



SECURITY COUNCIL REPORT

MONTHLY FORECAST

FEBRUARY 2006



27 January 2006

This report is available online and can be viewed together with Update Reports on developments during the month at www.securitycouncilreport.org

Welcome to the Monthly Forecast from Security Council Report.

Our previous reports and updates are available on our website, www.security-councilreport.org. This issue previews the month of February 2006. The United States of America, represented by Ambassador John R. Bolton, will have the Presidency.

Notable Dates for February

| January 2006 | Reports Due | Relevant Document |
|--------------------------|----------------------------------------------------------------------------------------------------------|-------------------|
| by 31 January | SG report on UNMIK (UN Interim Administration Mission in Kosovo) | S/RES/1244 |
| by 31 January | SG report on Darfur (monthly) | S/RES/1590 |
| by 31 January | Sudan Sanctions Committee report (every six months) | S/RES/1591 |
| by 31 January | ISAF (International Security Assistance Force) in Afghanistan (quarterly) | S/RES/1623 |
| February 2006 | Reports Due | Relevant Document |
| by 21 February | EU/NATO report on EUFOR (European Union Force in Bosnia and Herzegovina) (quarterly) | S/RES/1639 |
| by 23 February | SG periodic report on Somalia | S/PRST/2001/30 |
| by 28 February | UNMOVIC/Iraq (UN Monitoring, Verification and Inspection Commission) (quarterly) | S/RES/1284 |
| by 28 February | SG report on small arms | S/PRST/2005/7 |
| by 28 February | SG report on Darfur (monthly) | S/RES/1590 |
| late February or March | SG report on UNAMA (UN Assistance Mission in Afghanistan) | S/RES/1589 |
| February 2006 | Mandates Expire | Relevant Document |
| 15 February | MINUSTAH (UN Stabilization Mission in Haiti) | S/RES/1608 |
| February 2006 | Other Important Dates | |
| 31 January to 1 February | International Conference on Afghanistan (London) | |
| 2-3 February | Special meeting of the IAEA Board of Governors regarding Iran (Vienna) | |
| 7 February | Presidential and legislative elections in Haiti | |
| early February | Pledging conference for the transitional period of AMIS (AU Mission in the Sudan) | |
| late February | Report by the Government of Sudan on the air crash that killed Sudanese First Vice President John Garang | |

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Overview for February

The Council is facing a very heavy work programme for February, despite it being a relatively light month in terms of scheduled items.

The only major scheduled item is the renewal of the mandate for the United Nations Mission in Haiti (MINUSTAH), which actually coincides with a critical point in Haiti, the conduct of much delayed elections to replace the transitional government. January has proved to be a very bad month for both Haiti and MINUSTAH and the Council will be devoting significant time and energy to that situation.

Darfur will be a major focus of attention as the UN and the AU try to work out a basis for a transition from the current AU force AMIS (which is in an increasingly difficult position) to a newly configured UN operation in some form of partnership with the AU. There are challenging political, operational and financial issues to be resolved as the UN grapples with a problem which is both urgent and requires innovative thinking. The challenge for the Council is whether it takes a leadership role in working out solutions or whether it waits for the Secretary-General. Some detailed options are canvassed in our brief on this issue.

Another peacekeeping mission in a very difficult situation is the United Nations Mission in **Ethiopia and Eritrea** (UNMEE). Council consideration of a difficult set of options from the Secretary-General was put on ice in early January for thirty days to permit a last ditch diplomatic initiative by the United States. It is possible that more time will be needed to assess whether this track has prospects of success. The Council is certain to acquiesce if it proves necessary. But the status quo—with UNMEE facing unacceptable restrictions imposed by Eritrea and with Ethiopia continuing to refuse to comply with a binding ruling on the boundary delimitation—is only sustainable for a short time. The issue seems certain to need attention later in February.

All the signs suggest that the issue of **Iran** will reach the Council in February. The incremental pressure approach being pursued by the US and the EU-3 seems very likely to lead:

- First to a decision in Vienna by the IAEA Governing Board to refer Iran's non-compliance with the NPT to the Security Council; and
- Secondly, to a decision by Council members to take up the issue in informal consultations.

As discussed in our brief, punitive measures are not expected at this stage. Options for a possible Council statement are canvassed.

The formation of a new government in **Iraq**, following the results of the 15 December elections is underway. It is unclear whether the parties will reach an agreement on the formation of a government in February. But it is likely that the Council will want to express support for the new Government when it is formed, even if it is delayed, to indicate support for the process. It also seems likely that the Council will begin to discuss informally the issue of the future UN role in Iraq. Our brief describes the various roles that the UN has played in Iraq historically, the outstanding issues relating to ongoing UN functions and the issues for the future.

Lebanon/Syria will continue to be a very high profile issue. Ongoing pressure on Syria in the Council to comply with resolutions 1559, 1636 and 1644 can be expected. However, with the adoption of a presidential statement (S/PRST/2006/03) on 23 January relating to resolution 1559, and with no formal

deadlines on the Lebanon/Syria issue during February, Council action is expected to be informal, supplemented by media statements by the President.

Events that may trigger more formal Council action include:

- Any incidents in northern Israel/southern Lebanon suggesting ongoing Syrian support for movement of arms or personnel into Lebanon; and/or
- Any reports by the UN International Independent Investigation Commission (UNIIC) Commissioner Serge Brammertz of Syrian non-cooperation.

In addition, the Council may need to follow up the requests made in resolution 1644 to the Secretary-General relating to:

- The nature and scope of international assistance needed if the UN were to respond to the Lebanese request that persons charged with the Hariri assassination be tried by a tribunal of an international character; and
- Possible extensions to the mandate of UNIIC to include investigation of other terrorist attacks perpetrated in Lebanon since 1 October 2004.

Our brief provides background information on both of these issues.

Great Lakes Initiative/northern Uganda

The debate on regional issues in the Great Lakes area and the killing of eight UN peacekeepers in DRC by the northern Uganda rebel group, LRA, has brought into much sharper focus not only the interrelated nature of the issues but also the fact that an important piece of the puzzle—the LRA—may have been given insufficient attention by the UN. Council follow up seems likely.

Côte d'Ivoire

In view of the outbreak of violence in Côte d'Ivoire and especially the attacks against the UN, it is likely that the Council will also adopt targeted sanctions against individuals responsible. The Council will also be monitoring the situation very closely.

The Council is also likely to take up a number of less high profile issues, including:

- **Afghanistan**
- **Kosovo**
- **Somalia**

Haiti (MINUSTAH)

Expected Council Action

The Council is expected to renew the mandate of the UN Stabilization Mission in Haiti (MINUSTAH), which expires on 15 February. After a very bad month for both MINUSTAH and Haiti in January the Council will also be looking to bolster the electoral process, reinvigorate MINUSTAH and encourage a reduction in violence.

Recent Developments

Haiti's presidential elections were postponed for the fourth time. In late December on the ground that technical difficulties were unresolved and that insecurity was hampering the electoral process. The Council, increasingly concerned at the performance of the Transitional Government, adopted a presidential statement on 6 January, urging the quick announcement of another election date no later than 7 February. Haiti's Provisional Electoral Council subsequently declared 7 February as the date of the first round of elections, with a run-off on 19 March if necessary. The official transfer of power to a newly elected leader is scheduled for 29 March.

In January:

- The security situation deteriorated dramatically, with many kidnappings and assassinations as well as the death of two UN peacekeepers.
- Sectors of the local business community mounted a campaign to discredit MINUSTAH. The campaign was condemned by the UN Secretary-General.
- MINUSTAH's Force Commander, General Urano Bacellar of Brazil, committed suicide.

Key Facts

The Security Council's active engagement with Haiti dates back to the early 1990s, when a coup overthrew the democratically elected president Jean-Bertrand Aristide. In 1994 the Council authorised the use of force to restore the elected leader in resolution 940. Council-mandated missions remained on the ground for several years, though their scope increasingly narrowed before the final withdrawal in March 2000.

The situation in Haiti never stabilised. In early 2004, violent upheavals against the Haitian

government led to President Aristide leaving the country in February. A Multilateral Interim Force (MIF) led by the US entered Haiti to ensure stability. It was replaced a few months later by MINUSTAH, with the mandate to secure a stable environment especially through the reform of the Haitian police, support the political process and monitor human rights.

The transitional government agreed to hold elections in 2005. Regional actors—the Organization of American States (OAS) and the Caribbean Community (CARICOM)—undertook an important cooperation effort to support the electoral process. MINUSTAH's troop level was temporarily increased in 2005 to prevent potential violence during the electoral period and subsequent political transition.

Key Issues

The main issue for Council members is for Haiti to proceed with the elections.

The escalation of violence is another issue that will be addressed in February. A stronger focus on the reform of the Haitian National Police will be brought to bear since increasing troop levels is not seen as the solution.

A further issue is how to address the deterioration of MINUSTAH's credibility in Haiti.

Council Dynamics

In the past months, lack of enthusiasm for the issue of Haiti has prevailed in the Council. France and the US both have some interest in resolving the situation in Haiti, but the lead-country was Brazil, which is no longer a member of the Council. A major troop-contributing country, Brazil's involvement reflected its willingness to appear as a major regional power able to take care of Latin America's security. Although the suicide of General Urano Bacellar triggered criticism at home and produced calls for Brazilian troops to withdraw, the prompt announcement by the Secretary-General of a new Force Commander from Brazil suggests that Brazil will sustain its commitments.

Argentina has now taken the lead on Haiti. It favours a strategic long-term involvement in Haiti's state-building process. However, Argentina also seems reluctant to accept an interventionist type of UN involvement in the

political process. Other members may also hold the same view.

China has been disinclined to support MINUSTAH's mandates, due to disagreements with Haiti's transitional prime minister, Gérard Latortue, over Haiti's growing ties with Taiwan.

Options

If the elections occur as planned on 7 February, one option would be a simple renewal of the existing mandate for a period of up to six months to monitor the political transition and allow for the formation of new government.

However, if the elections are postponed again, the Council will inevitably have to react. Its options include:

- Pressuring the Transitional Government to hold elections as soon as possible, but this could be seen locally as a limp response and further endanger MINUSTAH's credibility in Haiti.
- Adapting MINUSTAH's mandate and authorising it to manage the elections, although this more robust approach would likely raise objections from Council members like Argentina.

The option of early withdrawal is not currently under discussion. There seems to be widespread recognition that a long-term commitment in Haiti is needed to ensure stability.

Underlying Problems

Numerous spoilers of the political process in Haiti pose a major challenge to the holding of elections, which partially explains the delays.

Registration of voters and the publication of lists of candidates and polling stations have been completed. A few logistical challenges remain for the holding of the elections, such as the distribution of identity cards. However, at this point, this is not regarded by the Council as a reason for yet another delay.

Many pledges by international donors for organising the elections have not been fully disbursed. In addition, the Electoral Commission lacks financial resources and personnel to organise the second round of elections and, in the long run, to conduct efficient programmes for disarmament, demobilisation and reintegration.



UN Documents

Selected Resolutions

- S/RES/1608 (22 June 2005) extended the mandate of MINUSTAH until 15 February 2006 and temporarily reinforced the mission.
- S/RES/1601 (31 May 2005) extended the mandate of MINUSTAH until 24 June.
- S/RES/1576 (29 November 2004) extended the mandate of MINUSTAH.
- S/RES/1542 (30 April 2004) established MINUSTAH.
- S/RES/1529 (29 February 2004) authorised the MIF to deploy in Haiti.

Reports of the Secretary-General

- S/2005/631 (6 October 2005)
- S/2005/313/Add.1 (23 June 2005)
- S/2005/313 (13 May 2005)
- S/2005/124 (25 February 2005)
- S/2004/908 (18 November 2004)
- S/2004/698 (30 August 2004)
- S/2004/300 (16 April 2004)

Selected Presidential Statements

- S/PRST/2006/1 (6 January 2006) expressed concern over the more recent postponement of elections and urged the government to schedule new dates.
- S/PRST/2005/50 (18 October 2005) pressured Haiti's administration to hold elections.
- S/PRST/2005/1 (12 January 2005) called for elections to be held in 2005 and signaled the Council's intention to send a mission to Haiti.
- S/PRST/2004/32 (10 September 2004) noted that illegal armed groups continued to undermine stability.
- S/PRST/2004/4 (26 February 2004) expressed concern over the situation in Haiti.

Letters

- S/2006/33 (20 January 2006)
- S/2006/32 (20 January 2006)
- S/2005/235 (12 April 2005)
- S/2005/220 (4 April 2005)
- S/2004/941 (2 December 2004)
- S/2004/565 (13 July 2004)
- S/2004/439 (1 June 2004)

Report of the Council's Mission to Haiti

- S/2005/302 (6 May 2005) stressed that there was no alternative to elections.

Historical Background

7 January 2006 MINUSTAH's Force Commander, General Urano Bacellar, committed suicide.

18 October 2005 Haiti's prime minister, Gérard Latortue, briefed the Council and said that tremendous challenges remained with regard to the country's judicial system, disarmament process and humanitarian situation.

22 June 2005 The Council extended the mandate of MINUSTAH until 15 February 2006 and supported a temporary increase of troop levels during the electoral period.

April 2005 A Council mission visited Haiti.

29 November 2004 The Council extended the mandate of MINUSTAH to 1 June 2005 with the intention to renew it for further periods.

Late 2004 Rising levels of deadly political and gang violence occurred in the capital, Port-au-Prince.

30 April 2004 The Council established MINUSTAH.

17 March 2004 Interim Prime Minister Latortue formed a transitional government.

29 February 2004 President Aristide was forced into exile. The Council authorised the MIF to deploy in Haiti at the request of the new interim government.

January-February 2004 Violent uprisings against Aristide took place.

Fall 2003 Political instability grew.

1995 to 2000 The multinational force was followed by a number of successive peacekeeping missions until 2000: the UN Mission in Haiti (UNMIH), the UN Support Mission in Haiti (UNSMIH), the UN Transition Mission in Haiti (UNTMIH) and the UN Civilian Police Mission in Haiti (MIPONUH).

October 1994 The Haitian military regime relinquished power. The Council authorised forces to land in Haiti to oversee a transition to civilian government and Aristide returned.

1993 The joint UN-OAS International Civilian Mission in Haiti (MICIVIH) was deployed in February. Due to a lack of Haitian coopera-

tion, however, it could not carry out its mandate. In June the Council imposed sanctions after the Haitian regime rejected an accord facilitating Aristide's return. In September, the Council established the first peacekeeping operation in the country, UNMIH.

September 1991 Jean-Bertrand Aristide, a democratically elected president, was ousted in a coup.

Other Relevant Facts

| |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Special Representative of the Secretary-General |
| Juan Gabriel Valdés (Chile) |
| Force Commander |
| Lieutenant General José Elito Carvalho Siquiera (Brazil) |
| Size and Composition of Mission |
| <ul style="list-style-type: none">• Current Strength as of 30 September 2005: 8,104 total uniformed personnel• Key Troop Contributing Countries: Brazil, Jordan, Uruguay, Nepal, Sri Lanka, Argentina, Chile |
| Cost |
| 1 July 2005 - 30 June 2006: \$541.3 million |

Useful Additional Sources

Haiti's Elections: The Case for a Short Delay, International Crisis Group, Latin America/Caribbean Briefing N°9, 25 November 2005.

Haiti's Flawed Electoral Process Bodes Ill for Future Stability by Brian Concannon Jr., Americas Programme Report, 3 January 2006.

Sudan / Darfur

Expected Council Action

The Council will take an increasingly active interest in the AU/UN discussions on a future role for the UN in Darfur following:

- The decision of the AU Peace and Security Council (PSC) on 12 January to approve in principle a transition from the AU Mission in Sudan (AMIS) to the UN, "within the framework of the partnership between the AU and the UN". The final decision will be taken later in March; and
- The confirmation by the Secretary-General after his lunch meeting with the Council on

the same day that the Secretariat will be preparing contingency plans.

Initially, this Council action will be informal as the UN and AU Secretariats continue detailed discussions on the arrangements for such a transition.

At the time of writing, the Sudan Sanctions Committee was still divided on the issue of transmitting to the Council the report of its Panel of Experts. It is expected that discussions about the preparation of a list of individuals who should be subjected to targeted sanctions will continue, but at a deliberate pace bearing in mind the potential for this issue to be used as an incentive or deterrent vis-à-vis Khartoum as the transition discussions move forward.

Key Facts

Discussions on a UN role in peacekeeping in Darfur have accelerated over the past several weeks. This has been prompted by increasing concern from the donors supporting AMIS that a more robust presence is required for responding to the difficulties that the AU mission continues to encounter.

The Secretary-General has noted that the UN cannot deploy additional forces immediately. Accordingly, AMIS would need to continue with something like its current configuration for three to six months.

The PSC has approved the extension of the AMIS mandate until 31 March, when it will adopt a final decision on the transition. But current levels of funding will be exhausted by that point. Accordingly, additional funding will be required during the transition to any newly configured force, and a pledging conference is being organised by the AU and UN for this purpose.

Sudan lost its bid to chair the AU in 2006 at the AU Summit, held in Khartoum on January 23-24. Amidst concerns with the credibility of the organisation should Sudan take the chairmanship, Congo-Brazzaville was elected for 2006. Sudan will chair the AU in 2007.

AU-sponsored peace talks between the Sudanese government and the two main Darfur rebel groups, held in Abuja, remain deadlocked over power-sharing and security arrangements. Members of the Council have

expressed exasperation with the length of the process and have urged the negotiators to ensure that the current, seventh round be the final one. The security arrangements committee in the Abuja negotiations, chaired by Chad, has been paralysed since cross-border incidents between Chad and Sudan in late December and early January.

Key Issues

There are four key and interlinked issues for the Council: political, operational, financial and institutional. All of them could be affected by developments in the Abuja peace talks, by the outcome of the discussions between the UN and the AU and by the shape of the AU's decision in March.

The institutional issues are:

- When the Council should act and with what level of formality;
- Whether it should wait until the Secretariat has recommendations on the technical issues;
- Whether leadership during this next phase should be assumed by the Council or left to the Secretary-General and the interested permanent members of the Council and major donors; and
- How involved the Council should become in overseeing the UN discussions with the AU and negotiations with Khartoum.

The political issues are:

- How the UN and the Council should respond to AU political concerns that the transition should be to a new configuration which can be seen as a partnership, not a takeover;
- Whether the Council should be prepared to support the evolving process by making an early signal of support;
- Whether the Council should let it be known that, if necessary and in cooperation with the AU, it will install the newly configured force under Chapter VII—which is likely to be needed since the Council faces the probability of needing to send troops to a situation where there is no credible ceasefire and no peace agreement to implement; and
- Whether the Council is prepared to accept that a force configured in partnership with the AU could entail some very significant innovations.

The operational issues are:

- What kind of force will be required; the Secretary-General, for example, has spoken of the need for a specialised, highly mobile combat unit with sophisticated equipment, which was essentially a hint that Western troops will be essential;
- How a new force will be generated and whether the Council is prepared to play a leadership role in generating the forces rather than leaving this to the Secretariat; and
- What kind of mandate and support the mission will require—which means that cross-border issues, the UN's role in southern Sudan (especially vis-à-vis the Ugandan rebel group, the Lord's Resistance Army (LRA), command and control, linkages with UNMIS, logistics and access all need to be addressed.

The financial issues are:

- Whether the new operation will be funded fully by assessed contributions, notwithstanding that there may be some innovative aspects needed to preserve the mission's nature as a partnership with the AU;
- Whether the Council can encourage the donor community to commit to providing funding, at least provisionally, for AMIS during the three to six months before a transition, assuming a satisfactory transition agreement is reached; and
- Whether the donors can be sufficiently engaged in negotiations among the Council, the Secretariat and the AU so they could be confident about making such an early commitment.

Council Dynamics

Positions inside the Council are still evolving. There is increasing acknowledgement, however, that a UN role in Darfur is now essential. Members are concerned to acknowledge that the AU and AMIS have played a historic and critical role. The developments at the peace talks and the AU position, as it emerges in discussions with the UN, will both have a serious impact on the debate inside the Council. Dynamics will also be affected by Congo's election as AU chair.

Many Council members would like to avoid a situation in which the only option is to simply



to replace AMIS with UNMIS. However, there are voices in favour of relatively simple solutions such as incorporating AMIS into UNMIS or redeploying UN troops in southern Sudan to the western region of Darfur. Members are also conscious of the practical and operational difficulties of developing a new approach in such a short time. For some members, the US and Japan in particular, there will be concerns about the large impact a new force would have on the peacekeeping budget. All member states with the kinds of capacity which the Secretary-General has called for will be conscious of current strains on their forces given their commitments in other theatres. Others, such as China, which have in the past preferred to limit action to pressuring the parties to maintain the ceasefire and reach a peace agreement, are likely to be willing to agree to an extended UN role if that is what, in the end, the AU supports.

Western and Latin American members will be under increasing pressure to live up to past commitments, particularly those made at the 2005 World Summit, regarding the responsibility to protect civilians from massive human rights abuses.

Khartoum's views will undoubtedly have an impact on the positions of some members, China in particular. Khartoum opposes the UN taking over the peacekeeping role in Darfur. It remains to be seen whether the AU approach of a UN-AU partnership could allow Khartoum a face-saving solution. However, most Council members seem reluctant to allow Khartoum to obstruct the proposal. Unlike in 2004-05, Sudan's capacity to dictate outcomes is more limited. The AU has had experience on the ground and appreciates the true state of affairs. The North-South agreement is in place in Sudan, and UNMIS is up and running. Sudan's leverage has therefore diminished.

Options

An immediate option would be for the Council to adopt a presidential statement:

- Welcoming the AU PSC decision;
- Encouraging the Secretary-General to accelerate contingency planning;
- Expressing willingness to consider sympathetically a transition to a UN-AU partnership operation;
- Confirming that it would, if necessary, approve such an operation under Chapter VII; and
- Encouraging donors to consider follow-on funding for AMIS after 31 March and before the transition.

A second option would be for the Council to decide to send a small mission (say five members) to:

- Visit Addis Ababa together with the Secretariat planning team to work through the operational issues;
- Visit Khartoum to convey the Council's position and initiate direct dialogue;
- Meet with donor representatives, who might participate in some meetings of the mission; and
- Provide an interim report to the Council upon return, and then continue to assist the Secretariat to develop solutions to the operational and financial issues and in its discussions with the AU.

A third option for the Council would be to:

- Apply pressure on parties to reach a credible ceasefire and a final arrangement on power and wealth-sharing within the current round in Abuja. This could involve:
 - Revitalising the threat of sanctions, perhaps by signaling the intention to adopt lists of individual violators of the arms embargo and peace spoilers; and
 - Sending a small Council mission along the lines of that described in option two to the Abuja talks with a view to applying leverage on the parties meeting there.

Underlying Problems

In 1983, fighting broke out between Khartoum and the southern Sudan People's Liberation Movement/Army (SPLM/A). The Comprehensive Peace Agreement (CPA) of January 2005 established the sharing of public positions and oil revenues. In March 2005, the Council

created UNMIS to support the CPA and a Government of National Unity (GNU) was inaugurated in July of that same year.

Implementation of the CPA has continued, but with suspicions from the south against the north, and with the SPLM/A more focused on rebuilding the south. Key concerns are:

- Some armed groups are not participating in the process, especially those from Darfur and eastern Sudan;
- Implementing the CPA risks upsetting traditional power structures;
- The south will be able to decide whether it desires to secede in 2011, but the north's ability to make unity attractive remains uncertain;
- The north still controls key ministries such as energy and defense; and
- Regional dimensions threaten the peace, especially Eritrea's recent crisis and the activities of the LRA.

A separate conflict emerged in Darfur in 2003, with Khartoum pitted against the Justice and Equality Movement (JEM) and the Sudan Liberation Movement/Army (SLM/A). A shaky ceasefire was signed in April 2004 in N'Djamena, Chad, and has been monitored by AMIS.

Widespread attacks against civilians have continued since Khartoum failed to provide protection and disarm militias. The increasing insecurity has led to the disruption of humanitarian aid as government forces continued to attack in coordination with allied Janjaweed militias. Fragmentation among the rebel groups decreased their leaders' ability to exercise command and control. Furthermore, a spill over of the violence into Chad in recent weeks has led to a military build up involving Chadian and Sudanese armed forces, as well as rebels from both sides.

In March 2005, the Council strengthened the 2004 sanctions regime for Darfur. However, the Sudan Sanctions Committee has been slow to prepare a list of individual violators and its own guidelines. The arms embargo is limited to Darfur with arms flowing easily from the rest of Sudan.

The Council referred the situation to the International Criminal Court (ICC) in March 2005.

But Khartoum, which has established a new specialised tribunal in an attempt to circumvent ICC jurisdiction, has announced that it will not cooperate with the Court's investigation.

UN Documents

Selected Security Council Resolutions

- S/RES/1651 (21 December 2005) renewed the Panel of Experts mandate until 29 March 2006.
- S/RES/1627 (23 September 2005) renewed UNMIS until 24 March 2006.
- S/RES/1593 (31 March 2005) referred the situation in Darfur to the ICC.
- S/RES/1591 (29 March 2005) strengthened sanctions in Darfur.
- S/RES/1590 (24 March 2005) established UNMIS.
- S/RES/1556 (30 July 2004) established an arms embargo and requested monthly reports.

Selected Presidential Statements

- S/PRST/2005/67 (21 December 2005) expressed concern with the current situation, in particular the spill over effects in Chad.

Selected Secretary-General's Reports

- S/2005/825 (23 December 2005) was the latest report on Darfur at the time of writing.
- S/2005/821 (21 December 2005) was the latest regular report on Sudan.
- S/2005/285 (3 May 2005) reported on UNMIS' assistance to AMIS.
- S/2005/57 (31 January 2005) assessed risks in the CPA and proposed UNMIS.

Other Documents

- A/RES/60/1 (24 October 2005) was the World Summit Outcome.

Historical Background

12 January 2006 The AU PSC announced that it accepted, "in principle," the deployment of UN peacekeepers in Darfur.

10-20 December 2005 A joint AU-UN mechanism to assess AMIS visited Darfur.

13 December 2005 The ICC Chief Prosecutor Luis Moreno Ocampo briefed the Council. Khartoum declared it would not cooperate with the ICC.

29 November 2005 The Darfur peace talks resumed.

October 2005 The Darfur peace talks were suspended for a month. The Government of South Sudan was formed.

September 2005 The Darfur peace talks resumed in Abuja.

11 August 2005 Salva Kiir was sworn in.

30 July 2005 John Garang died.

9 July 2005 The GNU was inaugurated. John Garang was sworn in as Vice-President.

31 March 2005 Darfur was referred to the ICC.

29 March 2005 Further sanctions were imposed in Darfur.

24 March 2005 UNMIS was established.

9 January 2005 The CPA was signed.

1 September 2004 Parties called for AU peacekeepers.

30 July 2004 An arms embargo on Darfur was imposed.

April 2004 The Darfur Ceasefire Agreement was signed.

September 2003 The North-South ceasefire was signed.

February 2003 An armed rebellion began in Darfur.

July 2002 The Machakos Protocol was signed, providing the basis for the negotiations that took place between 2002 and 2004.

Other Relevant Facts

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|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| UNMIS: Special Representative of the Secretary-General and Head of Mission |
| Jan Pronk (Netherlands) |
| UNMIS Force Commander |
| Lieutenant-General Jasbir Singh Lidder (India) |
| UNMIS: Size and Composition of Mission |
| <ul style="list-style-type: none"> • Maximum authorised strength: up to 10,000 military personnel • Strength as of 13 December 2005: 4,291 military personnel • Key contributors: Bangladesh, India, Nepal |
| UNMIS: Cost |
| 1 July 2005 - 30 June 2006: \$969.47 million (gross) |

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|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| AU's Chief Mediator |
| Salim Ahmed Salim (Tanzania) |
| Head of AMIS |
| Ambassador Baba Gana Kingibe (Nigeria) |
| AMIS Force Commander |
| Major-General Festus Okonkwo (Nigeria) |
| AMIS: Size and Composition |
| <ul style="list-style-type: none"> • Total authorised strength: 6,171 military and 1,560 police personnel • Strength as of 20 December 2005: 5,579 military and 1,211 police personnel • Key contributors: Nigeria, Rwanda, Senegal, South Africa, Ghana |
| AMIS: Cost |
| \$466 million (\$290 million pledged) |

Useful Additional Sources

The Sudan Tribune lists documents from the peace process: http://www.sudantribune.com/rubrique.php3?id_rubrique=4

Iran

Expected Council Action

The Security Council will take up the issue of Iran's nuclear programme after a referral from the International Atomic Energy Agency (IAEA), which is likely to be adopted by the IAEA Board of Governors at a special meeting on 2 and 3 February in Vienna.

The Council is unlikely to move immediately to punitive measures. Incremental Council action is expected, providing opportunities for both pressure and further diplomacy. A presidential statement expressing deep concern at the Iranian violation of its obligations under the Non-Proliferation Treaty, supporting an ongoing IAEA role and encouraging resumed negotiations is possible.

Key Facts

There are two commonly misunderstood facts which should be clarified at the outset:

- An IAEA resolution referring non-compliance to the Security Council is not a necessary requirement for the Council to take up the issue; and
- An IAEA resolution, in itself, does not automatically put the issue on the Security Council's agenda. It still requires a deliberate decision by the Council.



Iran is a party to the 1968 Treaty on the Non-Proliferation of Nuclear Weapons (NPT) and a member of the IAEA with binding safeguards agreements in place. As such, it has accepted obligations:

- To refrain from developing nuclear weapons; and
- To disclose all nuclear programmes for IAEA inspections.

From 1985 to 2003, Iran embarked on an extensive nuclear enrichment programme without declaring it to the IAEA. Iran says that this nuclear programme was for peaceful purposes pursuant to its rights under the NPT.

When this breach of the NPT was discovered in 2002, Iran agreed to sign the IAEA 1997 Additional Protocol, allowing the inspectors to have full access to all nuclear-related sites and promised to suspend its uranium enrichment programme as a confidence-building measure.

In 2004, the IAEA found that Iran was secretly continuing to enrich uranium. This constituted a further serious breach of Iran's obligations under international law. It convinced many IAEA members that Iran's credibility, in claiming its programmes were for peaceful purposes, could not be trusted. On 18 June 2004, an IAEA resolution was adopted deploring the lack of Iranian cooperation and failure to respect its commitments. In November 2004, Iran signed the Paris Accord with the EU-3 (France, Germany and the UK) promising a variety of political, economic and security benefits to Iran in exchange for:

- Iran's full cooperation with the IAEA; and
- Iran's foregoing of any full nuclear fuel cycle activities.

On 15 November 2004, the IAEA issued a report identifying fifteen failures by Iran to meet its obligations under its safeguards agreement since 1985. The report described how Iran had repeatedly misled the interna-

tional community about its enrichment programme.

Negotiations with the Europeans started in December 2004 but made little progress.

The situation further deteriorated when in August 2005 the newly-elected Iranian President Mahmoud Ahmadinejad rejected the EU-3 proposal and reopened the Isfahan nuclear plant and resumed enrichment related activities.

In September 2005, the IAEA Board passed a resolution finding Iran's failures (essentially Iran's refusal to suspend all enrichment related activities resumed in August 2005 and to ratify the Additional Protocol) constituted non-compliance to the IAEA Statute, determining that the Security Council was competent to deal with this issue and requesting the Director General to report to the Board again on further developments. At that point the EU-3 and the US backed off from a vote on a decision that the Board should report Iran's non-compliance to the Security Council, deciding it was better to continue moving incrementally so as to grant diplomacy a further chance.

Russia, keen to mediate because of its investment in Iran's nuclear industry, offered to allow Iran to enrich uranium on Russian territory. This became the basis of new negotiations.

After rejecting the Russian proposal twice in November and December and finally announcing his readiness to consider it, Ahmadinejad declared Iran's intention to resume the uranium enrichment process in January and removed IAEA seals at its Natanz nuclear research facility. This prompted the US and its European allies to call for an emergency session of the IAEA Board and marked the end of two years of diplomacy in the IAEA context.

Key Issues

The IAEA has declared that it is not in a position to determine whether Iran's nuclear programme is for civilian purposes. This doubt on Iran's real capabilities and intentions is central to the crisis. Uranium enrichment technology is necessary for both civilian and military nuclear reactors. However, the degree of enrichment needed for civilian use is much lower (2-3 percent) than

for nuclear weapons (90 percent). The problem is that Iran was found enriching uranium at higher rates than is necessary for civilian use, which raised suspicions about the goal of its nuclear programme. A real tension exists between Iran's legitimate desire to acquire nuclear technology for civilian use and its lack of credibility due to unlawful concealment of its enrichment programme.

The first issue for the Council is to fully understand the complex scientific, technical and legal issues associated with nuclear technologies and weapons development. It is likely that at the outset some effort will be given ensuring that members are well briefed.

The second issue is procedural. The IAEA must notify the Security Council, according to article III.B.4 of the IAEA statute, "if in connection with the activities of the Agency there should arise questions that are within the competence of the Security Council." In addition, under article XII.C of the statute, "The Board shall report the non-compliance to all members and to the Security Council and General Assembly of the United Nations." However, neither a notification under article III nor a report under article XII is necessary to have an issue put on the Council's agenda. Nor is a report or a notification sufficient to guarantee that the Council will consider the question. There is no causal legal connection between IAEA actions and the Council agenda. The issue, therefore, is how and when the question of Iran will come on the Council agenda.

In this regard, timing will be an issue for the US and the EU-3. They believe that the matter should move to the Council in February. However, the procedure of reporting to the Council under article XII involves the IAEA Director General submitting a report showing non-compliance. Mohammed El-Baradei, the IAEA Director General, has recently declared that his final report would not be available before March. He will however submit an update at the February Board session. It remains to be seen whether that will be sufficient for the proposed action. We do not expect the US/EU-3 to move the issue to the Council without an IAEA resolution. While legally possible, that would not be consistent with their policy of incremental pressure.

As to the issue of getting Iran on the Council agenda, we expect that, provided the policy of incremental pressure is maintained and there is not a premature lurch towards a punitive resolution, there is likely to be a consensus in favour of the Council discussing it.

There have been IAEA referrals in the past, but the Council did not always decide to address the question.

- The IAEA Board of Governors declared **Iraq** in violation of its safeguards agreement at a special session on 18 July 1991. In accordance with its Statute, the IAEA transmitted its conclusions to the Security Council. A month later, the Council adopted resolution 707 (1991), demanding that Iraq halt all nuclear activity, provide full disclosure of its weapons programmes, and provide UNSCOM and IAEA inspectors access to all sites.
- In April 1993, the Board adopted a resolution concluding that North Korea was in non-compliance with its safeguards agreement and referred it to the Council. Subsequently, the Council passed resolution 825 (1993) urging **North Korea** to reconsider its announcement to withdraw from the NPT and abide by its international obligations. In 2003, facing a new crisis whereby North Korea refused to comply with its safeguards agreement, the IAEA Board decided to report once again to the Council. However, the Council, after extensive discussion took no action, leaving the issue to be pursued through diplomacy outside the Council.
- In March 2004, the Board passed a resolution welcoming the **Libyan** decision to eliminate all materials leading to the production of nuclear weapons and reported the matter to the Council "for information purposes only." The Council took note of this resolution in a presidential statement (S/PRST/2004/10).

Another issue which may arise is that there have been nuclear non-proliferation issues which have arisen outside the IAEA context because the countries concerned were not NPT members (Pakistan, India and Israel). For many UN members, the international peace and security issues are equally grave—and warrant Council attention when-

ever proliferation risks arise—whether involving NPT parties or not.

Council Dynamics

Given the composition of the IAEA Board and the voting pattern in 2005, it is likely that a resolution referring Iran to the Council will be adopted. It seems there are about 20 committed votes for referral (out of 35 IAEA Board members). Getting as few abstentions as possible from Board members has been a factor in the US/EU-3 willingness to explore diplomatic solutions over the past few months. Of the Board members, Russia, China, Egypt, India, Brazil and South Africa are still uncertain.

The new composition of the Council may have had an impact on the timing of the referral. Brazil and Algeria, who as members of the IAEA Board had abstained on the September 2005 IAEA resolution, have now left the Council. By contrast, they have been replaced in the Council by Ghana and Peru, both of whom voted for the 2005 IAEA resolution.

The US, the UK and France will take the lead in the Council. Council members supporting ongoing diplomatic efforts (principally Russia and China) are unlikely to oppose the issue coming on the agenda provided they have some assurance that the policy of incremental pressure will continue and that they will not be faced with a premature punitive measure. Agreement on discussion of Iran in informal consultations is therefore likely.

Options

The Council has two sets of options.

- An early presidential statement condemning or expressing concern at the Iranian non-compliance with its international obligations, requesting a better cooperation with the IAEA inspectors and urging a cessation of uranium enrichment (this could be boosted by threats of further action).
- A call for negotiations on specified issues and requesting the IAEA to provide regular reports on the progress.

It is unlikely that the Council will seek to completely substitute itself for the IAEA processes. Options involving leverage to facilitate a productive return to the negotiating table and to the IAEA processes are more likely.

Underlying Problems

Iran has significant oil and gas resources. Projected oil revenues for the current year are \$50 billion. Iran currently exports roughly 2.5 million barrels a day, which constitute over 80 percent of its total exports earnings per year, and around 50 percent of its gross domestic product. Iran is the second largest OPEC oil producer after Saudi Arabia and holder of 10 percent of the world's proven oil reserves. It also has the world's second largest natural gas reserve after Russia.

Full economic sanctions would certainly hit the Iranian economy very hard, but it would also affect the world's economy as removal of Iranian oil from the market would immediately impact oil prices.

Iran has strong economic relations with energy consuming powers (China, India, and Japan) and Russia has economic interests in Iran's nuclear industry. For these reasons, Security Council members China, Russia and Japan all have particular interests in a solution.

Relevant IAEA Documents

Selected Board Resolutions on Iran

- GOV/2005/77 (24 September 2005)
- GOV/2005/64 (11 August 2005)
- GOV/2004/90 (29 November 2004)
- GOV/2004/79 (18 September 2004)
- GOV/2004/78 (17 September 2004) proposed amendments by Malaysia, the Chairman of the Non-Aligned Movement.
- GOV/2004/49 (18 June 2004)
- GOV/2004/21 (13 March 2004)
- GOV/2003/81 (26 November 2003)
- GOV/2003/69 (12 September 2003)

Board Resolutions Containing Referrals to the Security Council

- GOV/2004/18 (10 March 2004) on Libya
- GOV/2003/14 (12 February 2003) on North Korea
- GOV/2645 (1 April 1993) on North Korea
- GOV/2531 (18 July 1991) on Iraq

Selected Reports on Iran

- GOV/2005/87 (18 November 2005)
- GOV/2005/67 (2 September 2005)
- GOV/2004/83 (15 November 2004)
- GOV/2004/60 (1 September 2004)
- GOV/2004/34/Corr.1 (18 June 2004)



- GOV/2004/34 (1 June 2004)
- GOV/2004/11 (24 February 2004)
- GOV/2003/75 (10 November 2003)
- GOV/2003/63 (26 August 2003)
- GOV/2003/40 (6 June 2003)

Historical Background

January 2006 After a failed attempt to have the Iranian delegation meet the UN inspectors in Vienna, Iran broke the IAEA seals at its Natanz nuclear research facility on 10 January and declared its intention to resume the enrichment process.

December 2005 Iran refused to resume negotiations with the EU-3. Ahmadinejad again rejected the Russia proposal, and then agreed to consider it.

11 November 2005 With the agreement of the EU and the US, Russia proposed that Iran enrich uranium in Russia. The plan was rejected by Iran.

24 September 2005 An IAEA resolution found Iran in violation of the NPT and said that Iran's nuclear activities "have given rise to questions that are within the competence of the Security Council." The resolution invited the IAEA Director General to report again and noted that the Board would address this report at a later stage for a possible notification of the Council.

August 2005 After rejecting the EU-3 cooperation proposal, Tehran declared it had resumed uranium conversion at its Isfahan plant and insisted the programme was for peaceful purposes.

June 2005 Mahmoud Ahmadinejad won presidential elections, defeating former president Akbar Hashemi Rafsanjani.

13 December 2004 Negotiations between Iran and the EU-3 started.

15 November 2004 Under the Paris Accord, Iran agreed to suspend most of its uranium enrichment in return for a European undertaking to cooperate on the nuclear, commercial and political levels. The suspension was effective on 22 November, but Iran also declared that the enrichment would resume at some point because Iran would never renounce that option.

June 2004 The IAEA rebuked Iran for failing to fully cooperate with an inquiry into its nuclear activities and confirmed the discovery of highly enriched uranium.

18 December 2003 Iran signed the Additional Protocol to the NPT.

10 November 2003 IAEA concluded that there was no evidence of a weapons programme in Iran.

21 October 2003 Iran agreed to fully cooperate with the IAEA by promising to suspend its uranium enrichment programme and to allow tougher UN inspections of its nuclear facilities through the signature of the Additional Protocol.

12 September 2003 The IAEA gave Tehran a 31 October 2003 deadline to prove it was not pursuing an atomic weapons programme.

26 August 2003 An IAEA report showed the presence of enriched uranium in Iran at rates superior to what is necessary for civilian use.

13 June 2003 The IAEA asked Iran to implement the Additional Protocol of the NPT.

21 February 2003 Beginning of the IAEA inspections.

9 February 2003 The Iranian President Mohammed Khatami announced that his country would be producing its own atomic fuel for future civilian nuclear plants.

December 2002 Satellite pictures showed that two nuclear sites existed in Arak and in Natanz. Iran accepted an IAEA inspection.

Other Relevant Facts

The Treaty on the Non-Proliferation of Nuclear Weapons

The NPT was signed in 1968 and froze the number of declared nuclear weapon states at five (US, Russia, UK, France and China). Other states were required to renounce acquiring nuclear weapons and to conclude comprehensive safeguards agreements with the IAEA on their nuclear materials. The three pillars of the NPT are non-proliferation, disarmament and the right to peacefully use nuclear technology.

The Safeguards

Safeguards consist of a set of internationally approved legal and technical measures whose objective is to provide independent verification of states' compliance with their non-proliferation commitments to maintain exclusively peaceful nuclear programmes, and to provide an early-warning to the international community if they do not. States voluntarily choose to accept the safeguards through the conclusion of a safeguards agreement with the IAEA. Under comprehensive safeguards agreements, the IAEA system endeavours to detect the diversion of a significant quantity of nuclear material from peaceful nuclear activities to the manufacture of a nuclear weapon. Therefore, a state must declare all of its nuclear material and facilities.

The Additional Protocol

This is a supplemental model agreement approved by the Board of Governors in May 1997 which broadened the IAEA's existing inspection authority. The Protocol calls for states to provide more information and for expanded rights of physical access and use of new verification techniques by the Agency.

The Paris Accord between Iran and the EU-3

INFCIRC/637 (26 November 2004) By this accord, signed on 15 November 2004, Iran:

- Reaffirmed it does not seek to acquire nuclear weapons;
- Committed itself to full cooperation and transparency with the IAEA;
- Reaffirmed it would continue implementing the Additional Protocol; and

continue and extend its suspension of all enrichment processes while negotiations proceed with the EU-3.

Negotiations would be conducted with the view to reaching an agreement on long-term arrangements which would provide guarantees that Iran's nuclear programme is only for peaceful purposes. The EU-3 in return would provide Iran with guarantees of nuclear, technological and economic cooperation and commitment on security issues.

Useful Additional Sources

- IAEA website www.iaea.org
- *Iran's Strategic Weapons Programme: a Net Assessment*, The International Institute for Strategic Studies, 6 September 2005.
- Anthony Bubalo and Dr. Michael Fullilove, *Iran, the International Community and the Nuclear Issue: Where to Next?* Lowy Institute for International Policy, December 2005.
- *Iran Outlook: Confronting a nuclear Iran*, Eurasia Group, 10 January 2006.
- *UN Sanctions Against Iran?* (a compilation of articles), Global Policy Forum
- The Paris Accord <http://www.iaea.org/Publications/Documents/Infcircs/2004/infirc637.pdf>

Ethiopia / Eritrea

Expected Council Action

The 30-day hold on Council action to facilitate a US diplomatic initiative on the Ethiopia-Eritrea crisis ends on 9 February. At the time of writing, it seems possible that some additional time will be necessary.

Should progress be impossible, Council members will be looking at options for addressing the crisis.

Key Facts

The Secretary-General on 3 January presented a report on Ethiopia and Eritrea under resolution 1640. The report notes that Ethiopia returned to the December 2004 levels of troop deployment along its border with Eritrea, but that it still refuses to demarcate this border. No visible redeployment had been taken by Eritrea, which denied having moved troops forward in the first place.

Eritrea continues to place unacceptable restrictions on the UN Mission in Ethiopia and Eritrea (UNMEE). The Secretary-General's report presented options for addressing this. It also noted that, while maintaining the status quo could "buy time for diplomatic initiatives," eventually hard decisions will need to be taken if the restrictions are not lifted.

On 9 January, Asmara dismissed the report and resolution 1640 as unbalanced. It also criticised a scenario in which "the party that has flouted international law [Ethiopia]... is let off the hook while the aggrieved party is threatened with condemnation and punitive measures."

On 9 January, the US announced a diplomatic initiative to solve the current crisis, including the demarcation. The US asked the Council to keep the status quo for thirty days. US Assistant Secretary of State for African Affairs, Jendayi Frazer, travelled to the region in mid-January. At the time of writing it seems that it is still proving difficult to get meaningful dialogue with Asmara.

In a parallel development, the Ethiopia-Eritrea Claims Commission on 19 December found that Eritrea had no basis under international law for starting the 1998 war and thus must compensate Ethiopia. Eritrea on 3 January issued a letter stating willingness to honour the decision and pay for damages when they are determined.

Key Issues

There are several key issues facing the Council. They will resurface if no progress is made on the US initiative. They include:

- Agreeing to some form of redeployment of UNMEE, while avoiding a resumption of war. There is a need to respond to the Secretary-General's options, the Eritrea's restrictions violate key UN standards, Council resolutions and the peace agreements. They also raise serious concerns on the part of troop contributing countries (TCCs). But all players seem to accept that a complete withdrawal should be avoided as it would likely lead to renewed border tensions.
- Striking an appropriate balance between the parties. There are risks in punishing Eritrea while allowing Ethiopia to enjoy its

unlawful refusal to demarcate the boundary. But Eritrea's inflexibility and unlawful actions against UNMEE have cost it the moral high ground. Due to its restrictions on UNMEE Council members will oppose rewards to Eritrea.

A key issue is how to create a situation in which both parties are compelled to make concessions, so that neither is rewarded for its unlawful actions, but both end up getting at least some of their demands.

The decision by the Claims Commission raises another, perhaps helpful, issue. Its ruling means that there are now mutual obligations and therefore the potential for compromise. This is particularly important since sanctions will have little impact on Eritrea, which refuses outside assistance, including much-needed humanitarian aid.

Council Dynamics

The Council welcomed the US initiative to take the issue off its hands. In part, there may have been some embarrassment in October and November, when there may have been a chance to take action to avoid the current crisis, the Council failed to act. For most Council members the US offer represented much-awaited action from the only Council member with potential access and leverage on both sides.

Certainly, from the perspective of TCCs, such action was welcome. In their view, the delays in October and November cost the Council time and credibility.

Most Council members appear to believe that as long as the status quo is kept—with some defusing of tensions and no UNMEE casualties—there is some time for diplomacy.

But if the US initiative is unsuccessful, members will face difficult choices if a balanced approach is to be constructed. Some members will face the need to show less support; such as Russia which has ties to Ethiopia and the UK which has considerable sympathy for Ethiopian Prime Minister Meles Zenawi. The issue is complicated by the fact that some Council members have unresolved border issues themselves, which could make them reluctant for the Council to press Ethiopia on such a matter.



If the initiative fails, Council members are aware that withdrawing UNMEE could lead to renewed hostilities. Nonetheless, there is a recognition that this concern must be balanced with the safety of UN personnel and the unacceptable nature of Eritrea's actions. The view of TCCs will have a strong impact, particularly on the recommendations of the Secretary-General.

Options

Council members may extend the thirty-day period and review the situation in March, when UNMEE's mandate expires. However, should the situation deteriorate before then, options outlined by the Secretary-General include:

- Maintaining the status quo, with the possibility that a unacceptable precedent is created;
- Relocating the Asmara UNMEE headquarters to Addis Ababa, with troops in the Temporary Security Zone (TSZ) within Eritrea and a liaison office in Asmara. Some Council members are inclined toward this option;
- Reducing UNMEE to an observer mission;
- Deploying a preventive force in Ethiopia;
- Reducing UNMEE to a liaison mission; or
- Withdrawing UNMEE.

Other options include:

- Pressuring witnesses to the Algiers Peace Agreement—namely the AU, the UN, the EU and the US—to pursue greater, concerted involvement; or
- Imposing deadlines on Ethiopia and Eritrea.

Underlying Problems

From 1998 to 2000, Ethiopia and Eritrea fought over disputed border territories, particularly the town of Badme. The conflict ended with the Cessation of Hostilities Agreement in June 2000 and the Algiers Peace Agreement in December 2000.

Ethiopia committed itself to redeploying troops to regions it administered before 6 May 1998, and Eritrea to areas outside the

TSZ, which is a buffer zone established along the border but within Eritrea. The parties also invited the deployment of UN peacekeepers to monitor the TSZ, and committed themselves to ensuring their safety and freedom of movement. On that basis, the Council established UNMEE in July 2000.

The two Agreements linked the termination of UNMEE's mandate to the completion of the border demarcation, which the Council stressed in resolution 1344 (2001). The OAU and the UN committed themselves to guaranteeing respect for the TSZ until the border is finally demarcated, including through the deployment of peacekeepers and possible action under Chapter VII of the UN Charter.

A Claims Commission and an investigation into the causes of the war were also agreed. While the investigation was never begun, the Claims Commission started in 2001.

The Agreements stipulate that the border will be demarcated by an independent Boundary Commission, and that its decision will be "final and binding". The Commission issued a decision in April 2002.

But the demarcation stalled in 2003 when Ethiopia objected to the Commission decision. Addis Ababa demanded that the line vary to account for "human and physical geography." The Commission responded that it had no power to revisit the decision or to vary the line under the framework established by the parties.

In December 2004, Ethiopia presented a five-point proposal accepting the Commission's decision "in principle". The concrete implications of this have not been explored, nor have Ethiopia's concerns about its landlocked situation since Eritrea's independence, due to Eritrea's refusal to discuss the issues.

In October 2005 Eritrea imposed limitations on UNMEE, after much protest at the delay in demarcation. This decreased the mission's monitoring ability by about 60 percent and led to a military build-up near the border as well as violations of the TSZ.

On 23 November, the Council threatened to take measures under article 41 of the Charter if by 24 December both parties failed to return

to their troop-deployment levels of 16 December 2004 or if Eritrea failed to lift restrictions on UNMEE. It also demanded that Ethiopia allow the demarcation of the border, but no threat was attached.

Eritrea responded on 6 December with demands that certain UNMEE troops leave in ten days. Concerns with troop safety led the Council to accept a temporary relocation of part of UNMEE's Eritrea-based staff to Ethiopia.

UN Documents

Selected Security Council Resolutions

- S/RES/1640 (23 November 2005) demanded troop redeployment and the lifting of restrictions on UNMEE.
- S/RES/1344 (15 March 2001) stressed the link between the termination of UNMEE's mandate and demarcation.
- S/RES/1320 (15 September 2000) increased UNMEE.
- S/RES/1312 (31 July 2000) established UNMEE.
- S/RES/1298 (17 May 2000) established an arms embargo against both parties.

Selected Presidential Statements

- S/PRST/2005/62 (14 December 2005) agreed to temporarily relocate some of UNMEE's staff.
- S/PRST/2001/14 (15 May 2001) noted the termination of the arms embargo.

Reports of Security Council Missions to Ethiopia and Eritrea

- S/2002/205 (27 February 2002)
- S/2000/413 (11 May 2000) Selected

Secretary-General's Reports

- S/2006/1 (3 January 2006) was the latest report.
- S/2004/973 Add. 1 (27 December 2004) contained the five-point Ethiopian proposal.
- S/2003/1186 (19 December 2003) detailed Ethiopia's refusal to allow demarcation and responses from Eritrea and the Boundary Commission.
- S/2003/257 (6 March 2003) and Add. 1 (31 March 2003) detailed the Ethiopian and the Commission's views on the border line.

Selected Letters

- S/2005/816 (22 December 2005) and S/2006/3 (3 January 2006) contained

reactions by Ethiopia and Eritrea to the Claims Commission award.

- S/2005/774 (9 December 2005) indicated Ethiopia's willingness to redeploy troops.
- S/2005/737 (25 November 2005) contained Eritrea's criticisms of resolution 1640.
- S/2005/723 (17 November 2005) was the report of Ambassador Oshima's visit.
- S/2000/1183 (12 December 2000) contained the Algiers Peace Agreement.
- S/2000/601 (19 June 2000) contained the Cessation of Hostilities Agreement.

Historical Background

December 2005 The Council agreed to a temporary relocation of certain UNMEE personnel. Claims Commission issued the *ad bellum* decision.

October 2005 Eritrea imposed restrictions on UNMEE's movement.

February 2005 The Boundary Commission closed down its field offices.

September 2003 Ethiopia refused to allow the demarcation of the border.

April 2002 The Boundary Commission handed down the demarcation decision.

December 2000 Algiers Peace Agreement was signed.

September 2000 The Council increased UNMEE's troop levels to 4,200.

July 2000 The Council established UNMEE.

June 2000 Cessation of Hostilities Agreement was signed.

May 2000 A Council mission visited both countries; fighting resumed three days later.

1998 Eritrea took over the Ethiopian-administered town of Badme, and a battle ensued.

1993 Eritrea became independent.

1962 Ethiopia annexed Eritrea.

1952 Eritrea and Ethiopia formed a federation pursuant to UN General Assembly resolution 390 (V) of 2 December 1950.

Other Relevant Facts

| |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Special Representative of the Secretary-General and Chief of Mission |
| Legwaila Joseph Legwaila (Botswana) |
| Size and Composition of Mission |
| <ul style="list-style-type: none"> • Authorised maximum strength: 4,200 troops • Strength as of 28 December 2005: 3,249 military personnel • Key troop contributing countries: India, Jordan and Kenya |
| Cost |
| Approved budget: 1 July 2005 - 30 June 2006: \$185.99 million (gross) |
| Duration |
| 31 July 2000 to present |

Source: DPKO

Useful Additional Sources

- Boundary Commission's website: <http://www.un.org/NewLinks/eebc Arbitration/>
- The Claims Commission's awards can be found at <http://www.pca-cpa.org/ENGLISH/RPC/#Eritrea-Ethiopia%20Claims%20Commission%A0>

Lebanon / Syria

Expected Council Action

Ongoing pressure in the Council on Syria to comply with resolutions 1559, 1636 and 1644 can be expected. However, with the adoption of the presidential statement (S/PRST/2006/03) on 23 January relating to resolution 1559, and with no formal deadlines on the Lebanon/Syria issue during February, Council action is expected to be informal and supplemented by media statements by the President.

Three possible events may trigger more formal Council action:

- Any incidents in northern Israel/southern Lebanon suggesting ongoing Syrian support for movement of arms or personnel into Lebanon;
- Any reports by the UN International Independent Investigation Commission (UNIIC) Commissioner Serge Brammertz of Syrian non-cooperation; and/or
- Developments on the requests made by the Council in resolution 1644 to the Secretary-General relating to:

- The nature and scope of international assistance needed if the UN were to respond to the Lebanese request that persons charged with the Hariri assassination be tried by a tribunal of an international character; and
- Possible extensions of UNIIC's mandate to include the investigation of other terrorist attacks perpetrated in Lebanon since 1 October 2004.



Possible Extension of the UNIIC Mandate

The following table, drawn up from media reports, is an attempt to list the known terrorist incidents in Lebanon since 1 October 2004.

| Date | Person Targeted | Killed | Estimate Injured |
|-------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|------------------|
| 1 October 2004 | Marwan Hamadeh is a former anti-Lahoud economy and trade minister. | 1 | 1 |
| 14 February 2005 | Rafik Hariri was the former Prime Minister of Lebanon killed in this attack. | 23 | 220 |
| 19 March 2005 | | | 11 |
| 23 March 2005 | | 6 | 4 |
| 26 March 2005 | | | 6 |
| 1 April 2005 | | | 12 |
| 6 May 2005 | | | 22 |
| 2 June 2005 | Samir Kassir was an anti-Syrian journalist killed in this attack. | 1 | |
| 21 June 2005 | George Hawi is a former secretary general of the Lebanese Communist Party and a critic of Syria. | 1 | |
| 1 July 2005 | | | 1 |
| 12 July 2005 | Elias Murr is the Defense Minister, pro-Syrian, and son-in-law of Lahoud. | 2 | 12 |
| 22 July 2005 | | | 12 |
| 22 August 2005 | | | 8 |
| 15 September 2005 | Ali Ramez Tohme is a journalist. | | |
| 16 September 2005 | | 1 | 23 |
| 19 September 2005 | Kuwaiti Information Office | 1 | 2 |
| 25 September 2005 | May Chidiac is an anti-Syrian journalist, an anchor for the Lebanese Broadcasting Corporation (LBC) seriously injured in this attack. | | 1 |
| 12 December 2005 | Gibran Tueni was an anti-Syrian journalist, lawyer and member of parliament killed in this attack. He was also the nephew of Marwan Hamadeh, the target of the 1 October 2004 attack. | 3 | 30 |
| Total | | 39 | 365 |

Possible Tribunal of an International Character

A letter from the Prime Minister of Lebanon to the UN Secretary-General (S/2005/783) of 13 December 2005 requested that the Security Council “establish a tribunal of an international character...to try those who are found responsible for the terrorist crime perpetrated against Prime Minister Hariri.” In response the Security Council requested the Secretary-General to help the Lebanese Government to identify the nature and scope of the international assistance needed when it adopted resolution 1644 two days later on 15 December.

More specifically, this request called on the Secretary-General to begin a process of consultations with the Lebanese government and make recommendations to the Council; including whether the circumstances support the establishment of an independent special court for Lebanon and the nature of such a tribunal.

In response to the Council's request on the Hariri case, the Secretary-General appointed a team led by the Under Secretary-General for Legal Affairs Nicolas Michel to undertake discussions with Lebanese political and administrative officials, prosecutors, the defense bar, NGOs and other interested parties. The team was scheduled to travel to Beirut in late January.

Previous Experience of Tribunals

While the Council has supported the establishment of special courts in the past, this option has been agreed only under exceptional circumstances. For example, the Council established the International Criminal Tribunals for the Former Yugoslavia (ICTY) and for Rwanda (ICTR) in response to massive human rights crimes. The Council also supported the establishment of treaty-based, quasi-international tribunals for Sierra Leone and Cambodia. In the latter case, the General Assembly established the Extraordinary Chambers in the Courts of Cambodia. Unlike the ICTY and ICTR, the special courts for Sierra Leone and Cambodia are located in the territory of the countries where the crimes

were committed and have a hybrid domestic and international character.

Issues Likely to Arise

Among the issues to be considered during these preliminary consultations are:

- Whether the Lebanese government has the capacity to undertake prosecution on its own within its territory;
- Whether a Lebanese court operating on a foreign territory with appropriate international support could effectively carry out the prosecution (like the Scottish Court in the Netherlands that tried the Lockerbie case); or
- Whether it would be necessary to establish a special court of domestic and international character similar to the Special Court for Sierra Leone, and whether it would operate in or outside of Lebanese territory.

While the Scottish Court in the Lockerbie case was not an international tribunal established by the United Nations, it had the political support of the Council.

Following these consultations with the Lebanese government, the Secretary-General will make recommendations to the Council on the type of international support best suited to the circumstances. The consultation process will help to decide whether a special court for Lebanon should be established. The decision to establish such a court would bring a number of issues to the fore, such as jurisdictional matters, organisational structure, funding sources, security and personnel.

Jurisdictional Issues

Subject-matter jurisdiction — Since crimes cannot be prosecuted on the basis of retroactive criminal legislation, the indictable offences falling within the jurisdiction of a special court would have to be crimes already defined by existing international law, including customary law, or the Lebanese criminal code at the time of the alleged commission of the crime. The Council has not been specific in defining which criminal acts are to be included. However, the Council has made reference to the “murder” of Hariri and 22 others, and the Council has determined that

Hariri's murder is a “terrorist act” carried out by a “terrorist bombing” in a series of other “terrorist attacks.”

Temporal jurisdiction — In this case, a special court's jurisdiction over the time in which the crime occurred could presumably begin with the planning and execution of Hariri's murder, which occurred on 14 February 2005. However, in light of the Council's favourable response to the Lebanese government's request to expand the investigation to include similar crimes since 1 October 2004, it is likely that the temporal jurisdiction of a special court could be extended to the earlier date.

Personal jurisdiction — As specified in resolution 1644, personal jurisdiction, unless otherwise advised, would extend to anyone “charged with involvement in this terrorist act” and any other similar act committed within the agreed upon period of the temporal jurisdiction.

Resources

A special court for Lebanon could be organised with much lower costs than of tribunals like the ICTY and ICTR, because of the much smaller case load.

If, instead, the Special Court for Sierra Leone serves as a model, ensuring sufficient capacity to provide a speedy trial for each accused could become an issue.

In order to ensure the competence, objectivity and impartiality in the conduct of the trial process (including in the application of international law where relevant) the composition of the prosecution team of a special court should be carefully selected. The selection of a competent registrar to service the trial, appeals chamber and the office of the prosecutor in addition to administering a special court will be important to the tribunal's efficient operation.

Other Requirements of a Special Tribunal

In the event a special tribunal is deemed necessary, experience suggests that guaranteed funding will be important to ensure both its credibility and viability. The problems encountered following the Council's decision to rely on voluntary contributions to finance the

Sierra Leone court will need to be considered. Despite the warning expressed by the Secretary-General that a special court based on voluntary contributions would neither be viable nor sustainable, the Council decided otherwise.

The Secretary-General had very strong support for his position from the Non-Aligned Movement caucus in the Security Council at the time to no avail. The Council's decision resulted in significant delays in the start up of the court and has handicapped its ongoing operations.

The site of a special court, or any court trying the accused in this case, would largely be determined by the capacity of the Lebanese government or the United Nations to provide security for the court, the prosecution team and court personnel, as well as the accused. It might be more politically acceptable for all parties concerned for such a court to be located outside Lebanon, especially if Syria is called upon to surrender any of its nationals to the jurisdiction of the court. In this respect, the choice of location might follow the model of the Scottish Court that judged the Lockerbie case from The Hague.

In the event the Council decides on a tribunal of an international character, it will need to consider whether to act under Chapter VII and endow such a court with powers for the specific purpose of requesting the surrender of an accused from outside the court's territorial jurisdiction. The lack of such power in the Sierra Leone court has severely curtailed its ability to order the extradition of accused persons.

Prospects

Early discussions in the Council did not suggest any great enthusiasm for a special court for Lebanon. But the issue was left open. There was scepticism among some Council members as to whether a special court was necessary. The general view was that with appropriate international assistance to be discussed and determined later the Lebanese government might be able to conduct the prosecution and trial of those accused in Hariri's murder.

Accordingly, the early inclination in the Council was to focus on ways to assist Lebanon in the investigations and then take up the issue of further assistance, including the possibility of a special court if necessary. The Secretary-General's report on his consultations with the Lebanese government will therefore be an important factor in the Council's discussions and decisions on this issue.

UN Documents

Selected Security Council Resolutions

- S/RES/1644 (15 December 2005) requested the Secretary-General to identify the nature and scope of assistance needed by Lebanon.
- S/RES/1508 (19 September 2003) noted with concern the precarious financial situation of the Special Court for Sierra Leone and made an appeal for financial support.
- S/RES/1400 (28 March 2002) welcomed the signing of the agreement between the Government of Sierra Leone and the United Nations on the Establishment of a Special Court for Sierra Leone.
- S/RES/1315 (14 August 2000) requested the Secretary-General to negotiate an agreement with the Government of Sierra Leone to create an independent special court.
- S/RES/955 (8 November 1994) established the ICTR.
- S/RES/827 (25 May 1993) established the ICTY.

Selected Secretary-General's Reports

- S/2000/915, (4 October 2000), on the establishment of a Special Court for Sierra Leone

Other Related Documents

- S/PRST/2006/03 (23 January 2006) was a presidential statement regarding compliance with resolution 1559.
- S/2005/783 (13 December 2005) was a letter from the Government of Lebanon requesting the UN to establish an international tribunal in the Hariri case.
- A/RES/57/228 B (22 May 2003) was a General Assembly resolution approving the "Agreement between the United Nations and the Royal Government of Cambodia concerning the Prosecution under Cambodian Law of Crimes Committed during the Period of Democratic Kampuchea."



Useful Additional Sources

Khmer Rouge trial home page <http://www.un.org/law/khmerrougetrials/>

Kosovo

Expected Council Action

The Security Council will review the United Nations Interim Administration Mission in Kosovo (UNMIK), the standards-implementation process and the ongoing decreases in the size of the mission. The Special Representative of the Secretary-General, Søren Jessen-Petersen, is likely to be present to brief the Council on the latest report from the Secretary-General. (This meeting was delayed so that it could follow on from a Contact Group meeting in London on 31 January.) The Council will probably receive an analysis of the impact of the recent death of Kosovo President, Ibrahim Rugova, on the situation as well.

Any discussion of the political status negotiations is likely to be very low key. The Special Envoy appointed in November, former Finnish president Martti Ahtisaari, has only recently commenced Kosovo's future political status negotiations. It remains to be seen whether aspects of the international community's role during the negotiating process will come up in Council discussions. It is unlikely that the Council will take any significant decisions.

Key Facts

Following NATO's intervention in Kosovo, which began in March 1999 and culminated with the capitulation of then-Yugoslavian President Slobodan Milosevic in June, Kosovo became a UN protectorate with the passage of resolution 1244 on 10 June 1999. Resolution 1244 established UNMIK and tasked it with re-establishing and running a complete transitional civil administration,

developing provisional democratic self-governing institutions, and in its final phase, overseeing the transfer of authority from Kosovo's provisional institutions to those established as a result of an eventual political settlement.

The mandate for UNMIK was for an initial period of 12 months, but was to continue thereafter unless the Security Council decided otherwise. The initial policy focus was for UNMIK to focus on governance issues—"standards before status."

The UNMIK mission, unusual for its scope and complexity, was initially of significant size. However, the gradual shift of UNMIK's role from an administrative function to an advisory one is now well-advanced. This has been accompanied by gradual downsizing, primarily by attrition but also through the measured elimination of posts since 2003, from a peak of approximately 5,600 in 2002 to some 3,800 today (including international staff and UNMIK police officers, but excluding OSCE, EU or NATO staff). In 2005 UNMIK transferred the majority of the remaining responsibilities that do not impinge on sovereignty to the Provisional Institutions of Self-Government.

Since November 2003, UNMIK has focused primarily on helping local authorities in meeting standards of governance and human rights in eight areas: functioning democratic institutions, the rule of law, freedom of movement, returns and reintegration of refugees, the economy, property rights, dialogue with Belgrade and the Kosovo Protection Corps.

In May 2004, the Secretary-General appointed Kai Eide as his Special Envoy to undertake a comprehensive assessment of the situation in Kosovo. Eide's first report in August 2004 questioned the conditionality of the standards before status policy. The report also highlighted the necessary restructuring of UNMIK in the future, including downsizing. Following Eide's second report in 2005, attention has focused on the future status of the province.

Since his appointment as Special Envoy in November 2005, Ahtisaari has initiated meetings with leaders throughout the region while taking the lead in the status talks. Most recently, on 16 January, Ahtisaari met in Vienna with Jessen-Petersen and with the Contact Group (states closely involved in the Kosovo peace process: France, Germany, Italy, Russia, the UK and the US).

Key Issues

The future of UNMIK, and when to begin taking decisions on this, remains an issue for the Council. Because its mandate does not have expiry provisions, UNMIK has not been subject to the regular review points common to most operations. Given the size and the complexity of UNMIK, member states would normally expect that the Council would devote considerable thought to the future of this operation and its role during the transition. The political sensitivities (concern about a possible Russian veto) that gave rise to this unusual situation have diminished, but there is still an issue about how and whether to engage the Council—as opposed to the Secretary-General—in decisions about UNMIK.

Another key issue is the ongoing process towards achieving standards on governance and human rights. The periodic report by the Secretary-General on UNMIK at the end of 2005 was postponed due to the publication of the Eide report on status, and the next report on UNMIK is now expected by 31 January. It is expected that the report will indicate that progress on these standards remains suboptimal.

The death of Rugova, who has provided a pro-democracy and politically moderate voice in Kosovo politics since 1999, is likely to have a negative impact on both status and standards processes.

Lurking beneath the surface, yet another issue is the role of the wider international community, represented by the Security Council as such, rather than the Contact Group, in meaningful oversight of the status negotiations.

Council Dynamics

The history of the establishment of UNMIK continues to play an important role in Council dynamics vis-à-vis Kosovo. The UN operation in Kosovo came in the wake of a NATO-led intervention that began without Council authorisation due to the threat of a Russian veto. Following the intervention there was consensus about the need to establish an international presence that in effect would run the whole territory. Thus, UNMIK, the most comprehensive UN operation to date, was authorised in June 1999. To secure consensus between members of the Council, resolution 1244, which was drafted in broad terms, adopted an unusual formula. Rather than having the mandate renewed, and possibly modified, periodically as it is the case with virtually all other UN operations, UNMIK will continue unless the Council decides otherwise.

The current main fault lines within the Council relate to the nature of the future status of Kosovo: whether Kosovo will remain part of Serbia and Montenegro, become independent or have a status that will fall somewhere in between. Russia, siding with Serbia and Montenegro, is likely to insist that Kosovo remain part of that state. The European Union and the US have made statements indicating their preference for independence, although there appear to be differences of opinion among EU countries themselves.

Options

The Council may continue to do what it has done with respect to most periodic reports on UNMIK, i.e. limit itself to a discussion without issuing any kind of a formal pronouncement.

Depending on the developments on the ground, as well as the dynamic of the status negotiations following the death of Kosovo's President Rugova, the Council may feel the need to issue a statement building confidence in the continuation of the Kosovo democratisation and status processes.

Underlying Problems

Progress on certain governance and human rights standards remains elusive, particularly

with regards to minorities. Without further achievement on these standards, the transition away from UNMIK's control of certain areas of governance will be complicated and perhaps perilous for future stability. Despite their differences on Kosovo's future status, Council members share the desire for a stable Kosovo to prevent trafficking, organised crime and regional terrorist or insurgent networks.

UN Documents

| Security Council Resolutions |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <ul style="list-style-type: none"> S/RES/1244 (10 June 1999) authorised NATO to secure and enforce the withdrawal of Belgrade's forces from Kosovo and established UNMIK. |
| Selected Presidential Statements |
| <ul style="list-style-type: none"> S/PRST/2005/51 (24 October 2005) declared it was time to begin the political process to determine the future status of Kosovo. S/PRST/2004/13 (30 April 2004) reaffirmed strong support for the policy of "standards before status." S/PRST/2003/26 (12 December 2003) endorsed "Standards for Kosovo." |
| Selected Secretary-General's Reports / Letters |
| <ul style="list-style-type: none"> S/2005/709 (10 November 2005) was a letter from President of the Council welcoming the appointment of Ahtisaari and enclosed guiding principles for the future-status process. S/2005/635 (7 October 2005) was a letter from the Secretary-General to the President of the Security Council transmitting Eide's report S/2005/335 and Corr. 1, (23 May 2005) was a report that included an annex outlining key achievements and priority challenges relating to the eight standards. S/2004/907 (17 November 2004) was a report that noted progress towards the eight standards remained "limited and uneven." S/2003/996 (15 October 2003). The Secretary-General's new Special Representative, Harri Holkeri of Finland, reaffirmed the key priorities: improving security and the rule of law, furthering refugee returns and minority rights, and |

strengthening economic development to promote substantial autonomy and self-government in Kosovo in accordance with resolution 1244.

- S/1999/779 (12 July 1999) was a report that gave an update of the situation on the ground and outlined a detailed plan for the operation of UNMIK and the management of Kosovo.

Historical Background

21 January 2006 Kosovo President Rugova died.

16 January 2006 Ahtisaari met in Vienna with the Contact Group and the Secretary-General's Special Representative Jessen-Petersen.

December 2005 Ahtisaari toured the region's capital cities for meetings.

14 November 2005 Deputy Speaker of the Russian Duma, Sergei Baburin, announced that "Moscow will never recognise the independence and occupation of Kosovo and Metohija."

1 November 2005 The Secretary-General appointed Ahtisaari as his Special Envoy for Status Talks.

June 2005 The Secretary-General appointed Eide as his Special Envoy to carry out a comprehensive review of Kosovo.

March 2005 The prime minister of Kosovo, Ramush Haradinaj, was indicted by the ICTY. He resigned and voluntarily surrendered to the tribunal. The Kosovo Assembly elected a new government, headed by Bajram Kosumi.

November 2004 General elections installed a new government led by Haradinaj.

6 August 2004 Eide's report questioned the wisdom of the "standards before status" policy and suggested that a priority-based standards policy, aimed at facilitating orderly future-status discussions, should replace it. Eide recommended the downsizing of UNMIK.

17-20 March 2004 Rioting led by Kosovo Albanian militants against minority communities broke out.



12 December 2003 The Council endorsed "Standards for Kosovo."

10 June 1999 The Council passed resolution 1244 establishing UNMIK.

Early 1999 Yugoslav Armed Forces campaigned against ethnic Albanians, which was followed by NATO intervention.

Other Relevant Facts

| Special Representative of the Secretary-General |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Søren Jessen-Petersen (Denmark) |
| Size and Composition of Missions |
| <ul style="list-style-type: none"> UNMIK Mission: 910 international staff, 2900 local staff OSCE Mission: 310 international staff, 990 local staff EU Mission: 114 international staff, 244 local staff. |
| Cost |
| As of April 2005: \$2.215 billion (not including OSCE, EU and NATO expenditures) |
| KFOR (NATO FORCE) |
| Lieutenant General Giuseppe Valotto (Italy) |
| Size and Composition of Mission |
| <ul style="list-style-type: none"> Size: 4 brigades, 17,000+ troops NATO Countries: Belgium, Bulgaria, Canada, Czech Republic, Denmark, Estonia, France, Germany, Greece, Hungary, Italy, Latvia, Lithuania, Luxembourg, Netherlands, Norway, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Turkey, UK, US Non-NATO Countries: Argentina, Armenia, Austria, Azerbaijan, Finland, Georgia, Ireland, Mongolia, Morocco, Sweden, Switzerland, Ukraine |
| UNMIK Civilian Police |
| <ul style="list-style-type: none"> Total of 3,302 officers from 49 countries Key contributors: Germany, India, Jordan, US |

Useful Additional Sources

- UNMIK (www.unmikonline.org)
- International Crisis Group (www.crisisgroup.org)
- European Commission Kosovo 2005 Progress Report (9 November 2005)
- B92 (www.b92.net/english), a news magazine with comprehensive reporting on Kosovo.

Iraq

Expected Council Action

The Council is likely to welcome the formation of a new government in Iraq resulting from the December 2005 elections, or at least welcome the results of the elections if it takes longer for the government to be formed.

In the light of these developments, it is also likely that the Council will begin to discuss in February the level and nature of the UN involvement in Iraq and the implications for the UN Assistance Mission for Iraq (UNAMI).

Key Facts

Since the terrorist bombing of the UNAMI headquarters in Baghdad in August 2003, the UN presence in Iraq has been kept to an absolute minimum. UNAMI has operated out of the Jordanian capital Amman, and most of its field programmes have been run by local Iraqi staff.

The main UN role in Iraq has been the provision of support for the constitutional development process and assistance for the conduct of electoral events, culminating with the 15 December elections for a new sovereign government. The 20 January announcement by the Independent Electoral Commission of Iraq of the preliminary results of the December parliamentary elections marked the end of this phase of UN activity and the return of the UN to a very low profile in the country.

Prior to the 2003 invasion, the UN role in relation to the Iraq situation was very substantial.

- Iraq was a regular subject of Security Council consideration.

- A Sanctions Committee closely monitored Iraq.
- The UN Monitoring, Verification and Inspection Commission (UNMOVIC), created in 1999 under resolution 1284, conducted intrusive and effective inspections to monitor and implement UN disarmament obligations imposed on Iraq.
- The UN Compensation Commission, established in 1991 by resolution 687, actively processed and decided compensation claims for losses resulting from Iraq's occupation of Kuwait.
- Through the oil-for-food programme, the UN delivered huge volumes of humanitarian assistance to the Iraqi people.

After months of tense diplomacy in late 2002 and early 2003, both inside the Council and beyond, the US and the UK abandoned the search for a Security Council resolution for military action on Iraq. In March 2003, the US led a coalition that invaded Iraq and toppled the regime of Saddam Hussein.

In the lead-up to the invasion, UN personnel were withdrawn and in the immediate aftermath most other UN activities with respect to Iraq effectively ceased.

The invasion of Iraq produced a sharp division within the Council and between many UN member states in ways that had both bilateral and multilateral consequences, not least within the UN.

Despite deep divisions, Council members, with relative quickness, developed a sense that the Council needed to act in a unified way on Iraq. In part, this represented a desire to make a first step towards healing some of the divisions and reasserting the credibility of the Council, but also it was a practical necessity because of many objective changes had occurred.

- The oil-for-food programme became redundant and would need to be phased out, and there were many associated financial issues.

- The sanctions regime likewise needed to be addressed.
- UNMOVIC, although its mandate still continued, had effectively run its course.
- New humanitarian emergency and reconstruction needs had emerged in Iraq.

In response to the changed situation, the Council adopted resolution 1472 on 28 March 2003 which adjusted the oil-for-food programme, called for member states to provide humanitarian assistance, authorised the Secretary-General to develop processes for the delivery of humanitarian assistance and foreshadowed a readiness for a wider UN role in Iraq.

For many member states that had opposed the invasion, this provided a political framework that made it possible for them to reengage and work with US-led coalition forces on reconstruction and humanitarian projects. Similarly it enabled the UN itself to begin to plan for a similar role.

This UN role was specifically recognised in resolution 1483 of 22 May 2003, which requested the appointment of a Special Representative of the Secretary-General and established a UN mandate to:

- Coordinate humanitarian assistance;
- Contribute to the reconstruction of Iraq;
- Create national institutions for representative government;
- Encourage international efforts to rebuild the justice and police systems; and
- Promote human rights.

It also decided on the termination of the oil-for-food programme within six months, recognised the presence of the coalition in Iraq, created a Development Fund for Iraq, and imposed sanctions against senior members of the previous Iraqi regime.

On 14 August 2003, resolution 1500 welcomed the establishment of the "broadly representative" Governing Council of Iraq, and established UNAMI to carry out the tasks mandated in resolution 1483. Five days later, a bomb destroyed the UN headquarters in

Baghdad and 22 people were killed, including Special Representative Sergio Vieira de Mello. A UN withdrawal ensued.

After the establishment of an interim Iraqi government in June 2004, the US pressured the UN to take on a larger role in planning for Iraqi national elections. The Council adopted resolution 1546, endorsing the political timetable and detailing UNAMI's mandate. The UN responded tentatively due to its ongoing security concerns. In the end, the UN reluctantly agreed to provide technical assistance along with advice in organising elections and drafting the constitution. However, its contribution to the coordination and delivery of assistance for reconstruction, development and humanitarian needs, and for the promotion of human rights and national dialogue has been managed at a distance. Security risks have led the Secretariat to keep the UN presence on the ground to a minimum.

An Iraqi constitution was approved by referendum in October 2005. Various aspects were controversial, especially for the Sunni community. Accordingly, the final version contained provisions for review by a Constitutional Review Commission. Inevitably, this issue will return to the fore once the new government is in place. The issue could lead to new requests for UN assistance.

Key Issues

The key issue for Council members will be the nature of future UN involvement in Iraq. Clearly the wishes of the new Iraqi government, once installed, will play a major role in consideration of this issue, as will the Secretariat's ongoing concerns about security.

The Council also has various residual issues relating to Iraq, mostly administrative in nature.

- The UN Compensation Commission has virtually completed consideration of claims resulting from Iraq's occupation of Kuwait.
- UNMOVIC still exists but without any substantial ongoing functions.

- Issues relating to letters of credit raised against the UN Iraq Account created under resolution 986 (1995) need to be resolved.
- Resolution 1483 imposed sanctions against Saddam Hussein's former regime's officials and state agencies, and resolution 1518 created a sanctions committee. An assessment needs to be made whether to continue with these mechanisms.
- Finally, resolution 1483 established the Development Fund for Iraq (DFI), which holds the proceeds of petroleum export sales from Iraq, the remaining balances from the oil-for-food programme and other frozen Iraqi funds. The Fund is supervised by the International Advisory and Monitoring Board (IAMB) acting as an audit body. With the establishment of a permanent sovereign Iraqi government, these arrangements may need to be revisited.

Council Dynamics

Council members are keen to maintain a consensus to avoid the reappearance of tensions that were present within the Council before the US-led military campaign in March 2003.

Despite a broad consensus within the Council on almost all aspects of its involvement in Iraq, some members (France, Russia and Greece) have been more vocal on the necessity for the Council to direct its primary focus toward national reconciliation and dialogue rather than security issues. Members also hold differing views on whether the presence of foreign forces in Iraq is a positive or negative factor for the country's stabilisation.

The US and the UK actively support greater UN involvement in Iraq. Other members agree in principle, in varying degrees, but also give weight to the Secretariat's reluctance to reinforce UNAMI's presence on the ground given the security situation.

Options

In February, the Council is likely to adopt a presidential statement to welcome the results of the elections and encourage the formation of an inclusive government—or welcome the new government.



On the UN role, the Council options may be to:

- Start discussions on the future UN role in Iraq;
- Informally convey to the Secretary-General, either in informal consultations or at the monthly lunch, that the general view is in favour of a more proactive UN presence;
- Formally decide, perhaps in a presidential statement or a letter from the president, that the Council favours more substantive participation in the ongoing constitutional processes and involvement in all aspects of Iraqi reconstruction, including development, human rights, institution-building, and disarmament, demobilization and reintegration (DDR); or
- Wait for the government to be formed before taking action on the UN role.

Underlying Problems

The persistent violence, including ongoing hostage-taking and deadly attacks on civilians continue to reinforce the Secretariat's concerns about becoming more engaged.

Iraq's population is roughly 75 percent Arab, 15 percent Kurdish and 5 percent Assyrian and Turkoman. While 65 percent of Iraqis are Shia Muslims, Baath Party rule privileged the Arab Sunni minority. Since the beginning of the political process, the majority of Iraqis have voted along religious and ethnic lines. These sectarian divisions will continue to make governing this federal system difficult. Disputes are likely to arise over regionalism, control of oil revenues and amendments to Iraq's constitution.

UN Documents

Selected Security Council Resolutions

- S/RES/1637 (8 November 2005) extended the Multi National Force's (MNF) mandate, the DFI and the IAMB until 31 December 2006.
- S/RES/1619 (11 August 2005) extended UNAMI for 12 months.
- S/RES/1557 (12 August 2004) extended UNAMI for 12 months.
- S/RES/1546 (8 June 2004) endorsed the formation of the interim government and the holding of elections by January 2005, welcomed the end of occupation by 30 June 2004, endorsed the proposed timetable for the political transition, detailed the mandate of the SRSG, UNAMI and the MNF, and requested quarterly reports.
- S/RES/1538 (21 April 2004) welcomed the inquiry into the oil-for-food programme.
- S/RES/1518 (24 November 2003) established a sanctions committee.
- S/RES/1511 (16 October 2003) reaffirmed the temporary nature of the Coalition Provisional Authority, endorsed the interim administration, called for a political timetable, authorised the MNF to maintain security and stability during 12 months. It also determined the status of the MNF and its relation to the UN, and asked the US to report every six months.
- S/RES/1500 (14 August 2003) welcomed the establishment of the "broadly representative" Governing Council of Iraq and created UNAMI.
- S/RES/1483 (22 May 2003) recognised the occupying powers, requested the Secretary-General to appoint a Special Representative for Iraq, established sanctions against the previous Iraqi government, created the DFI and envisaged the termination of the oil-for-food programme within six months.
- S/RES/1476 (24 Apr 2003) extended the adjustments to the oil-for-food programme introduced by resolution 1472 until 3 June 2003.
- S/RES/1472 (28 March 2003) called on all parties to abide by humanitarian law and made adjustments to the oil-for-

food programme to deal with changes in the humanitarian situation following the US-led invasion.

- S/RES/1441 (8 November 2002) decided that Iraq was in breach of its international obligations due to its lack of cooperation with UNMOVIC inspectors and decided to resume weapons inspections in Iraq.
- S/RES/1284 (17 December 1999) established UNMOVIC.
- S/RES/986 (14 April 1995) established the oil-for-food programme.

Selected Presidential Statements

- S/PRST/2005/5 (16 Feb 2005) welcomed the elections and called for sustained political efforts to make the transition successful.
- S/PRST/2004/11 (27 April 2004) supported the Special Adviser on Iraq.
- S/PRST/2004/6 (24 March 2004) supported the decision to dispatch a Special Adviser and an assistance team for the elections.
- S/PRST/2003/24 (20 November 2003) emphasised the important humanitarian role of the oil-for-food programme as the programme ended.
- S/PRST/2003/13 (20 August 2003) condemned the attack against the UN headquarters in Baghdad.

Secretary-General's Reports on UNAMI (pursuant to resolution 1546)

- S/2005/766 (7 December 2005)
- S/2005/585 (7 September 2005)
- S/2005/373 (7 June 2005)
- S/2005/141 (7 March 2005)
- S/2004/959 (8 December 2004)
- S/2004/710 (3 September 2004)

Secretary General's Reports pursuant to resolution 1483

- S/2004/625 (5 Aug 2004)
- S/2003/1149 (5 December 2003)
- S/2003/715 (17 July 2003)

Relevant Letters

- S/2005/753 (5 December 2005) was a letter from Turkey asking for more UN involvement in Iraq.
- S/2005/687 (11 November 2005) was a letter from Iraq asking for a 12-month extension of the MNF mandate and the DFI.

- S/2005/691 (31 October 2005) letter from the US on the extension of the MNF mandate.
- S/2005/652 (17 October 2005) was a letter on the IAEA activities in Iraq.
- S/2005/509 (4 August 2005) the Secretary-General recommended that the Council extend UNAMI's mandate by 12 months.
- S/2004/764 (30 September 2004) was a letter on the security arrangements for UNAMI.
- S/2003/538 (8 May 2003) was a letter from the US and the UK with the Coalition's statement of purpose.

Historical Background

20 January 2006 The Shia conservative United Iraqi Alliance emerged as the winner of December's parliamentary elections, but failed to gain an absolute majority.

15 December 2005 Iraqis, including a significant number of Sunnis, voted in Iraqi parliamentary election.

October 2005 Iraqis approved the new constitution of an Islamic federal democracy in a referendum.

September 2005 After intense negotiations, the draft constitution was finally put to a referendum.

August 2005 The draft constitution was endorsed by Shia and Kurdish negotiators, but not by Sunni representatives.

April 2005 The parliament nominated Jalal Talabani, a Kurdish leader, as president, and Ibrahim Jaafari, a Shia, as prime minister.

30 January 2005 About eight million people voted to elect a Transitional National Assembly. The United Iraqi Alliance, a Shia coalition, won the majority of the seats and Kurdish parties came in second.

June 2004 The US handed sovereignty to an interim government headed by Prime Minister Iyad Allawi.

19 August 2003 A bomb exploded outside the UN headquarters in Baghdad killing 22

people, including the Special Representative of the Secretary-General Sergio Vieira de Mello (who was also the UN High Commissioner for Human Rights).

13 July 2003 The US-appointed Governing Council of Iraq was established.

May 2003 The Council endorsed the US-led administration in Iraq and lifted economic sanctions. The US administrator abolished the Baath Party and the former regime's institutions.

9 April 2003 US forces took over Baghdad.

20 March 2003 The US-led military campaign to topple Saddam Hussein began.

17 March 2003 The diplomatic process on Iraq ended. US President George W. Bush gave Saddam Hussein 48 hours to leave Iraq or face war, UN arms inspectors were evacuated.

March 2003 The UN chief weapons inspector, Hans Blix, reported to the Council that Iraq had accelerated its cooperation but that inspectors needed more time to verify the country's compliance.

December 2002-March 2003 The Council met 12 times to hear briefs by the weapons inspectors and to discuss a possible intervention. France, Germany, Russia, China, Chile, Mexico and Syria opposed the US, while the UK, Spain and Bulgaria were willing to proceed with a military intervention.

November 2002 The UN weapons inspectors returned to Iraq.

17 December 1999 UNMOVIC was created to replace the UN Special Commission to Oversee the Destruction of Iraq's Weapons of Mass Destruction (UNSCOM).

14 April 1995 The Council established the oil-for-food programme, which allowed the partial resumption of Iraq's oil exports to buy food and medicine.

Other Relevant Facts

| |
|--------------------------------------------------------------------|
| Special Representative of the Secretary-General for Iraq |
| Ashraf Qazi (Pakistan) |
| Deputy Special Representative for Iraq |
| Staffan de Mistura (Sweden) |
| Deputy Special Representative for Political Affairs in Iraq |
| Michael von der Schulenburg (Germany) |
| Secretary-General's Special Adviser on Iraq |
| Lakhdar Brahimi (Algeria; until 20 December 2005, to be replaced) |

Useful Additional Sources

- UNAMI website <http://www.uniraq.org/>
- Iraq news <http://www.un.org/apps/news/infocusRel.asp?infocusID=50&Body=Iraq&Body1=>
- Iraq file, Global Policy Forum <http://www.globalpolicy.org/security/issues/irqindx.htm>
- *Iraq Outlook: Who Will Be Iraq's Next Prime Minister?* Eurasia Group, 14 December 2005.
- Jonathan Morrow, *Iraq's Constitutional Process II: An Opportunity Lost United States Institute of Peace*, Special Report No. 155 November 2005.
- *Unmaking Iraq: A Constitutional Process Gone Awry*, International Crisis Group, Middle East briefing No. 19, 26 September 2005.

Afghanistan

Expected Council Action

The Council is expected to endorse the Afghanistan Compact, a five-year framework for reconstruction to be adopted in early February in London at an international conference co-chaired by the UK, the UN and the Afghan government.

The Council also expects a report of the Secretary-General on the future of the UN Assistance Mission in Afghanistan (UNAMA) in relation to the Compact and the completion of the Bonn process. However, discussions on that subject will most likely



take place in March, just before UNAMA's current mandate expires.

Furthermore, the Council expects the quarterly report of the International Security Assistance Force (ISAF).

Key Facts

On 11 September 2001, Al-Qaida attacked targets in the US. After the Taliban refused to give up Usama bin Laden, a US-led coalition attacked Afghanistan. Northern Alliance forces, with support from the coalition, took Kabul on 13 November 2001. The Taliban and Al-Qaida fighters fled. Coalition military operations to capture their leaders and establish security in Afghanistan continue.

With the support from the international community, including the UN, Afghan leaders in December 2001 established, through the Bonn process, a transitional government leading to elections. Subsequently, the Council established UNAMA to assist the government and coordinate UN reconstruction efforts.

Parliamentary elections held in September 2005 marked the end of the Bonn process. The Afghan government, donors and the UN, conscious of the need for sustained support, began work on the proposed Compact, which is a new framework for aid, reconstruction and institution-building. It has a timeline and benchmarks on governance, security, counter-narcotics and reconstruction. The document further mandates that the UN will co-chair an aid coordination mechanism with the Afghan government.

Given the continuing UN role in relation to the Compact, the Secretary-General will recommend a future role for UNAMA to the Council.

The achievements in building political institutions have not been matched by the

establishment of security in Afghanistan. The NATO-led ISAF and US-led Operation Enduring Freedom (with 20,000 troops currently deployed) have had some notable successes, but Taliban-led violence appears to be on the rise again. ISAF operates through Provincial Reconstruction Teams, which are civil-military units tasked with extending state authority, providing security and engaging in reconstruction. The US-led operation is a coalition fighting mainly Al-Qaida and the Taliban in the countryside.

The recent intensification in Al-Qaida and Taliban attacks, particularly in the south and east, indicates that the situation in the country is far from secure. US military deaths in 2005 almost doubled from 2004 with the increased use of suicide attacks and explosives by insurgents.

On 8 December, NATO announced that it will send an additional 6,000 troops. This expansion is being done through the phased NATO takeover of the Provincial Reconstruction Teams from the US and the establishment of new ones, starting from the north and west and progressing into the south.

NATO's projected increase is intended to pave the way for a reduction of 4,000 US military personnel in the US-led operation. It is unclear whether NATO troops will substantively engage in counter-insurgency activities or will continue to focus on peacekeeping and reconstruction. Some NATO members are reluctant to commit troops to ISAF given the security situation.

Key Issues

The key issue for the Council will be whether and how it should show commitment to the Compact. The Compact is essentially a reconstruction initiative, outside the scope of the Council's normal business. It remains to be seen whether some Council members will show reluctance, especially given the fact that this was a situation in which the Council was not intimately involved in the main decisions on international peace and security. The other side of the issue, however, is that since its resolution approving the ISAF pres-

ence the Council has had a limited overview of security issues. Moreover, supporting the Compact would show support for Afghanistan, and there is much sympathy within the UN for helping Afghanistan emerge from a very long and destructive period of violence.

The second issue arises from the fact that Council members are all aware of the challenges posed by the deteriorating security situation, despite efforts by NATO and the US-led operation. This is closely related to Council's responsibilities on international peace and security and also to the safety of UN personnel. A question may emerge therefore as to whether the Council needs to be more involved in discussion of security issues in Afghanistan.

Council Dynamics

The Council has refrained from taking a leading role in addressing the security situation in Afghanistan, leaving this to the operations led by the US and NATO. This has always been the preferred position of the US, reflecting its massive effort to counter the Taliban and Al-Qaida in response to the 11 September 2001 attacks.

Given its past reluctance to take up security issues in Afghanistan, the Council in this case is focusing, somewhat unusually, on the UN's role in managing reconstruction. Council members generally support a central role for the UN in helping the Afghan government coordinate international assistance. However, Council members are still formulating positions on UNAMA's future mandate and size. The safety of UN staff will be a major factor in that regard.

Options

In addition to welcoming the new Compact, probably in a presidential statement, Council members may discuss other options, such as:

- Including additional language on security aspects;
- The possibility that the Peacebuilding Commission might take on Afghanistan; and
- Asking for more detailed reporting on the situation and the operations of ISAF.

Underlying Problems

In resolution 1386 of 20 December 2001, the Council authorised ISAF to provide security only in Kabul. Resolution 1510 of 13 October 2003 expanded ISAF's mandate to provide security and support for reconstruction and stabilisation activities in the Afghan countryside.

ISAF's command initially rotated among concerned nations, until NATO took over the operation in August 2003. This was NATO's first mission outside Europe.

NATO has achieved varying degrees of success in improving security across the country, with reports that some of its forces are reluctant to engage insurgents directly. The teams have regularly been targeted by insurgents, particularly the Taliban, and one such attack resulted in the death of three Canadian team members in mid January.

In response to the insurgency mounted by Al-Qaida and the Taliban, the US has reportedly engaged in cross-border attacks on Pakistani soil. A recent attack against an Al-Qaida target inside Pakistan in January killed a number of civilians. In Pakistan, the attack prompted a public outcry against the US and led to a formal complaint from the Pakistani Ministry of Foreign Affairs.

Afghanistan's reconstruction also remains plagued by warlords resistant to relinquishing their private militias. Some of these militia leaders secured seats in the September parliamentary elections.

Other challenges come from opium cultivation, corruption and lack of state authority across the countryside. The drug trade remains one of the greatest threats to the rule of law and effective governance, and is intimately connected to the present cross-border insurgency. It is estimated that around three million Afghan refugees live in Pakistan, with another 900,000 in Iran, although there have been considerable successes in increasing the number of refugees returning to Afghanistan.

UN Documents

Selected Security Council Resolutions

- S/RES/1623 (13 September 2005) extended ISAF's mandate until 13 October 2006.
- S/RES/1617 (29 July 2005) strengthened sanctions against the Taliban and Al-Qaida.
- S/RES/1589 (24 March 2005) extended UNAMA's mandate until 24 March 2006.
- S/RES/1510 (13 October 2003) expanded ISAF's mandate beyond Kabul.
- S/RES/1401 (28 March 2002) created UNAMA.
- S/RES/1390 (28 January 2002) strengthened sanctions against the Taliban and Al-Qaida.
- S/RES/1386 (20 December 2001) authorised ISAF to provide security in Kabul.
- S/RES/1373 (28 September 2001) created a comprehensive package of binding measures to curb terrorism.
- S/RES/1333 (19 December 2000) strengthened sanctions against the Taliban and imposed sanctions against Al-Qaida.
- S/RES/1267 (15 October 1999) imposed sanctions against the Taliban. Selected Reports of the Secretary-General
- S/2005/525 (12 August 2005) was the latest report.
- S/2002/278 (18 March 2002) contained recommendations for UNAMA's structure. Latest Presidential Statement
- S/PRST/2005/56 (23 November 2005) welcomed the parliamentary elections and the conclusion of the Bonn process.

Historical Background

3 January 2006 The Secretary-General appointed Tom Koenigs of Germany to replace Jean Arnault of France as his Special Representative to Afghanistan.

18 September 2005 Parliamentary elections were held.

October 2004 Hamid Karzai was elected President.

March 2004 The Berlin donors' conference took place.

January 2004 The Loya Jirga, a council of Afghan tribal elders, adopted the new constitution.

August 2003 NATO took over command of ISAF.

March 2002 The Council established UNAMA.

January 2002 The Tokyo donors' conference took place.

December 2001 The Bonn Agreement was adopted, setting up the Afghan Interim Authority under Hamid Karzai. The Council authorised ISAF.

November 2001 US-supported forces marched into Kabul.

October 2001 The international offensive against the Taliban began.

11 September 2001 Al-Qaida carried out attacks on US soil.

December 2000 The Council strengthened sanctions against the Taliban and imposed sanctions against Al-Qaida.

October 1999 The Council imposed a sanctions regime against the Taliban after the group refused to hand over Usama bin Laden.

August 1998 Al-Qaida attacked US embassies in East Africa. The United States retaliated with a cruise-missile strike on Afghanistan.

September 1996 The Taliban, led by Mullah Omar, seized control of Kabul. Taliban forces dragged former President Mohammad Najibullah from a UN compound and executed him.

May 1996 Usama bin Laden came to Afghanistan after being expelled from Sudan.

Other Relevant Facts

Special Representative of the Secretary-General and UNAMA's Chief of Mission

Tom Koenigs (Germany; effective February 2006)

Size and Composition of Mission

Current strength: 199 international civilians, 729 local civilians, 12 military observers, 7 civilian police, 41 UN volunteers



Duration

28 March 2002 to present

Senior ISAF Civilian Representative in Afghanistan

Hikmet Çetin (Turkey)

ISAF: Size and Composition

- Current strength: 9,200 troops
- Contributors of military personnel: 35 NATO and non-NATO countries
- Current top contributors: Germany, Italy, Canada, France, the UK, Spain

ISAF: Duration

20 December 2001 to present

Useful Additional Sources

- UNAMA's website: <http://www.unama-afg.org/>
- ISAF's website: <http://www.afnorth.nato.int/ISAF/index.htm>

Somalia

Expected Council Action

In February, the Council will receive the regular report of the Secretary-General on Somalia. The Sanctions Committee will receive the midterm briefing of the Monitoring Group.

Discussions will likely be on the renewed AU request, made during its January summit, that an exemption to the Council-imposed arms embargo in Somalia be granted so that African peacekeepers can be deployed.

Key Facts

In April 2005, the Intergovernmental Authority on Development (IGAD)—comprised of Djibouti, Ethiopia, Eritrea, Kenya, Somalia, Sudan and Uganda—decided to send a peacekeeping mission to Somalia. However, controversy regarding the composition of such a force and capacity issues have prevented its practical realisation. Various Somali factions object to troops from neighbouring states.

Somali President Abdullahi Yusuf has repeatedly asked the Council for exemptions from the embargo. But Council members have been reluctant, given the uncertainty about the operation and the absence of a peace-keeping plan.

In practice, the Council's arms embargo is ineffective. The Monitoring Group reported in August 2005 that Yemen, IGAD-member Ethiopia and members of the transitional government had violated the embargo. Yemen publicly admitted to the violations given its security concerns with the state of affairs in Somalia, but Ethiopia denied it. Another IGAD-member, Eritrea, has also been identified in media reports as breaching the embargo.

Key Issues

The Council is unlikely to have any appetite for taking up the issue of direct UN involvement in the security issues in Somalia. However, increasing concern about the role of Jihadists and the growing incidence of Somali piracy attacking commercial and humanitarian shipping may in time lead to a willingness to consider the AU request, but not until there is a clear and feasible plan for an IGAD peacekeeping operation.

Similarly, the issue of reinvigorating the sanctions regime is unlikely to be very attractive (see our January Forecast Report for background.) The Sanctions Committee is therefore likely to continue to work on the issue of individual violations.

Options

Possible options may include:

- Welcoming and supporting the reconvening of the Transitional Parliament, should it eventuate;
- The Sanctions Committee starting active work on a list of individual violators;
- Engaging neighbouring countries in finding a balance between security concerns and respect for the arms embargo;
- Requesting a report from the Secretary-General on developments regarding the IGAD peacekeeping operation; and
- Bearing in mind resolutions 1625 and 1631, requesting the Secretary-General to consult with the AU on ways in which the UN could provide assistance to the AU for developing a practicable peacekeeping concept.

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