



# SECURITY COUNCIL REPORT

## MONTHLY FORECAST

### APRIL 2006



30 March 2006

This report is available online and can be viewed together with Update Reports on developments during the month at [www.securitycouncilreport.org](http://www.securitycouncilreport.org)

### Notable Dates for April

March 2006	Reports Due	Relevant Document
by 31 March	SG regular report on BONUCA (UN Peacebuilding Support Office in the Central African Republic)	S/PRST/2001/25

April 2006	Reports Due	Relevant Document
early April	SG report on UNOCI (UN Operation in Côte d'Ivoire) (quarterly)	S/RES/1603
by 24 April	SG options for a UN operation in Darfur	S/RES/1663
by 24 April	SG recommendations on how to effectively address civilian protection in the Great Lakes Region, in particular the problem of the LRA	S/RES/1663 S/RES/1653

by 28 April	1540 Committee (Terrorism & WMD) report	S/RES/1540
by 30 April	SG report on Darfur (monthly)	S/RES/1590
by 30 April	SG report on MONUC (UN Organization Mission in the DRC) (quarterly)	S/RES/1635

by 30 April	SG report on DDR in the DRC (delayed from 15 March)	S/RES/1649
by 30 April	SG report on UNIOSIL (UN Integrated Office for Sierra Leone) (quarterly)	S/RES/1620

by 30 April	SG report on UNMIK (UN Interim Administration Mission in Kosovo)	S/RES/1244
by 30 April	SG report on MINUSTAH (UN Stabilization Mission in Haiti) (quarterly)	S/RES/1608

by late April	SG semi-annual report on resolution 1559 (Lebanon)	S/RES/1559
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April 2006	Mandates Expire	Relevant Document
15 April	UNMEE (UN Mission in Ethiopia and Eritrea)	S/RES/1661
28 April	1540 Committee	S/RES/1540
30 April	MINURSO (UN Mission for the Referendum in Western Sahara)	S/RES/1634

April 2006	Other Important Dates
3-4 April	Timor-Leste and Development Partners meeting in Dili
5 April	Serbia talks with EU
21 April	The second round of parliamentary elections is expected in Haiti (delayed from 19 March); results to be announced by 28 April.
28 April	Meeting of the Ethiopia-Eritrea Boundary Commission
late April	AMIS (AU Mission in Sudan) possible pledging conference

Also expected in April:

- Syrian President Bashar al-Assad and Vice-President Farouq al-Shara have agreed to be interviewed by UNIIIC.
- UN assessment team is expected to visit Darfur.
- Morocco is expected to present a plan for greater autonomy of the Western Sahara to the UN.
- IAEA experts will report back to the IAEA in early April regarding their expected visit to the Natanz site in Iran in late March.

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### Aide-Memoire

Important matters awaited include:

- The **Protection of Civilians in Armed Conflict** resolution has still not been adopted.
- The September World Summit request for fair and clear procedures on **listing and delisting on Council sanctions lists** is still outstanding. The Office of Legal Affairs report is awaited.
- A report addressing **serious crimes committed in Timor Leste** was requested six months ago.
- Resolution 1623 on Afghanistan requested **quarterly reports on the activities of the NATO-led International Security Assistance Force (ISAF)**. The last ISAF report was circulated in October 2005.
- The Secretary-General's Special Adviser on Prevention of Genocide **Juan Méndez's report, on his visit to Côte d'Ivoire** in November was "shared" with the Council, but has not been made public.
- Resolution 1653 requested recommendations on "how best to support efforts by States in the region to put an end to the activities of illegal armed groups..." This was understood to include the thorny issue of the **Ugandan rebel group Lord's Resistance Army**. (Resolution 1663 now gives the Secretariat until 24 April.)

April is scheduled to be a relatively quiet month for the Council. No major open debates are envisaged. China has the presidency and is unlikely to initiate any new thematic issues for discussion.

However, issues such as Iran and Darfur could easily dominate the month.

## Iran

At the time of writing agreement between the P5 had just been announced. It seems that the language initially sought by the US was much tougher than most members had expected, especially given the earlier indication of an “incremental” approach. However, it seems that a compromise was brokered by the UK and France. The thirty-day deadline means that a resumed focus on Iran is inevitable towards the end of April. And, depending on the nature of the Iranian response, events could mean that the Council will take up the issue even sooner.

## The Secretary-General Appointment

Discussion of this issue was initiated under the US presidency in February. It will continue to be discussed informally between Council members. There is increasing interest in moving to a more structured framework including some input from the General Assembly. Consultations between the Council president and the General Assembly president are likely. At some point a Council president will have to take the initiative, as the Indonesian Ambassador did in 1996, and produce a paper for negotiation on the actual process to be used by the Council. Council Members will be conscious, of course, that since 1996 the General Assembly has considered the need for changes in the process of selection and that these were adopted by consensus in 1997 in A/RES/51/241. In addition, further proposals have been advanced recently by Canada. Discussion of these aspects will take some time and most members will want to resolve them well in advance of discussion of possible candidates.

## Darfur

This issue will continue to occupy a great deal of attention. The traction that has been achieved recently is in large part due to leadership from the Secretary-General. It is likely that this leadership will be sustained and even enhanced in the coming months. Four major issues will be on his plate:

- Development of a credible and compelling set of options for deployment of a UN force—this is a major task and his personal input will make a real difference.
- Utilising his good offices to put greater energy and more hope into the peace negotiations in Abuja.
- Persuading Sudan to step back from confrontation with the UN and accept—even tacitly if necessary—the need for transition from AMIS to a much more robust UN operation with some elements from Western countries.
- Persuading the Council and potential troop contributors to front up with the robust and well equipped forces that are required, but in a format that is sensitive to the AU concerns about a substantial African identity for the force and takes into account Khartoum’s allergy to NATO operating as such in Sudanese territory.

## Lebanon

The Council is likely to welcome and further encourage the recent positive outcomes from the “national dialogue process”. But there will be greater controversy over how far to go with language:

- confirming the lack of legitimate mandate for the President;
- pushing for early presidential elections;
- disarmament and disbandment of militias and ensuring Lebanese Government control over the whole of the country; and
- ongoing Syrian influence, including transfer of arms.

The issue of the Sheb’a Farms, and possible movement on this front between Lebanon and Syria, presents new elements of opportunity as well as some risk. The uncertainties may mean that agreed Council language on this issue will take longer to unfold.

## Democratic Republic of the Congo

The discussion of DRC and MONUC is likely to focus on how best to encourage the disarming and/or repatriation of foreign fighters from DRC to Rwanda and Uganda.

**Côte d’Ivoire** has seen some positive political developments in recent weeks, but also some deterioration on the security front. The case for additional troops for UNOCI has been reiterated by the Secretary-General. The atmosphere may be more sympathetic in April.

## Sierra Leone

Routine discussion of progress with UNIOSIL had been expected. However, the recent events concerning Charles Taylor have sent a shiver through the whole region. The Council is likely to follow this closely.

## Western Sahara

A Moroccan proposal on autonomy is still awaited. The MINURSO mandate expires on 30 April. There is some anxiety that Morocco will present its proposal at the last minute and hope to stampede the Council into early action. It seems more likely that the Council will want time for some careful analysis in capitols and by the Secretariat. In the absence of a credible proposal from Morocco some action on downsizing the force—perhaps a request to the Secretary-General for options—is possible, although no Council members are eager for that.

**Ethiopia and Eritrea** are likewise facing the possibility of a downsizing of UNMEE. There was some progress in March following the US initiative to bring the parties and the boundary commission together in London. But if there are not further signs of flexibility by both sides in April, the Council may reluctantly conclude that the force and mandate should be adjusted.

Discussion of **Haiti**, with its parliamentary elections due in April, is likely to be straightforward. Similarly, renewal of the mandate of the **1540 Committee (Terrorism and Weapons of Mass Destruction)** is expected to be routine.

### Expected Council Action

Having sent a unanimous signal on 24 March that it remains committed to the transition from the AU Mission in Sudan (AMIS) to a UN peacekeeping operation in Darfur, the Council is unlikely to take action on the UN force mandate until it receives an options report from the Secretariat in late April. In the meantime, some members may want to stay engaged on Darfur with a presidential statement.

The African Union's chief mediator, Salim Ahmed Salim, may brief the Council in April. This could set the stage for further Council action to bolster the Abuja peace talks.

### Key Facts

The decision by the AU Peace and Security Council (PSC) on 10 March to renew AMIS until September and accept the UN transition in principle has been interpreted by the Council as a go-ahead for transition planning. But the PSC decision highlighted AU concern for a partnership with the UN, stating that the transition should maintain the "African character of the mission" as much as possible and the AU's leading role in the Darfur peace process, including the Abuja talks and the Darfur-Darfur dialogue.

Resolution 1663 of 24 March was a clear signal of Council commitment to transition, although some important differences still remain and will become clearer as events unfold.

There is now a thirty-day deadline for the presentation of a "range of options" for a UN operation in Darfur. The initial US draft set a deadline for the final transition plan. But there were concerns with the impossibility of preparing a detailed final plan by 24 April, especially given the uncertainties of the outcome of the Abuja peace process. Hence the agreement on "options".

Council members expect that the planning will now build on three possible scenarios:

- a peace agreement and a credible ceasefire;
- the current status quo with a shaky ceasefire; or
- a collapse of the ceasefire. It is highly probable that the report will warn against the redeployment of UNMIS troops from southern Sudan into Darfur given the ongoing needs in the south and recent attacks

against UNMIS by the Ugandan rebel Lord's Resistance Army (LRA).

There is wide consensus that a UN operation will not only include AMIS troops, but will also have to count on additional troops.

Controversy has surrounded proposals for an enhanced NATO role. US President George W. Bush has pushed for a NATO lead (NATO already supports AMIS with airlift and training). Recent statements from NATO Secretary-General Jaap de Hoop Scheffer suggest that the organisation would only have an "enabling" role vis-à-vis UN forces.

Given the minimum lead time of approximately six months for the deployment of a UN force, there is considerable pressure on the Council, and the UN and AU Secretariats for improvements to AMIS in the immediate future. Resolution 1663 thus requested the Secretary-General to plan on stepping up UN assistance to AMIS, especially with logistics, communications and mobility, including through consultations with regional and international organisations as well as member states.

The Secretary-General has strongly advocated for a pledging conference, now expected for late April in Brussels. But there are indications that the AU's preferred strategy is to obtain resources bilaterally rather than multilaterally.

The PSC decision on 10 March contains a number of initiatives to improve the situation. The decision reformulated the mandate of AMIS to include contributions to civilian protection, mandating a "robust interpretation" of this mandate without the "immediate vicinity" limitation. It also directed the AU Commission to implement the changes suggested by the December 2005 joint assessment mission by the UN, the AU and key donors.

Nonetheless, observers note that the lack of training, resources, capacity and adequate size are likely to mean that significant improvements in the performance of AMIS cannot realistically be expected in the short term.

The AU has also tabled a draft enhanced ceasefire agreement in Abuja. But fragmentation among Darfur armed groups, particularly within the Sudan Liberation Move-



ment (SLM), has meant that little progress was made in the four months since the current round of peace talks started.

Resolution 1663 also set a thirty-day deadline for the report previously requested in resolution 1653, which is now to specifically include recommendations vis-à-vis the Lord's Resistance Army.

The Sanctions Committee adopted guidelines after a compromise decision to refer disputes to the Security Council. This addressed France's reservations against the consensus rule. The UK has presented a short draft list of individual violators. This list includes individuals from all sides, but refrains from naming high officials.

### Key Issues

As the Council awaits the report of the Secretary-General, five issues will linger:

- the need for resources for AMIS in the interim period while supporting the AU's efforts to obtain Khartoum's acceptance;
- improving liaison with Khartoum;
- pushing for a peace agreement in Abuja;
- achieving some consensus on what a partnership with the AU will entail, particularly if the Abuja talks continue to drag along; and
- adopting a list of individual violators.

As soon as the Secretary-General's report is available, issues relating to the new mission's size, mandate and funding will begin to be addressed. For more details, see our January and February Forecasts.

There is still some lack of clarity on how to proceed in the event a peace agreement is not reached and Khartoum opposes the transition. There is consensus that the optimal scenario is a peace agreement. Some believe that the "no peace to keep" scenario is unviable. As a result, Council members await the Secretary-General's options while giving room for AU and bilateral contacts with Sudan.

### Council Dynamics

Council dynamics have been characterised by:

- The need for AMIS to be supported in the interim (resolution 1663 was thus seen as



an important signal to donors and certain domestic constituencies that the transition is moving along. There was concern that, in the absence of indications that the transition will indeed happen, donors will not disburse longer-term funds for AMIS).

- Pressure from the US for a speedy transition, with concern about delays in planning. There is some frustration with the fact that, despite the February mandate for contingency planning, the assessment team has not even departed for Sudan. (Khartoum's opposition has been cited as one of the delaying factors.)
- Opposition from Qatar, China and Russia to transition without Khartoum's acceptance. There was much debate in the lead up to resolution 1663, some wanting to condition any mention of the transition to a peace agreement or to Khartoum's consent. Others preferred a clear signal that transition might proceed even in the absence of Khartoum's consent. A compromise was found that did not include either condition. The details of the transition have not been decided upon. Nonetheless, the agreed language adopted unanimously signals a fairly clear trend towards an eventual transition.
- Concern from Japan and France about the potential costs of the transition.
- Concern from the AU members of the Council—Ghana, Tanzania and the AU chair, Congo-Brazzaville—that the Council should recognise a prominent AU role in the composition of the new mission.

One result of resolution 1663 was that the presidential statement on transition being drafted by the UK lost momentum.

Khartoum's position seems to have stiffened in the face of proposals for an enhanced NATO role in Darfur. Khartoum has received some support from Arab states, particularly Libya and Egypt. At the time of writing, the outcome of the Arab League summit in March was not known.

For its part, the AU seems inclined to work with Sudan to persuade it over time to consent to the transition. The AU formed a committee of heads of state and government—including the leaders of Burkina Faso, Congo-Brazzaville, Nigeria as well as AU Commission Chairman Alpha Konaré—to encourage Khartoum's acceptance by September.

The inclusion of a reference to the LRA in resolution 1663—a UK initiative—is seen as a further step towards more concerted action against the LRA, but there are concerns with the financial implications of an additional enforcement mandate for UNMIS.

On the sanctions front, the small list presented by the UK seems to have been received with far less controversy than the list proposed by the Panel of Experts. But it is unclear whether it will be enough to dispel some members' resistance, particularly China's, against the use of targeted sanctions.

### Options

Prior to receiving the options report, options before the Council include:

- adopting the list of violators; and
- sending a Council mission to Abuja and possibly to Khartoum with the primary aim of improving the prospects for a compromise and putting pressure on the Abuja talks. The possibility of a visit has been raised in Council discussions.

### Underlying Problems

The transition from AMIS to a UN force will be a complex endeavour. The difficulties with force generation will be significant. Obtaining the high-quality military resources the Secretary-General has asked for will be a further challenge. And the administrative tasks of what amounts to merging and expanding two existing operations will be huge.

With the security situation progressively deteriorating in Darfur, there are deep concerns with the fact that the ceasefire monitoring commission, chaired by Chad, has not met in several months. As a result, violations have not been reported. The mechanism also suffers from several deficiencies, including lack of independence. Key ceasefire provisions, including full disclosure of military positions, have never been observed. In addition to supporting a new draft ceasefire agreement, the PSC has called for an emergency meeting of the commission. Meanwhile, observers note constant violations and Khartoum's inability to disarm the *Janjaweed* per its previous commitments.

New Chadian accusations of rebel support against Sudan have raised concerns with bilateral relations, all the more difficult with the presence of both Chadian and Darfurian

rebels on both sides of the border. A March report from the AU Commission noted that a mission of six observers from Congo-Brazzaville, Burkina Faso, the Central African Republic and Libya is expected to be deployed along the common border, but the PSC declined to authorise AMIS to provide security for the observers.

Meanwhile, the situation in southern Sudan remains fragile. Besides the LRA, a major concern is with redeployments of both government and Sudan People's Liberation Army (SPLA) troops per the Comprehensive Peace Agreement, and the delays with the start of peace talks between the Eastern Front and Khartoum.

UN Documents
<p><b>Selected Security Council Resolutions</b></p> <ul style="list-style-type: none"> <li>• S/RES/1665 (29 March 2006) renewed sanctions and the mandate of the Panel of Experts.</li> <li>• S/RES/1663 (24 March 2006) renewed UNMIS and set a thirty-day deadline for transition options.</li> <li>• S/RES/1593 (31 March 2005) referred the situation in Darfur to the ICC.</li> <li>• S/RES/1591 (29 March 2005) strengthened sanctions in Darfur.</li> <li>• S/RES/1590 (24 March 2005) established UNMIS.</li> <li>• S/RES/1556 (30 July 2004) established an arms embargo and requested monthly reports.</li> </ul>
<p><b>Selected Presidential Statements</b></p> <ul style="list-style-type: none"> <li>• S/PRST/2006/5 (3 February 2006) mandated the Secretariat to start contingency planning.</li> <li>• S/PRST/2005/67 (21 December 2005) expressed concern with the current situation, in particular the spillover effects in Chad.</li> </ul>
<p><b>Selected Secretary-General's Reports</b></p> <ul style="list-style-type: none"> <li>• S/2006/160 (14 March 2006) was the latest regular report on Sudan.</li> <li>• S/2006/148 (9 March 2006) was the latest report on Darfur at the time of writing.</li> <li>• S/2005/285 (3 May 2005) reported on UNMIS' assistance to AMIS.</li> <li>• S/2005/57 (31 January 2005) assessed risks in the CPA and proposed UNMIS.</li> </ul>
<p><b>Selected Report of the Panel of Experts</b></p> <ul style="list-style-type: none"> <li>• S/2006/65 (30 January 2006)</li> </ul>
<p><b>Other Documents</b></p> <ul style="list-style-type: none"> <li>• S/2006/156 (13 March 2006) contains the PSC decision.</li> </ul>

For the historical background, please see our February *Monthly Forecast*.

<b>Other Relevant Facts</b>
<b>UNMIS: Special Representative of the Secretary-General and Head of Mission</b>
Jan Pronk (Netherlands)
<b>UNMIS Force Commander</b>
Lieutenant-General Jasbir Singh Lidder (India)
<b>UNMIS: Size and Composition of Mission</b>
<ul style="list-style-type: none"> <li>• Maximum authorised strength: up to 10,000 military personnel</li> <li>• Strength as of 13 December 2005: 4,291 military personnel</li> <li>• Key contributors: Bangladesh, India and Nepal</li> </ul>
<b>UNMIS: Cost</b>
1 July 2005 - 30 June 2006: \$969.47 million (gross)
<b>AU's Chief Mediator</b>
Salim Ahmed Salim (Tanzania)
<b>Head of AMIS</b>
Ambassador Baba Gana Kingibe (Nigeria)
<b>AMIS Force Commander</b>
Major General Collins Remy Umunakwe Ihekire (Nigeria)
<b>AMIS: Size and Composition</b>
<ul style="list-style-type: none"> <li>• Total authorised strength: 6,171 military and 1,560 police personnel</li> <li>• Strength as of 10 March 2006: 5,641 military and 1,390 police personnel</li> <li>• Key contributors: Nigeria, Rwanda, Senegal, South Africa and Ghana</li> </ul>
<b>AMIS: Cost</b>
\$466 million

### Useful Additional Sources

- *Re-Hatting ECOWAS Forces as UN Peacekeepers: Lessons Learned*, UN Peacekeeping Best Practices Unit, August 2005
- AU website: [www.africa-union.org](http://www.africa-union.org)

## Lebanon

### Expected Council Action

In response to the positive developments in Lebanon, the Council is expected to adopt a presidential statement (or perhaps a resolution), giving encouragement to the “national dialogue process” and welcoming the report from the Secretary-General’s Special Envoy,

Terje Røed-Larsen. There may also be messages on implementation of the outstanding issues under resolution 1559.

### Key Facts

Lebanon’s political and territorial independence, gained in 1943, has been challenged since the 1970’s by the presence of foreign or foreign-sponsored forces. Internal communal divisions, in addition to the presence of Palestinian militias, contributed to the outbreak of the civil war in 1975, which then led to military interventions by Syria in 1976 and Israel in 1978.

In the 1980s, Hezbollah, an Iranian-sponsored resistance movement based in Lebanon’s Shia community, emerged. It focused on confronting Israeli forces.

In 1985 Israel undertook a partial withdrawal from Lebanon, but retained a self-proclaimed “security zone” in south Lebanon. In May 2000, Israel finally withdrew and the UN supervised a border demarcation between Lebanon and Israel known as the “Blue Line.”

In the former Israeli security zone in Lebanon, Hezbollah filled the military, security and administrative vacuum, conducting ongoing militant activities and providing social services for the population. Hezbollah justifies its continued action against Israel by the Israeli occupation of the Sheb’a Farms, a small piece of land considered part of Syria under the UN demarcation but claimed as Lebanese territory by many in Lebanon, including Hezbollah.

Although most of the Palestinian guerrillas were expelled during the 1982 Israeli invasion, many resumed their activities after the Israeli withdrawal from Beirut. Palestinian militias are still present in Lebanon and operate mainly from the refugee camps located in the suburbs of Beirut and in the south of the country.

In 1989, the Taef Agreement sponsored by the Arab League facilitated the end of Lebanon’s civil war. It established a framework for the redeployment of Syrian troops in Lebanon, and required the “disbanding of all Lebanese and non-Lebanese militias.”

In 1991 Syria’s grip on Lebanon was reinforced by the Treaty of Fraternity, Cooperation and Coordination, which established joint councils to coordinate decision-making and activities



related to foreign affairs, economic and social affairs, and defence and security affairs.

In September 2004, the Security Council decided to put an end to Syrian control over Lebanese politics. The trigger was a Syrian-influenced decision by the Lebanese Parliament to extend the term of pro-Syrian President Emile Lahoud by three years, thereby aborting the electoral process. Resolution 1559, sponsored by the US and France:

- called upon all remaining foreign forces to withdraw from Lebanon;
- called for the disbanding and disarmament of all Lebanese and non-Lebanese militias;
- supported the extension of the control of the government of Lebanon over all Lebanese territory; and
- supported a free and fair electoral process in Lebanon.

Subsequently, the Secretary-General appointed Terje Røed-Larsen as his Special Envoy for the implementation of resolution 1559.

In 2005 there was an intense public reaction in Lebanon following the assassination that February of former Lebanese Prime Minister Rafik Hariri, who had resigned from the post to protest the extension of the President Lahoud’s term. Public protest and strong international pressure pushed Syria to withdraw from Lebanon in April.

Free parliamentary elections were held in May and June 2005. Hezbollah won eight new seats, giving the group 23 seats and two ministries in the government.

Although the Syrian withdrawal and the parliamentary elections were seen as positive developments, the last report on implementation of resolution 1559, submitted to the Council in October 2005, noted that:

- Lebanon and Syria still had to establish mutual diplomatic relations and demarcate their border.

- The disbanding and disarming of militias remained incomplete.
- The illegal transfer of arms and people across the borders into Lebanon was worrying.

The Secretary-General as well as the Council encouraged the Lebanese government to enter into a dialogue with Hezbollah and the different Palestinian groups to resolve the issue of disbanding and disarming and to re-establish government control over the whole territory.

### Recent Developments

In January, the Council adopted a presidential statement welcoming the October 2005 report on implementation of resolution 1559, commending the Lebanese authorities for the inter-Lebanese dialogue, calling on Syria to take measures to prevent the flow of arms and people into Lebanese territory, and calling for free and fair presidential elections in Lebanon.

Issues highlighted in the October 2005 report reappeared in February with reports of new weapons transfers from Syria to the south of Lebanon.

In early March, Nabih Berri, the speaker of the Lebanese Parliament officially initiated the first round of the Lebanese National Dialogue among the leaders of major political parties.

There has been important progress with regard to the Lebanese National Dialogue. An agreement was reached on 14 March to disarm the Palestinian militias operating outside the refugee camps within six months. In addition, Lebanon and Syria have decided to establish formal diplomatic ties, based on the 1989 Taef Agreement, and to demarcate their common border. Finally, the participants in the Lebanese dialogue agreed that the Sheb'a Farms were Lebanese territories. It seems that Syria may also agree.

The talks still have to tackle the remaining and more sensitive issues of the disarmament of Hezbollah and the position of President Lahoud, who has been under growing pressure to resign.

In March, Røed-Larsen undertook a tour of the capitals of the five permanent Council members and several Middle Eastern countries to gather support for the current Lebanese dialogue and to discuss foreign

influence in Lebanon. The tour occurred ahead of the Arab League summit held in Sudan on 28 and 29 March.

### Key Issues

The key issue for the Council at this time is to find the right balance between encouraging the positive developments with respect to the implementation of resolution 1559 and maintaining pressure to resolve the ongoing problems. These problems come with an additional complication: the need to allow the Lebanese government appropriate flexibility to manage the domestic implications.

A major issue will likely be how far to press the question of the status of the President Lahoud. His term will end in September 2007, but there seems to be a growing view within the Council that his mandate is illegitimate and that the Council should say so explicitly.

A related issue is whether the Council should now press for new presidential elections. France, the UK and the US would like to see presidential elections happening soon.

The disarmament and disbanding of militias is an even more important issue for the Council. Some progress has been made in this regard. It will likely be addressed in Røed-Larsen's report. There may be debate about the sustainability of this current progress and the corresponding need for the Council to speak about this subject again, which is directly related to the issue of extending government control throughout Lebanon's territory.

The Council will also address the issue of the political independence of Lebanon and withdrawal of all foreign forces. There are still fears that Syria is seeking to maintain influence, variously through the continuing transfer of arms, the possible existence of Syrian intelligence services on Lebanese soil and the presence of a pro-Syrian president.

Finally, the possible resolution of the Sheb'a Farms problem raises a whole new issue, with elements of real opportunity as well as some risk. In a technical sense, if a formal demarcation can be agreed between Syria and Lebanon, it immediately raises a need for the UN to play a role in adjusting the "blue line." This process would need the engagement of the Israelis, who currently occupy the territory.

### Council Dynamics

France, the US and the UK followed perhaps by a few non-permanent members (Denmark and Greece) will advocate strong language if there is any new evidence of Syrian involvement in Lebanese internal affairs. There is likely to be pressure for some language on arms transfers.

On the status of the Lebanese president, new presidential elections, the demilitarisation of the militias and national control of the entire territory, this group is also likely to want specific language included. China, Russia and Qatar may be reluctant, urging that this should be left to the national dialogue. Eventually a compromise presidential statement can be expected, reflecting what is expected from Syria as well as Lebanon.

The Council members are likely to readily agree to language encouraging the recent positive developments and to promoting Lebanon's political progress. All members seem to agree that the national dialogue should be encouraged as it seems to be bearing fruit.

The implications of the emerging agreement on the Sheb'a Farms may also be a subject for discussion in the Council. Some members may wish to specifically take note of it in the statement. At the time of writing, it is unclear whether there will be any willingness to refer to this development.

### Options

The range of options for the substantive content of a Council statement is detailed above. In light of the significance of the developments that are occurring, and the huge preparatory effort that Røed-Larsen and his team have put into the regional consultations, it is possible that some Council members will feel that it is appropriate that this be marked in a resolution rather than a presidential statement.

### Underlying Problems

A major underlying issue, in the context of the controversy over the legitimacy of President Lahoud's mandate, is the designation of a successor. It seems that there is no obvious candidate likely to be easily accepted by the key decision-makers. This may lead to a degree of caution about pushing for the position to be vacated prematurely.



The status of the Sheb'a Farms is a major underlying problem affecting a whole range of issues relevant to implementation of resolution 1559.

In the UN context, this area is seen as Syrian territory under Israeli occupation. However, for more than a decade the Lebanese claim to the land has provided a justification for the argument by Hezbollah that Israel has still not fully withdrawn from Lebanese territory and consequentially that Hezbollah's mission to oppose Israel's occupation of Lebanon is not yet complete. This has led not only to the militarisation of the adjacent areas by Hezbollah militias, with the consequent problems for Lebanese government control of the whole of its territory, but also to ongoing attacks on Israel by the militias, with consequent threats to wider international peace and security.

If Lebanon and Syria were to agree on a different formula to draw the border in this region, and if Lebanon had undisputed sovereignty and Israel could be persuaded to withdraw from it, this development could greatly assist in resolving the wider strategic problem presented by Hezbollah.

At the time of writing there are many uncertainties, including on Syrian and Israeli positions. Israel would be certain to insist on guaranteed effective control of the territory by the Lebanese national army.

At present, in the absence of a resolution of this issue, both the military strength and the electoral success of Hezbollah as a political

party make it difficult for the Lebanese government to fully implement the provisions of resolution 1559.

### Historical Background

*2 March 2006* The Lebanese National Dialogue was officially launched.

*June 2005* Anti-Syrian alliance led by Saad Hariri won control of parliament following the elections.

*26 April 2005* Syria announced the withdrawal of Syrian troops, apparatus and assets from Lebanon.

*14 February 2005* Rafik Hariri was killed in a car bomb attack in Beirut. Two weeks of anti-Syrian rallies followed.

*20 October 2004* Rafik Hariri resigned as prime minister under pressure from Syria.

*3 September 2004* President Emile Lahoud's term was extended by three years.

*2 September 2004* Following allegations of Syrian manipulation of the Lebanese electoral process, the Council passed resolution 1559.

*May 2004* The US imposed economic sanctions on Syria over what it called its support for terrorism and failure to stop militants entering Iraq.

*24 November 1998* Army chief Emile Lahoud was sworn in as president.

*22 May 1991* A Treaty of Brotherhood, Cooperation and Coordination was signed in



Damascus by Lebanon and Syria; a Higher Council, co-chaired by their two presidents, was established.

*30 April 1991* The National Assembly ordered the dissolution of all militias by this date, but Hezbollah was allowed to remain active.

*22 October 1989* The Lebanese National Assembly, meeting in the Saudi city of Taef, endorsed a Charter of National Reconciliation that ended the Lebanese civil war.

*17 May 1983* Israel and Lebanon signed an agreement on Israeli withdrawal, ending hostilities and establishing a security region in southern Lebanon. Israel partially withdrew in 1985. The agreement was cancelled by Lebanon in 1987.

*6 June 1982* Israel launched a full-scale invasion of Lebanon, "Operation Peace for Galilee."

*13 June 1978* Israeli forces withdrew from Southern Lebanon. The territory was handed over to the South Lebanese Army, an Israeli proxy.

*14-15 March 1978* Israel invaded Lebanon, occupying land as far as the Litani River.

*June 1976* The Syrian army intervened in the Lebanese civil war.

### Useful Additional Sources

- Global Policy Forum web page on the Security Council and Lebanon and Syria <http://www.globalpolicy.org/security/issues/lbindex.htm>
- *Lebanon: Managing the Gathering Storm*, ICG, Middle East Report No. 48, 5 December 2005
- *Inside Syria and Lebanon*, Middle East Report, No. 236, Fall 2005
- *Syria After Lebanon, Lebanon After Syria*, ICG, Middle East Report No. 39, 12 April 2005
- *Hezbollah*, Q&A Council on Foreign Relations website [http://www.cfr.org/publication/9155/hezbollah\\_aka\\_hizbollah\\_hizbullah.html](http://www.cfr.org/publication/9155/hezbollah_aka_hizbollah_hizbullah.html)

<b>UN Documents</b>	report to the Council every six months.
<b>Security Council Resolutions</b>	<b>Reports of the Secretary-General</b>
<ul style="list-style-type: none"> <li>• S/RES/1559 (2 September 2004) urged Syria's withdrawal from Lebanon and the disbanding of militias.</li> </ul>	<ul style="list-style-type: none"> <li>• S/2005/673 (26 October 2005) second semi-annual report on the implementation of resolution 1559</li> <li>• S/2005/272 (29 April 2005) first semi-annual report on the implementation of resolution 1559</li> <li>• S/2004/777 (1 October 2004) report pursuant to resolution 1559</li> </ul>
<b>Presidential Statements</b>	<b>Selected Letters</b>
<ul style="list-style-type: none"> <li>• S/PRST/2006/3 (23 January 2006) welcomed the second report on implementation of resolution 1559.</li> <li>• S/PRST/2005/26 (22 June 2005) welcomed the parliamentary elections.</li> <li>• S/PRST/2005/17 (4 May 2005) welcomed the first report on implementation of resolution 1559</li> <li>• S/PRST/2004/36 (19 October 2004) requested the Secretary-General to</li> </ul>	<ul style="list-style-type: none"> <li>• S/2006/67 (31 January 2006) EU statement on Lebanon</li> <li>• S/2004/706 (1 September 2004) letter from Syria</li> <li>• S/2004/699 (31 August 2004) letter from Lebanon</li> </ul>

### Expected Council Action

The Secretary-General's quarterly report on the UN Operation in Côte d'Ivoire (UNOCI) is expected to draw the Council's attention again to the need for an increase in the number of troops and police units in Côte d'Ivoire. The Council may make some moves to respond positively to this concern, given some progress on the ground.

### Recent Developments

The Independent Electoral Commission (IEC) became operational on 7 March after a prolonged conflict over its composition, which rendered it idle. A fourth vice-presidential position was created to solve this problem. Since 15 July 2005, the IEC has been headed by Antonio Monteiro, the UN High Representative for the Elections in Côte d'Ivoire, appointed by the Secretary-General. He is leaving this post at the end of March, having originally agreed to stay on for only about three months, until the election then planned for 31 October 2005. His successor has not been named yet, raising fears of further delays in the electoral process.

On 28 February, the four key players in the Ivorian conflict held their first direct talks since the war broke out in 2002. Under the aegis of Interim Prime Minister Charles Konan Banny, the talks included President Laurent Gbagbo, rebel leader Guillaume Soro (Forces nouvelles) and the two main opposition leaders, Henri Konan Bédié (Parti démocratique de Côte d'Ivoire) and Alassane Ouattara (Rassemblement des républicains). While the parties did not reach a formal agreement or a timeline for the disarmament process, their final Communiqué stated that Council resolution 1633 did not contradict the Ivorian constitution and it endorsed the new makeup of the IEC. The parties agreed to meet frequently.

In March, Soro attended his first cabinet meeting in his capacity as minister for reconstruction and rehabilitation.

In late February, a few incidents occurred involving provocations by the Ivorian armed forces (FANCI) toward the French Licorne forces around the village of Bouéneu, located southwest of the zone of confidence that divides the

country between the rebel-controlled north and the government-ruled south. Ivorian troops reportedly also attacked villagers as a reprisal for their having allowed the French troops to stay in the village. The UN Secretariat informed the Council of these incidents during consultations on 8 March. This issue was discussed by the Sanctions Committee and a press release was issued on 16 March. The Committee considered that these events resulted in "obstacles to the freedom of movement of impartial forces, contrary to paragraph 4 of resolution 1643 (2005)" and requested the Ivorian authorities to provide explanations.

A report by the Human Rights Division of UNOCI warned in March of the deteriorating human rights situation in Côte d'Ivoire, emphasising the danger of the local media spreading messages of hatred and violence. The Secretary-General, in a 22 March letter to the President of the Council, reiterated the need for an increase in the troop level and police units.

### Key Issues

The main issue for the Council is to increase security in the most sensitive zones of Côte d'Ivoire, especially in Abidjan and in the northwest of the country. If discussions in March fail to produce a raise in UNOCI's troop level and police units or additional troop transfers from the UN Mission in Liberia (UNMIL), then these discussions will most probably continue in April. An infantry company has already been transferred from UNMIL for a period ending on 31 March.

Another issue of crucial importance is the continued implementation of the roadmap leading to the presidential elections, now scheduled for 31 October 2006. The neutrality of the Radio Télévision Ivoirienne (RTI), the progress of the disarmament, demobilisation and reintegration (DDR) process and the identification and registration of voters remain issues of concern to Council members.

### Council Dynamics

The developments with the IEC and the recent political events are widely seen within the Council as positive developments boding well for the peace process and the preparation for the elections.

Coupled with these encouraging developments is a clear deterioration in the security situation in some areas of the country, which may be having an impact on Council dynamics in terms of willingness to discuss increases in UNOCI's troop level and police units.

The choice between increasing the troop level and transferring troops from Liberia depends on various factors. The US remains reluctant to take troops and police from UNMIL due to concern for stability in Liberia. France favours the option of troop transfers because it is a less costly way to boost the troop level in Côte d'Ivoire.

For France, which has taken the lead on Côte d'Ivoire, the priorities are security and a DDR process that should be completed before elections can be held. It also seems that France is increasingly concerned about the continuous incitement to hatred and violence in the media and may advocate additional sanctions.

### Options

The Council has the following options:

- Holding consultations to discuss recommendations made in the Secretary-General's report, but taking no further action.
- Adopting a presidential statement urging the Ivorian parties to increase their efforts toward implementing the roadmap to peace and elections.
- Adopting a resolution increasing UNOCI's troop level and more firmly addressing the need to meet the various benchmarks set in the roadmap.
- Including, in a statement or a resolution, language addressing the possible sanctions implications of recent negative developments.

### Underlying Problems

There are fears that the IEC might not be able to function properly. Indeed, its members all have an interest in controlling this key institution and disagreements over the electoral process are likely to arise. The parties would have to resort to a qualified voting system and, if the situation remains blocked, the UN Special Envoy for the Elections would have the last word.



The challenges of security sector reform and the continued existence of Congolese militias, both of which observers consider the greatest threats to the transition, will be discussed separately in the regular report on MONUC.

The slow pace of MONUC and the Congolese armed forces (FARDC) in taking action against foreign fighters has led to the specific focus on that issue in the Council. Voluntary disarmament as practiced now is perceived to have reached its limits. Thousands of foreign combatants still plague eastern DRC, particularly the Rwandan rebel *Forces démocratiques de libération du Rwanda* (FDLR), the Burundian rebel *Forces nationales de libération* (FNL), and the Ugandan rebel groups known as the Lord's Resistance Army (LRA) and Allied Democratic Forces/National Army for the Liberation of Uganda (ADF/NALU).

While their strength in the DRC has diminished, those groups still cause considerable harm. The main concern is the Rwandan rebel FDLR, estimated to have 8,000 to 10,000 fighters in the Kivus, but demands in Ituri have delayed MONUC's planned shift in operations from Ituri to the Kivus.

### Key Issues

- One issue in addressing the FDLR problem is military capability. In addition, the conduct and discipline of the Congolese armed forces is poor and recent reports of abuse led to MONUC's announcement that it would stop operating with the Congolese military should those practices continue.
- Secondly, the incentives for foreign armed groups to disarm and repatriate are low. Combatants fear arrest back home and many have ties in the DRC, particularly through marriage. A major question is the fate of those who disarm but refuse to repatriate.

<b>Most Recent UN Documents</b>
<b>Security Council Resolutions</b>
<ul style="list-style-type: none"> <li>• S/RES/1657 (6 February 2006) authorised the deployment of an infantry company from UNMIL to UNOCI until 31 March 2006.</li> <li>• S/RES/1652 (24 January 2006) extended the mandate of UNOCI until 15 December 2006 and expressed the intention to review troop levels in March 2006.</li> </ul>
<b>Presidential Statements</b>
<ul style="list-style-type: none"> <li>• S/PRST/2006/14 (29 March 2006) welcomed progress achieved in recent weeks and reiterated concern with the security situation.</li> <li>• S/PRST/2006/9 (23 February 2006) reiterated full support for the International Working Group (IWG) and the Ivorian prime minister, urged the Ivorian state to facilitate the return of humanitarian agencies in the west of the country and expressed the intention to review the implementation of resolution 1633 in March.</li> <li>• S/PRST/2006/2 (19 January 2006) strongly condemned the attacks against UNOCI.</li> </ul>
<b>Secretary-General's Report</b>
<ul style="list-style-type: none"> <li>• S/2006/2 (3 January 2006)</li> </ul>
<b>Letters to the President of the Council</b>
<ul style="list-style-type: none"> <li>• S/2006/184 (22 March 2006) letter from the Secretary-General reiterating the need for an increase in the operation's strength</li> <li>• S/2006/79 (7 February 2006) third IWG Communiqué</li> <li>• S/2006/71 (2 February 2006) letter from the Secretary-General noting his intention to temporarily redeploy up to one mechanised battalion and one police unit from UNMIL to UNOCI for an initial period of three months</li> <li>• S/2006/55 (30 January 2006) annual report of the 1572 sanctions committee</li> <li>• S/2006/50 (26 January 2006) final communiqué of a meeting between Nigerian President Olusegun Obasanjo and the Ivorian authorities</li> <li>• S/2006/44 (24 January 2006) EU statement on the incidents in Côte d'Ivoire</li> <li>• S/2006/43 (23 January 2006) letter from Côte d'Ivoire on various misunderstandings on the implementation of resolution 1633</li> <li>• S/2006/21 (16 January 2006) letter from Côte d'Ivoire including the list of members of the new government</li> <li>• S/2005/829 (28 December 2005) EU statement on the appointment of a new prime minister in Côte d'Ivoire</li> </ul>

<b>Other Relevant Facts</b>
<b>Special Representative of the Secretary-General</b>
Pierre Schori (Sweden)
<b>High Representative for the Elections</b>
To be nominated (Antonio Monteiro of Portugal is scheduled to leave the post at the end of March).
<b>Size and Composition of Mission</b>
<ul style="list-style-type: none"> <li>• Authorised strength since June 2005: 7,090 military personnel and 725 police officers</li> <li>• Current strength as of 31 January 2006: 7,594 total uniformed personnel</li> <li>• Key troop-contributing countries: Bangladesh, Morocco, Ghana and Pakistan</li> </ul>
<b>Cost</b>
1 July 2005 - 30 June 2006: \$438.17 million

For historical background, please refer to our January 2006 Forecast Report.

## Democratic Republic of Congo

### Expected Council Action

The Council will discuss two forthcoming reports of the Secretary-General:

- on foreign fighters in the Democratic Republic of the Congo (DRC); and
- the regular report on the UN Organization Mission in the DRC (MONUC).

In response to the request that MONUC forcibly disarm foreign militias in the DRC made by the Tripartite Plus One Joint Commission (comprised of the DRC, Uganda, Rwanda and Burundi), the Council is likely to prefer political rather than military solutions and ones that call on regional neighbours to clarify that returnees will not suffer persecution.

The Council may also welcome the recent EU decision to provide standby reinforcement for MONUC.

### Key Facts

Resolution 1649 requested a "comprehensive and integrated strategy for the disarmament, repatriation and resettlement of foreign combatants, incorporating military, political, economic and justice-related aspects."

A related issue is that while many returning combatants may be granted domestic amnesty, some Rwandan rebel FDLR fighters may face charges before the International Criminal Tribunal for Rwanda and the Ugandan rebel LRA leadership is wanted by the International Criminal Court. This may lead to requests for some form of ongoing asylum in DRC, especially for those who have disarmed, have families in DRC and have a well-founded fear of persecution if they repatriate.

Despite the problems with voluntary disarmament, the report is not expected to support a role for MONUC in forcible disarmament. This is likely to be driven by capacity limitations. Instead, political solutions are likely to be favoured, particularly action by Kigali and Kampala in facilitating returns and clarifying that returnees will not be persecuted.

The Council may also touch upon the issue of further sanctions. Expansion of the list of violators for targeted sanctions, particularly under resolution 1649 (which allows the imposition of sanctions against commanders who refuse to disarm) is quite possible.

A further issue is the 27 January report by the Group of Experts, which noted that cooperation from Uganda and Rwanda remains unsatisfactory. The report recommended developing a system for tracing precious minerals produced in the DRC. It did not include the measures under resolution 1649, now expected to be raised in the midterm oral briefing in April.

With respect to the MONUC regular report, the main issue will be the conclusion of the transitional process in the DRC. In this regard, the recent EU decision to provide ready-reaction support capability to deter violence during the period of the June elections will be a welcome development. But a final decision is still pending from the German parliament (Germany is expected to lead the EU mission).

### Council Dynamics

The Council has devoted considerable attention to foreign militias in the DRC. Members—especially the UK, Denmark,

France and Tanzania—are concerned with stalled disarmament and repatriation in Ituri and the Kivus. Those members are likely to sponsor a resolution endorsing a more coordinated approach.

Despite the pressure from the Tripartite Plus One Joint Commission, there is reluctance in the UN Secretariat and the Council to have MONUC forcibly disarm foreign militias. The case of the Ugandan rebel LRA may be an exception to this general rule as the wider regional dimension of the LRA issue in Sudan is giving greater cause for concern (as witnessed in resolution 1663 on 24 March). This issue will be addressed in the upcoming report on civilian protection in the Great Lakes.

In trying to encourage returns from the DRC, the Council will also be mindful of Uganda's position on the need for a robust approach to the LRA presence in the DRC.

On sanctions, there is willingness in the Council to discuss practical measures such as traceability systems. The issue is not likely to raise divisions if limited to recommendations. Expansion of the targeted sanctions list is unclear, particularly since the Group of Experts' reflections on resolution 1649 are still forthcoming.

### Options

Some of the options before the Council are:

- broadening discussions to include security sector reform and including special mention of this in a resolution;
- engaging Rwanda and Uganda more closely in creating conditions for the return of former combatants (including perhaps some direct consultations with them as the resolution is being formulated);
- recommending measures to increase the traceability of precious minerals; and
- creating a list of targeted individuals under resolution 1649.

### Underlying Problems

A critical factor for the Council is the impending elections in June 2006. With the new constitution and electoral law, MONUC will focus on logistical support and security for

the elections. The task involves tens of millions of voters with poor access in the country's first free elections in decades.

Major concerns are election-motivated violence and Congolese militias in the east and Katanga. Some parties have recently organised demonstrations. While power-sharing agreements have secured spots for militia leaders in Kinshasa, recalcitrant field commanders are still operative.

Militias are required to disarm and either reintegrate into civilian life or enter security forces. Some commanders will be handed to the ICC for the violence in Ituri. Such was the case with Thomas Lubanga, who in March became the first-ever suspect in ICC custody when he was handed over by the Congolese government.

But security-sector reform is plagued by the lack of sufficient and regular pay for soldiers, parallel command structures and the competing agendas of donors. It is also subject to an unrealistically tight schedule and may result in ill-equipped, poorly trained and fragmented security institutions.

MONUC is involved in joint operations with the FARDC, but not in Katanga. Council decisions have not provided MONUC with reinforcements for Katanga for the elections, except for one battalion to be deployed in Kalemie. Potential deployments are:

- One battalion from the UN Operation in Burundi (ONUB) under resolution 1650. A concept of operations was submitted to troop contributors (South Africa and Pakistan), but they are concerned about troop safety.
- Stand-by forces from the EU, which requires Council authorisation. Germany is expected to lead the mission with 500 troops, plus 500 from France and more from other EU members. But reluctance in Germany has delayed a final decision. It is thus unclear whether a Secretary-General's report recommending the deployments will be ready in April since a decision is still pending from the German parliament.

### Useful Additional Sources

- *Security Sector Reform in the Congo*, ICG, Africa Report No. 104, 13 February 2006
- *Kibasomba, Roger, Post-war Defence Integration in the Democratic Republic of the Congo* ISS Paper No. 119, December 2005
- Månsson, Katarina, "Use of Force and Civilian Protection: Peace Operations in the Congo", *International Peacekeeping*, Vol. 12, No. 4, Winter 2005, pp. 503-519

## Ethiopia/Eritrea

### Expected Council Action

By 15 April, the Council will need to renew the mandate of the UN Mission in Ethiopia and Eritrea (UNMEE). A further technical rollover is possible, but a decision to radically change the mandate is not out of the question.

### Key Facts

In March, the Council rolled over UNMEE's mandate for one month after the meeting of the Ethiopia-Eritrea Boundary Commission (EEBC) in London on 10 March. The short rollover continues to keep pressure on the parties for the demarcation and the lifting of the restrictions on UNMEE.

The parties agreed to the meeting after much pressure. A further meeting is scheduled for 28 April.

Recent comments from Ethiopian Prime Minister Meles Zenawi suggest that there has been no real movement. Ethiopia still seems to be attached to its 2004 five-point proposal, which only constituted acceptance "in principle" of the delimitation decision and argued that implementation should be made "in a manner consistent with the promotion of sustainable peace and brotherly ties between the two peoples".

Eritrea remains radically opposed to any reopening of the delimitation decision or accommodating Ethiopia's other aspirations.

<b>UN Documents</b>
<b>Selected Security Council Resolutions</b>
<ul style="list-style-type: none"> <li>• S/RES/1653 (27 January 2006) requested a report on civilian protection in the Great Lakes.</li> <li>• S/RES/1650 (21 December 2005) permitted troop sharing between ONUB and MONUC.</li> <li>• S/RES/1649 (21 December 2005) strengthened sanctions in the DRC and requested the report on foreign armed groups.</li> <li>• S/RES/1565 (1 October 2004) authorised MONUC to use force against peace spoilers in the DRC.</li> <li>• S/RES/1291 (24 February 2000) added Chapter VII protective powers to MONUC.</li> <li>• S/RES/1279 (30 November 1999) established MONUC.</li> </ul>
<b>Selected Reports of Council Missions to the region</b>
<ul style="list-style-type: none"> <li>• S/2005/716 (14 November 2005)</li> </ul>
<b>Selected Secretary-General's Reports</b>
<ul style="list-style-type: none"> <li>• S/2005/832 (28 December 2005) was the latest report on MONUC.</li> </ul>
<b>Selected Letter</b>
<ul style="list-style-type: none"> <li>• S/2005/667 (25 October 2005) contained the Tripartite Plus One Joint Commission's request.</li> </ul>
<b>Selected Reports of the DRC Group of Experts</b>
<ul style="list-style-type: none"> <li>• S/2006/53 (27 January 2006)</li> </ul>

### Historical Background

*17 March 2006* Thomas Lubanga was surrendered by Congolese authorities to the ICC for crimes in Ituri.

*10 March 2006* Candidate registration for the June elections began.

*9 March 2006* The electoral law was adopted.

*17 February 2006* The new DRC constitution was promulgated.

*27 January 2006* The Council held a ministerial-level debate on the Great Lakes.

*23 January 2006* Eight UN peacekeepers were killed in the DRC in combat with the Ugandan rebel LRA.

*21 December 2005* The Council strengthened the sanctions regime.

*October 2005* The DRC and Uganda discussed the LRA issue under the Tripartite Plus One Joint Commission.

*September 2005* LRA elements entered the DRC. Ugandan President Museveni threatened to intervene and Kinshasa set a deadline for all foreign groups to disarm.

*July 2003* The Council imposed an arms embargo in the DRC.

*December 2002* The Global and All Inclusive Agreement was signed.

*April 2002* The Sun City Agreement was signed between some of the Congolese warring parties.

*January 2001* Joseph Kabila was sworn in as president after the assassination of his father, President Laurent-Desiré Kabila.

*December 1999* MONUC was established.

*July 1999* The Lusaka Ceasefire Agreement was signed.

*August 1998* Congolese insurgents, Uganda and Rwanda battle against President Laurent-Desiré Kabila.

*May 1997* Laurent-Desiré Kabila was sworn in as president after a Rwandan and Ugandan-backed rebellion.

*1994-1996* Rwandan Hutu extremists carried out attacks against Rwanda from Zaire.

*1994* After the Rwandan genocide, Rwandan Hutu extremists fled to eastern Zaire.

### Other Relevant Facts

#### Special Representative of the Secretary-General and Head of Mission

William Lacy Swing (US)

#### Size and Composition of Mission

- Authorised maximum strength: 17,000 military personnel
- Strength as of 31 January 2006: 15,748 military personnel
- Main troop contributors: Pakistan, India, Uruguay and South Africa.

#### Cost

1 July 2005 - 30 June 2006: \$1,153.89 million (gross)

#### Duration

30 November 1999 to present



It has not shown any willingness as yet to lift restrictions on UNMEE, despite assertions from the witnesses to the Algiers Agreement and the Council that demarcation would only proceed if the restrictions were lifted.

The issue will be further discussed by the Council with the Secretariat and troop contributors within ongoing contingency planning for changes to UNMEE.

### Key Issues

The key issue is whether the parties will move towards compliance with resolution 1640, including moving ahead with the demarcation through support for the EEBC and lifting the restrictions on UNMEE.

The US diplomatic initiative has improved the climate for progress on these issues, but a related question is whether the effort can be sustained sufficiently to move the issues forward.

### Council Dynamics

Council members welcomed the EEBC meeting. But there is great frustration with Asmara's six-month-old restrictions on UNMEE, which flout strong Council demands. This frustration is likely to be matched by equal concern at Prime Minister Meles' rejection of the EEBC as a forum for finding a solution.

While a further technical rollover of UNMEE is still a possibility, bearing in mind the EEBC meeting in late April, in light of the firmness of the Ethiopian position there will be serious thinking about downsizing the mission if Asmara does not soon begin to signal some flexibility.

A previously popular option was to transfer UNMEE's Asmara headquarters to Addis Ababa while maintaining troops in the Temporary Security Zone (TSZ). But members have been increasingly concerned that this would leave UNMEE vulnerable to further restrictions.

The Council dynamics now seem to be shifting towards the view that, if there is no flexibility from Asmara reasonably soon,

UNMEE should be reduced to an observer mission on both sides of the border. The US is expected to strongly support this option.

Through downsizing, Council members would try to curtail Asmara's strategy of seeking leverage through pressure on UNMEE and would also aim to unlock UNMEE resources in favour of other missions, such as in Côte d'Ivoire.

Some in the Council will warn, however, that there are risks, including that UNMEE would need reinforcements if the demarcation eventually resumes.

### Options

In addition to the fundamental options of a further rollover for UNMEE or downsizing, other possibilities include:

- Sending another small Council mission to the region. This option has already been raised during discussions.
- Increasing pressure by deciding on a particular downsizing strategy but delaying implementation for a month and firmly signalling that any support for demarcation will be linked to lifting restrictions.

### Underlying Problems

Even if the demarcation actually resumes, important challenges (detailed in our 13 March update) would still remain:

- It is uncertain whether Eritrea will lift the restrictions.
- The demarcation process could take up to a year.
- Funds will be required for the EEBC to resume its activities in the field.

In addition to the restrictions, Eritrea has banned a number of NGOs—despite the fact that one-third of its population depends on aid—and moved to increase military conscription. Regular troop movements have been noticed near the TSZ. Concern with the restrictions on UNMEE's movement increased with arrests of UNMEE national staff and the death of a peacekeeper in early March due to difficulties with medical evacuation created by the restrictions.

UN Documents
<p><b>Selected Security Council Resolutions</b></p> <ul style="list-style-type: none"> <li>• S/RES/1661 (14 March 2006) extended UNMEE until 15 April.</li> <li>• S/RES/1640 (23 November 2005) demanded troop redeployment and the lifting of restrictions to UNMEE.</li> <li>• S/RES/1320 (15 September 2000) increased UNMEE and authorised it to monitor the TSZ.</li> <li>• S/RES/1312 (31 July 2000) established UNMEE.</li> </ul>
<p><b>Selected Presidential Statements</b></p> <ul style="list-style-type: none"> <li>• S/PRST/2006/10 (24 February 2006) welcomed the meeting of the Algiers witnesses.</li> <li>• S/PRST/2005/62 (14 December 2005) agreed with the temporary relocation of part of UNMEE's staff in Eritrea to Ethiopia.</li> </ul>
<p><b>Selected Secretary-General's Reports</b></p> <ul style="list-style-type: none"> <li>• S/2006/140 (6 March 2006) is the latest report.</li> <li>• S/2006/1 (3 January 2006) contained options for the future of UNMEE.</li> <li>• S/2005/142 (7 March 2005) contained the EEBC's appraisal of the stalling of the demarcation, a historical summary of the process until that date and the 2002 Demarcation Directions.</li> <li>• S/2004/973 Add. 1 (27 December 2004) contained the five-point Ethiopian proposal.</li> </ul>
<p><b>Selected Letters</b></p> <ul style="list-style-type: none"> <li>• S/2006/126 (24 February 2006) contained the Algiers witnesses' statement on the recent talks.</li> <li>• S/2005/774 (9 December 2005) was a letter from the Ethiopian minister of foreign affairs indicating Addis Ababa's position on demarcation.</li> <li>• S/2005/737 (25 November 2005) contained Eritrea's criticisms of resolution 1640.</li> <li>• S/2000/1183 (12 December 2000) contained the Algiers Agreement.</li> <li>• S/2000/601 (19 June 2000) contained the Cessation of Hostilities Agreement.</li> </ul>

For historical background please refer to the February 2006 *Forecast Report*.

<b>Other Relevant Facts</b>
<b>Special Representative of the Secretary-General and Chief of Mission</b>
Legwaila Joseph Legwaila (Botswana)
<b>Size and Composition of Mission</b>
<ul style="list-style-type: none"> <li>• Authorised maximum strength: 4,200 troops.</li> <li>• Strength as of 28 February 2006: 3,277 military personnel.</li> <li>• Key troop-contributing countries: India, Jordan and Kenya.</li> </ul>
<b>Cost</b>
Approved budget: 1 July 2005 - 30 June 2006: \$185.99 million (gross)
<b>Duration</b>
31 July 2000 to present

### Useful Additional Sources

EEBC's website: <http://www.un.org/NewLinks/eebcarbitration/>

## Haiti

### Expected Council Action

The Secretary-General's quarterly report on the UN Stabilization Mission in Haiti (MINUSTAH) is due in April. A presidential statement welcoming the holding of the second round of parliamentary elections, now scheduled for April, is likely.

### Recent Developments

The second round of legislative elections, originally scheduled for 19 March 2006, was postponed due to delays in publishing the results of both the first round of legislative and presidential elections. At press time, the Provisional Electoral Council (CEP) agreed on the new date of 21 April. The results of the runoff are scheduled for release on 28 April, paving the way for the new government to take power. Local and municipal elections will be held on 18 June under the proposed electoral calendar.

The delayed runoff also led to the postponement of President-elect René Prével's inauguration from 29 March to 14 May since the Haitian constitution requires that presidential inaugurations occur in the presence of a sitting parliament. Given that it took sev-

eral weeks for the official results of the first round to be published, there are fears that the president might not be sworn in before 14 May and that the municipal and local elections might not be held on 18 June.

In an open debate at the Council on 27 March, Prével emphasised that the support of the international community was necessary for Haiti's long-term development and for the strengthening of state institutions.

### 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 that 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 reforming the Haitian police, supporting political process and monitoring 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 short-term issue for the Council is to ensure that the electoral process moves forward. If necessary, the Council will pressure the CEP and the interim government for the elections to proceed.



The Secretary-General's report is likely to reveal the following long-term issues in Haiti:

- strengthening the rule of law, especially with regards to the justice and correction systems;
- improving security through pursuing police reform; in addition, there may be comments on proposals that MINUSTAH's security operations should be combined with humanitarian activities since meeting the basic needs of the poorest segment of the population could help to prevent unrest and crime;
- promoting good governance and institution-building at the central and local level and ensuring better distribution of authority and resources throughout the country;
- supporting economic and social development; and
- implementing disarmament, demobilisation and reintegration programmes.

A related issue is the implication for the long-term involvement of MINUSTAH in Haiti. Once the government is formed, discussion on a post-electoral strategy for MINUSTAH is likely. A contentious aspect may be the extent to which priority should be given to ensuring security or promoting development and how those two processes can be combined, given the Council's focus on peace and security and the fact the development and donor communities are responsible for development. It seems unlikely at this stage that the issue of referral to the Peacebuilding Commission will be raised.

### Council Dynamics

The Group of Friends of Haiti (comprising thirteen countries including Council members France, Argentina and the US) has taken the lead on the issue. The group agrees on the long-term goals in Haiti and on the fact that the UN has a role to play after the electoral process is over.

Discussions within the Group have mainly focused on which approach to adopt toward re-establishing security in the Port-au-Prince neighbourhood of Cité Soleil. MINUSTAH, remains cautious, but a consensus has emerged on the necessity to combine security and humanitarian activities.

There also seems to be agreement on the necessity to provide political support to President-elect Préval as evidenced in his appearance before an open session of the Council in March. His attempts to pursue both reconciliation and development are welcomed. It seems likely that the Council will be satisfied with Préval's first initiatives of reaching out to the opposition, initiating a dialogue with the Special Representative of the Secretary-General Juan Gabriel Valdés, and respecting the constitutional process.

### Options

In April, the Council has the following options:

- Adopting a presidential statement before the second round of elections to encourage a smooth process if problems start to emerge.
- Adopting a presidential statement welcoming the elections in order to congratulate the Haitians on the completion of the electoral process.
- Starting informal discussions on a revised mandate for the future UN role in Haiti.

### Underlying Problems

Préval's Lespwa party is considered the favourite in the legislative race, although a coalition government might be necessary due to the large number of political parties contesting the runoff. The stakes are still high. It is realistic to assume that Préval's supporters will be reluctant to accept defeat in parliament since its composition will influence the choice of the prime minister. The risk of renewed tensions therefore remains.

Poverty and insecurity, fuelled by class divisions, remain the main long-term challenges for Préval. Also, human rights violations in the neighbouring Dominican Republic against Haitian nationals have raised fears of destabilisation and unrest in the border area.

<b>Most Recent UN Documents</b>
<b>Selected Council Resolutions</b>
<ul style="list-style-type: none"> <li>• S/RES/1658 (14 February 2006) renewed the mandate of MINUSTAH until 15 August 2006.</li> </ul>
<b>Selected Presidential Statements</b>
<ul style="list-style-type: none"> <li>• S/PRST/2006/13 (27 March 2006) urged the government of Haiti to ensure that elections will proceed and expressed willingness to cooperate with the newly elected authorities.</li> <li>• S/PRST/2006/7 (9 February 2006) commended Haiti for holding elections.</li> <li>• S/PRST/2006/1 (6 January 2006) expressed concern over the more recent postponement of elections and urged the government to schedule new dates.</li> </ul>
<b>Last Secretary-General's Report</b>
<ul style="list-style-type: none"> <li>• S/2006/60 (2 February 2006)</li> </ul>

<b>Other Relevant Facts</b>
<b>Special Representative of the Secretary-General</b>
Juan Gabriel Valdés (Chile)
<b>Force Commander</b>
Lieutenant General José Elito Carvalho Siquiera (Brazil)
<b>Size and Composition of Mission</b>
<ul style="list-style-type: none"> <li>• Current strength (31 January 2006) 9,295 total uniformed personnel, including 7,519 troops and 1,776 police, supported by 455 international civilian personnel, about 516 local civilian staff and 161 UN Volunteers.</li> <li>• Key troop-contributing countries: Jordan, Brazil, Sri Lanka, Uruguay, Nepal, Argentina and Chile</li> </ul>
<b>Cost</b>
1 July 2005 - 30 June 2006: \$541.3 million

For historical background please refer to the December 2005 and February 2006 Forecast Reports.

## Western Sahara

### Expected Council Action

The Council is expected to renew the mandate of the UN Mission for the Referendum in Western Sahara (MINURSO), due to expire on 30 April, for an additional six months.

### Key Facts

Western Sahara was colonised by Spain until

1976. During the late period of Spanish administration the Sahrawi resistance movement Popular Front of Saguia el-Hamra and Rio de Oro (known as Frente Polisario) sought self-determination and obtained support from the United Nations, including mention in successive General Assembly resolutions on the right to self-determination.

As Spanish control of the territory weakened towards the end of the Franco regime in Spain, Morocco and Mauritania expressed claims over the territory. Morocco moved forces into the Spanish Sahara in late 1975. Under the Madrid Agreement, Spain agreed to hand over Western Sahara to Morocco and Mauritania without conducting a referendum on self-determination. The Council condemned Morocco's movement into the territory in resolution 380 (6 November 1975).

The actual Spanish withdrawal from Western Sahara in 1976 was immediately followed by the founding of the "Saharan Arab Democratic Republic" (SADR) by the Polisario. Serious fighting broke out between the Moroccan and Mauritanian armies on one side, and the Polisario on the other side. In 1979, Mauritania dropped its claims to Western Sahara, and the Mauritanian sector was taken over by Moroccan troops.

In 1979, the Organisation of African Unity (OAU) called for a referendum in support of the right of self-determination of the Sahrawis. In 1982, after 26 OAU member states recognised SADR, it was admitted to the OAU Council of Ministers. In protest, Morocco, a founding member of OAU, withdrew from the organisation.

After the establishment of a UN-brokered ceasefire in 1991, the parties agreed on a settlement proposal, including the holding of a referendum on self-determination. MINURSO was created in 1991 to implement this plan, including a process of identification of eligible voters, and has been renewed regularly since 1991, for periods up to six months.

After several years of disagreement over the identification process, in 2001 James Baker, the Secretary-General's Personal Envoy at the time, submitted a Framework Agreement for the referendum (Baker Plan I). The Polisario rejected the terms of the referendum,



because it would allow all settlers to vote, including Moroccan residents who by then outnumbered the Sahrawis. Baker then produced a revised plan (Baker Plan II), but this was rejected by Morocco.

Morocco and the Polisario agree on the desirability of a referendum. However, Morocco opposes including the option of independence. The Polisario position is based on long-established UN decolonisation principles, flowing from General Assembly resolution 1514 (1960), that the right of self-determination must include independence among other options. Morocco has signalled that it may be willing to accept some form of autonomy in Western Sahara, but the Polisario insists that a referendum as envisaged in the final Baker plan should be part of the process.

### Recent Developments

In January the Secretary-General's Personal Envoy, Peter van Walsum, briefed the Council on his assessment of the situation in Western Sahara. He characterised the positions of the parties as "quasi-irreconcilable." Van Walsum was also critical of the Security Council's involvement with the conflict. In his opinion, resolution 1495 (2003) endorsing the Baker's peace plan as an optimum solution had been a mistake, since the parties had disagreed in principle on how the referendum needed to be conducted.

Although van Walsum was not ready to make proposals in January, he conveyed to the Council his personal views, including that:

- There should be a totally new approach to the peace process, since the Baker Plan was already rejected and a mutually acceptable solution on that basis seems unattainable.
- The option of independence should not be included in the process of self-determination because it has already been rejected by one of the parties. It would be more productive to explore solutions based on enhanced autonomy for Western Sahara.
- Algeria should take part in direct negotiations between Morocco and the Polisario.

These tentative ideas drew firm responses. Algeria rejected the idea of participating in the negotiations arguing that the problem

had to be addressed as a decolonisation issue. The Polisario reiterated its position that independence had to be one of the options, and refused to abandon a solution not based on the Baker Plan.

Morocco announced its intention to make a new proposal of extended autonomy for the Sahrawi territory, but at time of writing nothing has emerged. It is currently being debated among all Moroccan political parties.

In the meantime, van Walsum undertook visits to France, the UK, Spain, the US, the European Union and the African Union in order to assess the position of those actors regarding the conflict.

The king of Morocco Mohammed VI undertook a weeklong tour of Western Sahara in late March in order to reassert Morocco's control over the territory, and declared that Rabat was not ready to give up an inch of the Sahara. This signals that the autonomy plan will reject self-determination. Following his visit, serious clashes occurred between Polisario sympathizers and Moroccan police, who arrested several demonstrators. Those disturbances, in addition to human rights violations, have been recurrent and are getting worse over time.

### Key Issues

If the Moroccan proposal appears to resemble the limited one that Morocco proposed in 2003, it will probably not be welcomed by the Council. The issue is whether a more detailed proposal, involving real extended autonomy for Western Sahara, in effect close to independence, could be offered as a new basis for negotiations.

A related issue is the future of MINURSO. Increasingly, it seems this may depend on credible prospects for overcoming the stalemate. Several delegations, especially the US and Japan, indicated that in the absence of progress on the political side, the mandate of the mission should be reviewed. This issue seems likely to be used as leverage over the parties to find a compromise.

Timing may also become an issue. If the Moroccan proposal is received only shortly before the expiry date, with insufficient time for analysis and a report from the Secretary-General and analysis in Council member



capitals, it may cause irritation. An issue may develop as to whether the Council should consider it in April or defer it to a later date.

### Council Dynamics

There is very little support within the Council at this stage for MINURSO's termination. Most members believe that the force still has a deterrent effect and preserves the cease-fire. In addition, the parties themselves and Algeria, think that the presence of MINURSO is necessary until a political solution is found.

Now that Algeria has left the Council, the position of the Polisario is conveyed through other African states, especially Tanzania. France remains the main supporter of the Moroccan position.

The US might want to take the lead on this issue. Indeed, between 1997 and 2000, John Bolton worked with Baker and co-authored the Baker plan. Bolton has signalled that he would give a special attention to resolving the situation in Western Sahara while serving as the US ambassador to the UN. In addition, the US is seen as a neutral party. In that sense a complete shift from the principles of the Baker plan seems unlikely, given that it was seen as the most balanced solution that could be offered to the parties.

### Options

The Council could:

- Renew MINURSO for an additional six months without any change.
- Rollover MINURSO for a shorter period while asking the Secretary-General to provide an assessment of how the mandate could be revised in the light of any Moroccan proposal that is received.
- Decide to phase down the mission (conceivable if no proposal or a manifestly unacceptable proposal emerges from Morocco).
- Set in motion a new process of negotiation for the self-determination of the people of Western Sahara (conceivable if a highly attractive proposal emerges from Morocco).

<b>UN Documents</b>	
<b>Selected Security Council Resolutions</b>	
<ul style="list-style-type: none"> <li>S/RES/1634 (28 October 2005) extended MINURSO until 30 April 2006 and requested the Secretary-General's Personal Envoy to provide a briefing within three months.</li> <li>S/RES/1598 (28 April 2005) extended MINURSO's mandate by six months.</li> <li>S/RES/1495 (31 July 2003) supported the peace plan proposed by Baker as an optimum solution on the basis of agreement between the parties.</li> <li>S/RES/690 (29 April 1991) established MINURSO.</li> <li>S/RES/658 (27 June 1990) endorsed the settlement proposals.</li> <li>S/RES/621 (20 September 1988) authorised the appointment of a Special Representative to Western Sahara.</li> <li>S/RES/380 (6 November 1975) deplored Morocco's movement into the territory.</li> <li>S/RES/377 (22 October 1975) requested the Secretary-General to consult with the parties.</li> </ul>	
<b>Selected Letters to the President of the Council</b>	
<ul style="list-style-type: none"> <li>S/2006/84 (8 February 2006) letter from Namibia including a letter from the Polisario reiterating its position</li> <li>S/2006/52 (27 January 2006) letter from Morocco on Polisario's activities in the buffer strip</li> <li>S/2005/605 (27 September 2005) letter from Algeria</li> <li>S/2005/602 (23 September 2005) letter from Morocco</li> </ul>	
<b>Selected Exchange of Letters between the Secretary-General and the President of the Council</b>	
<ul style="list-style-type: none"> <li>S/2004/492 (15 June 2004) announced the resignation of Baker and charged Álvaro de Soto with the task to continue the political process.</li> <li>S/1997/236 (17 March 1997) appointed James Baker as Personal Envoy to Western Sahara.</li> </ul>	
<b>Other Related Documents</b>	
<ul style="list-style-type: none"> <li>S/2006/129 (24 February 2006) Note verbale from Morocco to the Secretary-General on the provocative nature of a planned demonstration by the other parties</li> <li>A/1514(XV) (14 December 1960) Declaration on the Granting of Independence to Colonial Countries and Peoples</li> <li>Advisory Opinion of the International Court of Justice (16 October 1975)</li> </ul>	
<b>Most Recent Secretary-General's Reports</b>	
<ul style="list-style-type: none"> <li>S/2005/648 (13 October 2005)</li> <li>A/60/116 (12 July 2005)</li> <li>S/2005/254 (19 April 2005)</li> <li>S/2005/49 (27 January 2005)</li> </ul>	

<b>Other Relevant Facts</b>
<b>Special Representative of the Secretary-General</b>
Francesco Bastagli (Italy)
<b>Secretary-General's Personal Envoy</b>
Peter van Walsum (Netherlands)
<b>Size and Composition of Mission (31 January 2006)</b>
225 total uniformed personnel, including 28 troops, 197 military observers, supported by some 123 international civilian personnel and 101 local civilian staff
<b>Key Troop Contributing Countries</b>
France, Russia, Egypt, Korea, China, Ghana and Malaysia
<b>Cost</b>
1 July 2005 - 30 June 2006: \$ 47.95 million (gross)

## Counter-Terrorism Committee

The Counter-Terrorism Committee (CTC) and its Counter-Terrorism Executive Directorate (CTED) have a number of outstanding issues that have been pending for a while and require specific decisions by the CTC.

First, small under-resourced states have encountered problems with the reporting burden required by resolutions 1373 (2001), 1624 (2005), 1540 (2004), and 1267 (1999) and related resolutions. In particular, regional/sub-regional organisations such as the Pacific Islands Forum (PIF) and the Caribbean Community (CARICOM) have raised the issue of reporting fatigue directly with the CTC and CTED and have suggested that there should be new reporting requirements to allow com-

bined reports to all three committees satisfying the requirements of all four resolutions.

Members of these regional/sub-regional organisations have complained also that the short period given to them (ninety days) for responding to the CTC creates a significant burden and requires reallocation of scarce human and financial resources in an effort to meet these reporting deadlines. They have also suggested, that in order to partially fulfil the reporting requirements, they should be allowed to provide reports through the regional/sub-regional organisations on anti-terrorism measures that are implemented on a region-wide basis.

Second, there is a need for technical assistance in preparing reports and a lack of specifically directed assistance to help small and other disadvantaged states implement the measures mandated by resolution 1373. While the CTC, through the CTED's country-visit programme, aims to facilitate assistance based on the conclusions reached from such visits, it is not practical for countries that lack capacity and resources to wait until they have been visited to be targeted for assistance. These countries are under obligations, as well as significant political pressure, to implement the measures required by resolutions 1373 and 1624 and to report to the CTC on the actions they have taken. The schedule set by the CTC/CTED often bears little relationship to the countries' capacities and their need for assistance.

Third, there is the lack of capacity in certain regional/sub-regional organisations to assist their members in meeting their obligations to implement resolution 1373 and to report on the actions taken to the CTC. This issue was first raised in the CTC in 2002 and has been revisited from time to time, and although acknowledged as important to the successful implementation of resolution 1373 by many states, there has been no definitive programme developed for this purpose. In the meantime, the CTC simply continues to encourage these organisations to become more proactive in helping their members implement the requirements of the resolutions.

Finally, there is the pending issue of policy guidelines for the input of the human rights expert in the work of the CTC/CTED. These guidelines, intended to establish clear parameters for the integration of the human rights expert in the work of the committee, were introduced in the CTC in the summer of 2005 and first discussed in detail in the CTC in October 2005. A decision on these guidelines is yet to be taken and published for guidance to member states.

In light of the challenges facing small island states and other disadvantaged states, it is timely that the chair of the CTC, Ambassador Ellen Margrethe Løj of Denmark, will attend the PIF Counter-Terrorism Working Group meeting scheduled 27-28 April 2006 in Auckland, New Zealand. Ambassador Løj will use the opportunity to advance closer cooperation between the CTC and the PIF on a range of issues, including the reporting burden, late reports and outstanding technical assistance needs.

States that have already been visited by the CTED are hoping to see the Council play a more active role in encouraging delivery of assistance commensurate with the identified needs. While the assistance needed and received is generally regarded as "confidential" between the donor and recipient, states are looking for Council follow-up. This has a bearing on other states, not yet visited by the CTC/CTED, who are looking to the CTC for some indication that the CTED visits have resulted in delivery of assistance needs identified for the states visited, or a reasonable expectation that they will receive the assistance needed to help them fulfil the requirements of resolution 1373.

## UN Documents

### Security Council Resolutions

- S/RES/1624 (14 September 2005) called on states to prohibit and prevent incitement of terrorism.
- S/RES/1540 (28 April 2004) sought to limit the acquisition of WMDs by terrorists.
- S/RES/1373 (28 September 2001) created a comprehensive package of measures to curb terrorism.
- S/RES/1267 (15 October 1999) imposed sanctions on the Taliban.

## Terrorism and Weapons of Mass Destruction Committee

### Expected Council Action

The Council is expected to renew the mandate of the 1540 Committee, which expires on 28 April.

### Resolution 1540

Under Chapter VII of the Charter, the Council on 28 April 2004 unanimously adopted resolution 1540, which is aimed primarily at keeping weapons of mass destruction (WMDs) out of the hands of non-state actors. Among its provisions were the following requirements that all states shall:

- Refrain from providing any form of support to non-state actors in their attempt to develop, acquire, manufacture, possess, transport, transfer or use nuclear, chemical or biological weapons and their means of delivery.
- Adopt and enforce appropriate effective laws which prohibit any non-state actor from engaging in any of the foregoing activities. States were required to make these activities by non-state actors and any assistance to them criminal offences in their domestic laws.
- Take and enforce effective measures to establish domestic controls to prevent the proliferation of WMDs and their means of delivery, and appropriate controls over related materials. The resolution detailed the actions required of states to achieve this end.

The resolution left it up to states to determine how they would implement the provisions of the resolution, whether by legislative or administrative measures or both. The resolution also called on states, consistent with international law, to take cooperative action to prevent illicit trafficking in nuclear, chemical or biological weapons and their means of delivery.

### 1540 Committee

The resolution established a Committee consisting of all members of the Security Council to report to the Council on the implementation of the resolution. The committee is currently chaired by Ambassador Peter Burian of Slovakia.



The Committee was established only for an initial period of two years.

### Background to Resolution 1540

Resolution 1373 (2001) of 28 September 2001, adopted in the immediate aftermath of the September 11 attacks in the US, did not deal in detail with the issue of the relationship between terrorism and WMDs. It subsequently became increasingly evident, from a wide range of reports that terrorist groups, particularly Al-Qaida and affiliated groups, had been attempting to obtain WMDs along with the means of delivery and related materials. The proliferation of WMDs and the resulting potential terrorist threat were underscored by the revelations of the illegal transfer of nuclear technology through a network allegedly controlled by Dr. Abdul Qadeer Khan, who directed Pakistan's nuclear weapons programme.

Furthermore, there were gaps in existing international legal instruments on non-proliferation and disarmament, particularly in their omission of non-state actors. The Council saw the possibility of WMDs in the hands of terrorists as a serious threat to international peace and security. In this context, some members of the Council perceived the threat as imminent, prompting the need for Council action.

The Council held an open debate 22 April 2004 on the draft resolution during which a number of issues were raised primarily with regard to the mandatory nature of the provisions of the resolution and the legislative authority of the Council. Thirty-four countries participated in the debate with Malaysia speaking on behalf of the Non-Aligned Movement and Ireland on behalf of the European Union.

A number of states objected to the Council's attempt to again use this approach to mandate adoption of specific legislation by national parliaments. They drew attention to the precedent-setting resolution 1373, adopted under Chapter VII of the Charter,



mandating certain legislative requirements of all UN member states. Some states questioned the legitimacy of the Council's use of its Chapter VII powers for this purpose and whether failure to implement the resolution could automatically result in coercive or other enforcement action by the Council.

Some states argued that the draft resolution, by focusing only on non-proliferation of WMDs, failed to address the related problem of disarmament, an integral component of an effective non-proliferation strategy, and was therefore deficient in that regard.

Many states were of the view that the period of the applicability of the resolution and the mandate of the monitoring committee should be temporary with a consensus for a period not exceeding two years. And a number of states stressed the importance of provisions for technical assistance to those states having the political will to implement the resolution but lacking the expertise and the resources to do so.

Supporters of the resolution, particularly among the P5, argued that by acting under Chapter VII, the Council was sending a strong political message of its resolve to prevent terrorists from obtaining WMDs and their means of delivery. However, while bearing in mind the Council's prerogative to enforce its Chapter VII decisions through coercive measures or force if necessary, the resolution did not address possible enforcement action, if any, to be taken by the Council against states failing to implement the mandatory provisions of the resolution. Sponsors of the resolution sought to allay the fears of states by emphasising that any enforcement action would require separate further action by the Council.

Some supporters also argued that the resolution would help to close existing gaps in the international non-proliferation regimes while affording the broader UN community time to achieve consensus on related issues under review.

The resolution addressed the issue of potential conflict with existing international regimes (the Nuclear Non-Proliferation Treaty, the Chemical Weapons Convention and the Biological and Toxin Weapons Convention) and

the Committee's possible duplication of the mandates of related international organisations (the International Atomic Energy Agency and the Organization for the Prohibition of Chemical Weapons). The resolution stated specifically that none of the obligations it created shall be interpreted so as to be in conflict with or alter the rights of state parties to these international regimes. The resolution also called on all states to promote the universal adoption and full implementation of these international regimes and to renew and fulfil their commitment to international cooperation on these issues.

### Reporting to the 1540 Committee

States were asked to provide a first report to the Committee within six months of the adoption of the resolution on the actions that they had taken or contemplated taking to implement the measures set out in the resolution. While there has been substantial reporting by states, there still remain a number of states that have not submitted a first report to the Committee.

Many of the non-reporting states fall into a category of states lacking capacity and resources and are experiencing reporting fatigue as a result of the proliferation of required reports to the other subsidiary bodies of the Security Council. Most of the states falling into this category need technical assistance to meet their reporting obligations as well as to effectively implement the requirements of the resolution.

### Expert Advice

The Council will have the benefit of a comprehensive report prepared by the experts and submitted to the Committee. It is expected that the report will be published in late April in advance of Council action on the expiring mandate of the Committee. The role of the experts is to assist the Committee in evaluating the reports received from states and in following up on those reports with the submitting states. The Council will therefore be able to determine, *inter alia*:

- the extent to which the resolution has been implemented;
- what more needs to be done by states to achieve full implementation;
- what action is needed to encourage non-

reporting states to fulfil their reporting obligations;

- the general rather than specific level of assistance needs of states with limited capacities and resources;
- ways to address the reporting fatigue of some states;
- ways to increase the level of assistance and to enhance its delivery; and
- ways to enhance the level of cooperation with the relevant international organisations.

### Key Issues

The importance attached to full implementation of resolution 1540 by most UN members and the fact that the Committee's work is not yet completed suggest that the term of the Committee will be extended.

Despite the issues raised at the time of the adoption of resolution 1540, and the initial scepticism about the nature and scope of the resolution and the role of the monitoring committee, there now appears to be broader acceptance of the resolution. This is partly due to the fact the Committee has diligently carried out its work using a cooperative rather than a coercive approach in its engagement with states and in evaluating their level of compliance. The Committee has also made available information on technical assistance offers to those states needing assistance to comply with the measures of the resolution.

A further factor is that at this time, under the various mandates, no other existing mechanism reporting to the Security Council has the capacity to easily assume the responsibilities of resolution 1540.

Extension of the Committee's mandate is likely to result in the Committee becoming more proactive in seeking states' compliance with the provisions of the resolution, including their reporting requirements. This may include more resolve to assist those states that need help to implement the resolution. An important issue therefore, at least in the minds of many outside the Council, will be whether the Council, in renewing the mandate, will recognise or emphasise this aspect and be ready to provide the donor community with specific priorities for each state needing technical

assistance and resources to implement the resolution and to encourage assistance providers to respond to those specific requests.

<b>UN Documents</b>
<b>Security Council Resolutions</b>
<ul style="list-style-type: none"> <li>• S/RES/1540 (28 April 2004) established the measures to prevent proliferation of WMDs and their delivery systems and the monitoring committee</li> <li>• S/RES/1373 (28 September 2001) established measures to prevent terrorism and the Counter-Terrorism Committee as a monitoring mechanism, and made the link between terrorism and WMDs</li> </ul>
<b>Security Council Meetings</b>
<ul style="list-style-type: none"> <li>• S/PV.4956 (28 April 2004) the closed debate on resolution 1540</li> <li>• S/PV.4950 (22 April 2004) the open debate on resolution 1540</li> <li>• S/PV.4950 (resumption 1) (22 April 2004) continuation of open debate on resolution 1540</li> </ul>

### Useful Additional Sources

1540 Committee website <http://disarmament2.un.org/Committee1540/index.html>

## Sierra Leone

### Expected Council Action

The Council will receive the first regular report of the Secretary-General on the UN Integrated Office in Sierra Leone (UNIOSIL). It is possible that the Executive Representative of the Secretary-General Victor da Silva Ângelo will brief the Council. There may be some preliminary discussion of the potential for the new Peacebuilding Commission to assist Sierra Leone.

### Key Facts

Following the completion of the UN Mission in Sierra Leone (UNAMSIL), UNIOSIL started operating on 1 January. The office is a UN political mission and a coordination centre for UN development and humanitarian activities, designed to provide a follow-on UN presence. The UN Mission in Liberia (UNMIL) has provided security for the Special Court for Sierra Leone (SCSL) since UNAMSIL completed its operations.

The Special Court indicted former Liberian president Charles Taylor in 2003 for his role in

the war in Sierra Leone. Under the Liberian peace settlement Taylor was exiled in Nigeria. Abuja had indicated that it would hand him over only after a request from an elected Liberian government. Recently, Liberian president Ellen Johnson-Sirleaf urged Taylor's handover directly to the Special Court. Taylor tried to escape from Nigeria but was apprehended and flown to Liberia on 29 March, where he was taken into custody by UNMIL, which had a Security Council mandate to arrest Taylor. He was flown to the Special Court in Freetown on the same day and, in view of the enhanced risks, the Secretary-General called for additional UN peacekeepers to provide security for the Court.

### Key Issues

The key issue for the Council is to guarantee the continuing stability of Sierra Leone, bearing in mind also the security situation in neighbouring Liberia, Guinea and Côte d'Ivoire.

### Council Dynamics

There is no division within the Council on the provision of a continuing, residual UN presence in Sierra Leone, at least until UNIOSIL's mandate expires in December. The country's recent relative stability has led members to instead focus more on Liberia and Côte d'Ivoire.

### Options

As the Council's role in Sierra Leone decreases significant reconstruction challenges remain, one option is to use Sierra Leone as one of the first cases before the Peacebuilding Commission.

This possibility has the support of some Council members, particularly African members, who would like to guarantee that international attention does not decrease in African post-conflict situations considered to be a success, such as Sierra Leone and Burundi.

The Council has yet to review the fate of the 1997 sanctions regime. The Sanctions Committee has been largely inoperative.

### Underlying Problems

In addition to severe development and reconstruction needs, dissatisfaction among the population with poverty and unemployment and rifts within existing political parties may



create instability during the upcoming elections in 2007.

The arrest and pending trial before the Special Court of commanders that had supported President Ahmad Tejan Kabbah, such as Samuel Norman, has attracted domestic condemnation. The Court is due to finish all trials by early to mid-2007.

<b>UN Documents</b>
<b>Selected Security Council Resolutions</b>
<ul style="list-style-type: none"> <li>• S/RES/1638 (11 November 2005) mandated UNMIL to apprehend Taylor.</li> <li>• S/RES/1626 (19 September 2005) mandated UNMIL to provide security for the Special Court.</li> <li>• S/RES/1620 (31 August 2005) established UNIOSIL.</li> <li>• S/RES/1315 (14 August 2000) called for the Special Court.</li> </ul>
<b>Selected Presidential Statement</b>
<ul style="list-style-type: none"> <li>• S/PRST/2005/63 (20 December 2005) marked the end of UNAMSIL's mandate.</li> </ul>
<b>Selected Secretary-General's Reports</b>
<ul style="list-style-type: none"> <li>• S/2005/777 (12 December 2005) was UNAMSIL's end of mandate report.</li> <li>• S/2005/273 (26 April 2005) and Add. 1 (21 June 2005) and 2 (28 July 2005) recommended UNIOSIL.</li> <li>• S/2000/915 (4 October 2000) detailed the Special Court.</li> </ul>
<b>Selected Letter</b>
<ul style="list-style-type: none"> <li>• S/2005/843 (30 December 2005) was the latest report of the Sanctions Committee.</li> </ul>

### Historical Background

*29 March 2006* Charles Taylor was apprehended and surrendered to the Special Court.

*1 January 2006* UNIOSIL started operating in Sierra Leone.

*December 2005* UNAMSIL's withdrawal was completed.

*September 2005* The Council mandated UNMIL to provide security for the Special Court for Sierra Leone.

August 2005 UNIOSIL was established.

June 2004 Trials began at the Special Court. The disarmament, demobilisation and reintegration of former combatants was concluded.

August 2003 Taylor fled to Nigeria.

June 2003 Taylor was indicted by the Special Court. The diamonds embargo expired.

2002 Kabbah was re-elected. UNAMSIL's drawdown began.

2001 Remaining Revolutionary United Front (RUF) fighters withdrew. Disarmament began.

2000 The Lomé peace accord collapsed. Economic Community of West African States (ECOWAS) troops (the Monitoring Observer Group, or ECOMOG) started withdrawing, but the situation quickly deteriorated. The UK sent troops. The Council imposed a diamonds embargo and strengthened UNAMSIL. A ceasefire was signed. The Special Court was established.

1999 The Armed Forces Revolutionary Council (AFRC) and the RUF reached Freetown. The controversial Lomé accord was signed, including power-sharing and amnesty. UNAM-

SIL was established with ECOMOG's military support.

1998 ECOMOG and pro-Kabbah Civil Defence Forces removed AFRC and RUF from power. President Kabbah returned. The oil embargo was terminated but new sanctions were imposed to pressure the RUF, the AFRC and Taylor. The Council mandated the dispatch of military observers.

1997 Executive Outcomes, a private security firm, left. Kabbah was toppled by the AFRC and the RUF. International pressure stepped up. The Council imposed oil and arms embargoes. Taylor was elected president of Liberia.

1996 The National Provisional Ruling Council (NPRC), the country's ruling military junta, agreed to elections. Kabbah was elected. The RUF and the government signed the Abidjan peace accord.

1992-1995 The NPRC carried out a coup d'état and hired Executive Outcomes.

1991 The RUF carried out attacks on Sierra Leone from Liberia; Sierra Leone became involved in the Liberian war, fighting against Taylor.

<b>Other Relevant Facts</b>
<b>Executive Representative of the Secretary-General (also UNDP Resident Representative and UN Resident and Humanitarian Coordinator)</b>
Victor da Silva Ângelo (Portugal)
<b>Size and Composition of Mission</b>
Strength as of 31 December 2005: 159 international staff; 228 local staff; ten military observers; twenty police; 83 UN Volunteers
<b>Cost</b>
Resources requested for 2006: \$23.3 million
<b>Duration</b>
1 January 2006 to present

### Useful Additional Sources

- Florquin, Nicolas and Berman, Eric G. (eds.), *Armed and Aimless: Armed Groups, Guns and Human Security in the ECOWAS Region*, Geneva: Small Arms Survey, 2005
- Hirsch, John, "Sierra Leone", in Malone, David (ed.), *The UN Security Council: From the Cold War to the 21st Century*, Boulder, CO: Lynne Rienner, 2004, pp. 521-535

#### SECURITY COUNCIL REPORT STAFF

**Colin Keating**, Executive Director  
**Joanna Weschler**, Director of Research  
**Curtis A. Ward**, Senior Research Consultant  
**Anne-Gaëlle Claude**, Research Analyst  
**Fernanda Rafaela Fernandes**, Research Analyst  
**Amanda Roberts**, Programme Coordinator

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