the permanent and non-permanent members that has characterised

the dynamics among Council members during the past few years (with many discussions first occurring within the P5 and drafts being shared with the full Council quite close to their adoption) has continued. The recent adoption of the notes on penholders, on the appointment of chairs of Council subsidiary bodies and on Council internal consultations and cooperation may signal the emergence of a new dynamic, with the P5 displaying a degree of responsiveness to the growing frustration of elected members.

On the issues of a possible expansion of the Ombudsperson's mandate to other sanctions committees and on follow up to ICC referrals, as suggested by Argentina, most Council members seem to have a number of questions and concerns.

Among the UN membership at large, Council working methods continue to be a subject of much interest, as manifested by high participation in open debates, wrap-up sessions and the activities of Accountability, Coherence and Transparency, a 23-member, cross-regional group of small- and medium-sized states dedicated to working methods.

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## International Court of Justice

### Expected Council Action

In October, the president of the International Court of Justice (ICJ), Peter Tomka (Slovakia), is expected to brief the Council in a private meeting. The annual briefing normally coincides with the presentation of the ICJ's annual report to the General Assembly.

Judge Tomka is likely to brief on the ICJ's overall activities, its role in the peaceful settlement of disputes and maintenance of international peace and security and its relationship with the Council. No Council action is expected.

At press time, the annual report had yet to be released.

### Background on the ICJ

The ICJ, one of the UN's six principal organs, is located in The Hague and composed of 15

judges selected for nine-year terms. All UN member states are parties to the ICJ Statute, which is an annex to the UN Charter. The ICJ is the only international court of a universal character with general jurisdiction in terms of subject matter. Only states have standing to appear before it. To date, 70 of the 193 UN member states have submitted a declaration of acceptance of the compulsory jurisdiction of the Court, which confers on a state the right to bring another state or states (provided it has submitted the same declaration of acceptance of compulsory jurisdiction) before the Court, and, conversely, the duty to appear before the Court should proceedings be instituted against it. States may also accept the ICJ's jurisdiction through special agreement on an ad-hoc basis. In addition, some 300 bilateral and multilateral treaties provide

for the Court's jurisdiction in resolving disputes arising out of the treaties' application.

The ICJ and the Council have an important nexus established by the Charter. In the event that a state fails to abide by a Court decision, the other party may have recourse to the Council, which may then make recommendations or decide upon measures to give effect to the decision (article 94[2]). The ICJ also exercises advisory jurisdiction through a procedure that allows the Council, General Assembly and authorised UN organs and specialised agencies to request an advisory opinion on any legal issue (article 96). The Council may also recommend that parties refer relevant legal disputes to the Court (article 36).

### Key Recent Developments

As part of the visiting mission to Europe and

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**UN DOCUMENTS ON THE ICJ** Security Council Resolutions S/RES/22 (9 April 1947) was the Council's recommendation that a legal dispute between the UK and Albania be referred to the ICJ. S/RES/284 (29 July 1970) was the Council's request for an advisory opinion. Security Council Meeting Record S/PV.7245 (19 August 2014) was a briefing on the Council's visiting mission.

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## International Court of Justice (con't)

Africa, Council members visited the ICJ on 11 August and held a private meeting with Judge Tomka, members of the Court and the registrar. The stated purpose of the meeting was for the Council to express support for the work of the ICJ, emphasise the importance of continued cooperation and receive updates on its cases and other developments. During the meeting, Judge Tomka stressed that, in addition to traditional topics such as sovereignty and matters of border delimitation, the ICJ had devoted itself to addressing emerging issues. The meeting also included discussions on the recognition by member states of the compulsory jurisdiction of the Court and compliance with its judgments.

In the upcoming briefing, as in past briefings, Judge Tomka may focus on the complementary roles the Court and Council play in promoting the rule of law and emphasise the links between issues considered by the two organs. In addition, he may encourage the Council to make greater use of its ability to request advisory opinions, recommend the referral of legal disputes to the Court and, upon the request of one party, make recommendations or decide on measures to enforce an ICJ judgment in case of non-compliance.

At press time, there were 14 cases pending

before the Court. During the latest reporting period, it delivered three judgments, 12 orders and seven new contentious (as opposed to advisory) cases were referred.

### Key Issues

A key issue is the Council's reluctance to use its authority (when appropriate) to request advisory opinions and to recommend that parties refer relevant legal disputes to the Court.

Additional important issues include compliance with the Court's judgements and the Council's willingness to, on request of one party, make recommendations or decide on measures in case of non-compliance.

### Options

The Council is unlikely to take any action.

### Council Dynamics

While the Council appears open to having these annual meetings and demonstrated its support during the recent visit, there is unlikely to be much appetite to deepen the relationship further or for the Council to make greater use of the powers outlined above.

Regarding the acceptance of compulsory jurisdiction, five of the current Council members have done so: Australia, Lithuania,

Luxembourg, Nigeria and the UK. (The US withdrew its acceptance in 1986.)

The Council has not demonstrated a willingness to request advisory opinions, having done so only once, in 1970, regarding the legal consequences of South Africa's continued presence in Namibia. It has made only one express recommendation that a legal dispute be referred to the Court, in 1947, between the UK and Albania in the *Corfu Channel Case*.

There is one example of a formal request made to the Council to act in the case of non-compliance, made by Nicaragua in 1986 regarding the US's non-compliance with the judgment in the case *Military and Paramilitary Activities in and against Nicaragua*. A resolution calling for compliance was vetoed by the US. More recently, although it was not a formal request, Mexico sent a letter to the Council in March stating the US had failed to comply with a 2004 judgment of the ICJ, requiring it to review and reconsider convictions and sentences of 51 Mexican nationals on death row. The Council has to date not discussed the letter and is unlikely to pass a resolution should a formal request be made.

# Notable Dates for October

REPORT DUE	REPORTS FOR CONSIDERATION IN OCTOBER	REQUESTING DOCUMENT
20 September	UN Humanitarian Coordinator for Somalia report (S/2014/655)	S/RES/2111
24 September	SG report on UNMISS (South Sudan)	S/RES/2155
24 September	SG report on the implementation of resolution 1325 (women, peace and security) (S/2014/693)	S/PRST/2012/23
25 September	SG report on UNSOM (Somalia) (S/2014/699)	S/RES/2158
22 September	SG report on MINUSMA (Mali) (S/2014/692)	S/RES/2164
26 September	OPCW report on the implementation of resolution 2118 (Syrian chemical weapons)	S/RES/2118
26 September	SG report on MONUSCO (DRC)	S/RES/2147
26 September	SG report on the PSC Framework for the DRC and the Region	S/RES/2147
30 September	SG report on UNISFA (Abyei)	S/RES/2156
7 October	SG report on the implementation of resolution 1559 (Lebanon)	S/PRST/2004/36 S/RES/1559
8 October	Final Reports of the Monitoring Group for the 751/1907 Somalia/Eritrea Sanctions Committee (separate reports on Eritrea and Somalia)	S/RES/2111
15 October	Group of Experts mid-term report to the 1572 Côte d'Ivoire Sanctions Committee	S/RES/2153
17 October	SG report on piracy off the coast of Somalia	S/RES/2125
23 October	SG report on humanitarian access in Syria	S/RES/2139 S/RES/2165

MANDATES EXPIRE		RELEVANT DOCUMENT
15 October	UNISFA (Abyei)	S/RES/2156
15 October	MINUSTAH (Haiti)	S/RES/2119
25 October	Humanitarian exemptions and partial lifting of the arms embargo in Somalia	S/RES/2111 S/RES/2142
31 October	AMISOM (Somalia)	S/RES/2124
25 November	Monitoring Group for the 751/1907 Somalia/Eritrea Sanctions Committee (will be renewed in October)	S/RES/2111

## Security Council Report Staff

**Joanna Weschler**  
Deputy Executive Director & Director of Research

**Amanda Roberts**  
Coordinating Editor & Senior Research Analyst

**Shamala Kandiah Thompson**  
What's in Blue Editor & Senior Research Analyst

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Research Assistant

**Maritza Tenerelli**  
Administrative Assistant

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Endeavor Fellow

**Stevenson Swanson**  
Editorial Consultant

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**Security Council Report**  
One Dag Hammarskjöld Plaza  
885 2nd Ave at 48th St, 21st Floor  
New York NY 10017

**Telephone** +1 212 759 6394  
**Fax** +1 212 759 4038  
**Web** securitycouncilreport.org  
whatsinblue.org



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