



SECURITY COUNCIL REPORT

MONTHLY FORECAST

NOV 2008



30 October 2008

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

OVERVIEW FOR NOVEMBER

In November, **Costa Rica** will have the presidency of the Council and Ambassador Jorge Urbina will be introducing the annual report of the Security Council to the General Assembly on 13 November.

A key feature for the Council in the month of November will be the approach taken by the presidency to prefer open public meetings to the use of closed informal consultations. In keeping with this approach the number of sessions of informal consultations will be strictly limited. At the time of writing, the presidency had only agreed to two such meetings, one on **Kosovo** and another on the **Middle East**.

A second feature of the Council's work in November will be the absence of many of the permanent representatives on the **Council Mission to Afghanistan** and at the **annual retreat to welcome newly elected Council members**.

A third feature of November will be the now normal invitation to newly elected Council members to **participate in informal consultations as observers** pending taking up their seats in January 2009. However, given the relatively small number of consultations expected in November this might be of less significance than in previous years.

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Aide-Memoire

Important matters pending for the Council include the following.

- The Council is yet to take up the Secretary-General's recommendations regarding **protection of civilians** presented in his October 2007 report (S/2007/643).
- The 2005 World Summit requested that the Security Council consider reforms for the **Military Staff Committee**. This has yet to be addressed.
- The monthly reports from KFOR in **Kosovo** have been submitted with a significant time-lag: the last available report covers the period 1 to 31 July 2008.
- In resolution 1327 on the implementation of the report of the Panel on UN Peace Operations (the **Brahimi Report**, S/2000/809), the Council decided to review periodically the implementation of the provisions contained in the resolution's annex. No such reviews have occurred in the past three years.
- The quarterly reports from EUFOR in **Bosnia and Herzegovina** have been submitted several months late. The last one covered

the period from 1 March to 31 May.

- The quarterly reports of the International Security Assistance Force in **Afghanistan** are now routinely outdated when released. (The last report, released in September covered the period 1 February to 30 April 2008.) The next report covering the period 1 May to 30 July 2008 is yet to be released.
- Similarly, **UNAMI reports on human rights**, which in the past were produced every two to three months, are now usually delayed by several months and are therefore quite outdated. (The last report, released in March, covered the period from 1 July to 31 December 2007.)
- The Council requested the Secretary-General on 21 November 2006 (S/2006/928) **to update the index to Council notes and statements on working methods**. This has not been published.
- On **Western Sahara**, in April the Council, in resolution 1813, called upon the parties to continue negotiations. But there have been no further talks, nor any briefing to the

Council on the situation. The Secretary-General's Personal Envoy Peter van Walsum left his post when his contract expired at the end of July and no successor has been appointed at press time.

- On the **DRC**, the Council sanctions committee has not acted on individual sanctions under resolutions 1698 and 1807 against armed groups that recruit children and/or "commit serious violations of international law involving the targeting of children or women in situations of armed conflict, including killing and maiming, sexual violence, abduction and forced displacement," respectively, despite MONUC reports about the problem continuing on a serious scale.
- The Council is awaiting the PBC's response to its May request for advice and recommendations on the situation in the **Central African Republic** (S/2008/383).
- The Secretariat is yet to report to the Council on **Kenya** as requested in the 6 February presidential statement (S/PRST/2008/4).

OVERVIEW FOR NOVEMBER (continued)

A fourth feature in November will be the **elections for the International Court of Justice** which occur every three years and will take place on 6 November in a parallel electoral process involving the Council and the General Assembly.

Two open thematic debates are envisaged in November. The first is on a new topic—the **Strengthening of Collective Security**. It will deal with the need to strengthen multilateral institutions and, in particular, the role of the Security Council in reducing the level of armaments. This debate will be chaired at a high level by the president of Costa Rica. A concept paper for the debate is expected to be circulated by the presidency.

The second open thematic debate is expected on **Protection of Civilians** and it may be preceded by an Arria formula meeting. It is exactly a year since the Secretary-General provided the Council with detailed recommendations on civilian protection (S/2007/643) but the Council has yet to discuss his report. On 14 October 2008, Security Council Report published its thematic *Cross-cutting Report* on the Security Council's performance in implementing protection of civilians' concepts at the detailed country-specific level.

A major question is whether the Council will discuss at all in November two of the most significant issues on its agenda from the perspective of protection of civilians. At the time of writing it seemed that November 2008 (along with September 2008) would be the only two months in over two years when there has not been at least some attention given to the crisis in Darfur. And it also seemed that, despite the dramatic worsening of the humanitarian crisis in the DRC in recent weeks, DRC would also not be on the November programme of work. Council members have expressed deep concern about the serious deterioration in eastern DRC. The regional dimensions involving Rwanda have also been the subject of concern. Our brief in this *Forecast* discusses the growing risks to civilians in the DRC, the regional ethnic context, the recent history of genocide in the area and the fact that perpetrators of the genocide and their opponents are deeply involved in the current violence. The urgent need for political initiatives is highlighted, along with some possible options.

A public session on **the Middle East** is expected. In accordance with normal practice a briefing is likely. (Our *Special*

Research Report of 17 December 2007 provides background on the history of Council involvement.) But it is unclear whether there will also be an open debate.

Open meetings are also expected on:

- **Nepal** (briefing);
- **Kosovo** (briefing);
- **Bosnia and Herzegovina** (renewal of EUFOR mandate);
- **Chad** (briefing);
- **Iraq** (briefings and debate);
- **Sudan** (discussion of the UNMIS report deferred from October—see our brief on this issue in the October *Forecast*);
- **Somalia** (briefing—and perhaps further action on piracy bearing in mind the expiry on 2 December of the authorisation in resolution 1816); and
- **Counter-Terrorism** (a joint briefing on the work of the three Council Committees, the CTC, 1267 and 1540).

Guinea-Bissau and **Lebanon** are also subjects that Council members will be watching and which could arise for discussion depending on developments or the timing of possible initiatives or upcoming reports. Similarly, the conclusions of the visiting mission to **Afghanistan** could possibly prompt a Council meeting during the month.

Status Update since our October Forecast

Recent developments on the situations covered in this *Forecast* are addressed in the relevant briefs. Interesting developments on other issues in the Council during October included:

- **Sierra Leone:** On 1 October the UN Integrated Peacebuilding Office in Sierra Leone (UNIPSIL) was established in Freetown to replace UNIOSIL whose mandate ended on 30 September.
- **North Korea:** On 3 October the chairman of the DPRK Sanctions Committee, Ambassador Giulio Terzi di Sant'Agata of Italy, briefed the Council in informal consultations.
- **DRC:** On 3 October the Special Representative of the Secretary-General, Alan Doss, briefed the Council in private consultations on the renewal of hostilities in eastern DRC. Doss proposed a plan prepared by MONUC for the disengagement of armed parties in North Kivu and called for temporary additional troops to mitigate the immediate security challenges. He also proposed an adjustment of the cur-

rent troop configuration of MONUC within the current mandate and troop ceiling in order to enhance the mission's efficiency. On 21 October the Council adopted a presidential statement (S/PRST/2008/38) expressing concern about the resurgence of violence in the DRC and the humanitarian situation. It encouraged MONUC to reconfigure its forces and called on the governments in the region to cease all support to the armed groups in the eastern DRC and requested a comprehensive analysis and recommendations from the Secretary-General. On 27 October Lieutenant General Vicente Diaz de Villegas y Herrería of Spain, who had been appointed as Force Commander for MONUC seven weeks before, resigned citing personal reasons.

- **Georgia:** On 9 October the Council adopted resolution 1839 extending UNOMIG's mandate on a technical basis for four months until 15 February 2009 as recommended by the Secretary-General in his 3 October report (S/2008/631). The Secretary-General said that

"dramatic changes" following the outbreak of hostilities in South Ossetia in August had profoundly impacted the situation in the Georgian-Abkhaz zone as well as the conflict-settlement process. The lack of clarity over the future status of UNOMIG's area of responsibility and the international mechanisms to be set up meant that it was too early to define UNOMIG's future role. He also said there was uncertainty over which features of the Moscow Agreement would be retained. High-level talks between Georgia, Russia, the European Union, the Organisation for Security and Cooperation in Europe and the UN took place in Geneva on 15 October. However, following procedural difficulties the meeting was suspended and it was agreed that discussions would be continued on 18 November. On 27 October the Council discussed the situation in South Ossetia and Abkhazia following a request from Russia for a briefing from the Secretariat.

- **Haiti:** On 14 October the Council adopted

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resolution 1840 renewing the mandate of MINUSTAH until 15 October 2009. The Council also recognised that recent hurricanes and the food and fuel price crises had adversely affected Haiti's long term stability and security situation. On the political side, it encouraged the Special Representative of the Secretary-General to facilitate dialogue between the Haitian government and relevant political actors to ensure implementation of the National Strategy for Growth and Poverty Reduction Paper (DSNCRP). The resolution also invited members states to coordinate with MINUSTAH to address cross-border trafficking of persons, drugs, arms and other illegal activities. It strongly condemned the grave violations against children affected by armed violence including sexual abuse of girls and reaffirmed resolution 1820. Finally, a greater coordination mandate with the UN country team was granted to MINUSTAH in order to insure greater efficiency in the implementation of the DSNCRP with the aim to achieve socioeconomic progress.

- **Afghanistan:** On 14 October the Special Representative of the Secretary-General for Afghanistan Kai Eide briefed the Council on the September report of the Secretary-General on the situation in Afghanistan. Eide said the deteriorating security situation had distracted the international community from commitments undertaken during the Paris Conference in June. In spite of the worrying security situation, there had been positive developments: the relationship between Afghanistan and Pakistan has improved, President Hamid Karzai has reshuffled his cabinet, and there had been a reduction in poppy production. There was no formal outcome.
- **Sudan:** On 15 October the Council adopted resolution 1841 extending until 15 October 2009 the mandate of the Sudan sanctions Panel of Experts. The panel's recommendations are yet to be considered by the Council. On 28 October the Council received a briefing from Under Secretary-General for Peacekeeping Operations Alain Le Roy. Earlier on 17 October the Secretary-General released his UNAMID report. According to the report conditions required for an effective peacekeeping operation remain absent in Darfur as the government and the parties continue to pursue a military solution to the conflict, while little progress has been made in the implementation of the Darfur Peace Agreement. UNAMID is expected to be at 60 percent authorised

strength by the end of 2008. On 21 October the Secretary-General released his quarterly report on UNMIS. The Council's debate on UNMIS was scheduled for October but is now expected in November. At press time it was unclear whether Secretary-General's Special Representative, Ashraf Qazi, would brief the Council. On 27 October five Chinese oil workers seized in Kordofan were killed.

- **Security Council Elections:** On 17 October Uganda, Japan, Mexico, Austria and Turkey were elected to the Security Council by the General Assembly. These five new non-permanent members will start their two year term on 1 January 2009, replacing South-Africa, Indonesia, Panama, Belgium and Italy.
- **Peacebuilding Commission:** On 21 October the Council held a debate to consider the second annual report of the PBC (S/PV.5997). Ambassador Yukio Takasu of Japan, chair of the PBC, the representatives of Guinea-Bissau and Sierra Leone (two of the four countries on the Commission's agenda) as well as representatives of the EU and Nordic countries were among those who spoke at the meeting. In an earlier related development, the General Assembly report considered the second annual reports of the Commission and the Peacebuilding Fund respectively in a joint debate on 9 October.
- **Northern Uganda/LRA:** On 21 October the Council adopted a presidential statement (S/PRST/2008/38) condemning attacks in the Orientale Province of the DRC by the rebel Lord's Resistance Army and recalled the International Criminal Court indictments against the LRA leadership.
- **Middle East:** The Council was briefed by Under Secretary-General for Political Affairs B. Lynn Pascoe on 22 October and held its monthly consultations on the situation in the Middle East, including the Palestinian question (S/PV.5999). During the briefing, Mr. Pascoe reported on the 26 September meeting of the Quartet where the principals agreed that spring 2009 could be an appropriate time for an international meeting in Moscow on the Israeli-Palestinian peace process. On the ground, he said, the situation has not improved. In particular, Israeli-Palestinian violence has continued. Israel should enforce the rule of law and prevent settler violence against Palestinian civilians. He also pointed out that Israeli settlement construction continues and that there has been no progress on other Israeli key Annapolis commitments including the removal of

outposts and opening of Palestinian institutions in East Jerusalem. There also has been no improvement in the movement of goods and people in and out of Gaza. Finally, there have been no further indirect Israeli-Syrian peace negotiations, but Egyptian efforts to reunite the West Bank and Gaza within the framework of the Palestinian Authority have continued.

- **Eritrea/Djibouti:** On October 23 the President of Djibouti, Ismail Omar Guelleh, addressed the Council in an open meeting (S/PV.6000). Guelleh called on the Council to address the conflict between Eritrea and Djibouti in a "timely and comprehensive manner", in particular by requiring that both countries try to resolve the crisis within a period of approximately three weeks with the help of the good offices of the UN and a legal process of arbitration. In his response, Ambassador Araya Desta of Eritrea denied that his country had taken any land belonging to Djibouti and drew attention instead to Eritrea's border conflict with Ethiopia. Most Council members focused their remarks on Eritrea's lack of cooperation and refusal to withdraw its troops to their original position. There was no formal Council action.
- **Côte d'Ivoire:** On 8 October the Group of Experts on Côte d'Ivoire submitted their final report (S/2008/598) to the Council's sanctions committee on that country. On 29 October the Council extended the sanctions regime and the mandate of the Group of Experts in resolution 1842. On 13 October the Secretary-General submitted his latest UNOCI report (S/2008/645) to the Council. On 27 October the Council held a public meeting during which it was briefed by the Special Representative of the Secretary-General for Côte d'Ivoire, Choi Young-jin, who cautioned that increasing delays in the dual identification and electoral processes was endangering the hard-won peace and indicated that adequate financial resources had been secured for both processes (S/PV.6001).
- **International Court of Justice:** The President of the ICJ, Rosalyn Higgins, will brief a closed session of the Security Council on 28 October.
- **Women, Peace and Security:** On 29 October, the Council held an open debate on Women, Peace and Security. A presidential statement on the issue of women's equal participation and full involvement in all efforts for the maintenance and promotion of peace and security was expected. (Please see our 21 October *Update Report* for more details.)

Democratic Republic of the Congo

Expected Council Action

The dramatic developments in eastern Democratic Republic of the Congo (DRC) suggest that the Council will continue to watch the situation closely. It remains to be seen, however, whether the Council will agree to include the issue in the Council's November programme of work. (Further discussions seem to be warranted especially in view of the regional implications and the grave risks for civilians in the light of the history of genocide in the region and the regional/ethnic roots of the problem.) It also remains to be seen how DRC issues will be featured by members in their statements in the thematic debate on protection of civilians in November.

The DRC Sanctions Committee expects to receive the final report of the Group of Experts monitoring the sanctions regime in late November. (The report had been originally expected on 15 November, in line with resolution 1807 of 31 March.)

Key Recent Developments

Initial armed clashes in the eastern DRC have escalated into all-out war. Several towns and camps for internally displaced persons (IDPs) were overrun and the provincial capital of Goma was under imminent threat with the armed forces of the DRC (*Forces armées de la République Démocratique du Congo*, or FARDC) fleeing the city in disarray. At press time, rebel general Laurent Nkunda who heads the National Congress for the Defence of the People (*Congrès National pour la Défense du Peuple*, or CNDP) declared a unilateral ceasefire. There are reports of direct involvement in the fighting by UN peacekeepers.

Tensions between the DRC and Rwanda have grown since early October and seem to have escalated into direct exchanges and fire across the border. The DRC government alleges that Rwandan government forces have lent their support to the CNDP. The Rwandan government alleges government support of "forces of genocide" comprising the former Armed Forces of Rwanda (ex-FAR) and the extremist militia

Hutu forces (Interahamwe) and the rebel Democratic Forces for the Liberation of Rwanda (*Forces démocratiques de Libération du Rwanda*, or the FDLR). (The ex-FAR was the army of the ethnic Hutu-dominated Rwandan regime during the genocide in 1994. The Interahamwe was the civilian militia force that carried out much of the killing during the genocide.) In 2000 the FDLR was formed as a successor to the Hutu exiles' driven Army for the Liberation of Rwanda (ALIR) which was made up of ex-FAR and Interahamwe members.

Nkunda's CNDP was formed in 2004 originally to protect Congolese Tutsis residing in eastern DRC from attacks by ex-FAR/Interahamwe/FDLR, although Nkunda has in recent times called for a national insurrection against the incumbent Congolese government. (For recent background details on these issues please see our 14 October Update Report.) In a letter to the president of the Council on 14 October, the Rwandan ambassador to the UN conveyed his government's allegations of collaboration between the FARDC and the ex-FAR/Interahamwe and the FDLR. On 15 October the ambassador requested the Council to condemn the alleged collaboration between the Armed Forces of the DRC and the ex-FAR Interahamwe/FDLR, sanction five FARDC commanders "directly involved in the most recent collaboration with the forces of genocide", and suspend the UN Mission in the DRC (MONUC) support to the FARDC "until there is a verified end to the FARDC/FDLR co-location and collaboration."

On 21 October the Council adopted a presidential statement which:

- expressed concern about the resurgence of violence in the eastern parts of the DRC and its humanitarian consequences;
- welcomed the intention of MONUC to reconfigure its forces to optimise their deployment within the current troop ceiling and mandate;
- noted (but did not approve) the reinforcements requested in early October by Special Representative of the Secretary-General and head of MONUC, Alan Doss;

- requested a comprehensive analysis of the situation from the Secretary-General and recommendations for the renewal of MONUC's mandate in the next report for the Council's consideration;
- condemned recent calls by Nkunda for a national insurrection;
- urged the Congolese government to take effective steps to ensure that there is no cooperation between elements of the FARDC and the FDLR.
- called on the governments in the region to cease all support to the armed groups in the eastern DRC;
- encouraged the Secretary-General to step up his efforts to facilitate dialogue between the DRC and Rwanda;
- urged the governments of the DRC and Rwandan governments to engage in efforts to settle their differences; and
- condemned the recent attacks by the LRA and made reference to the International Criminal Court's indictments against the LRA leadership.

Over the weekend of 25 October Nkunda's forces captured a major Congolese army base at Rumangabo and the headquarters of Virunga National Park. On 26 October the UN accused Nkunda's soldiers of firing rockets at two UN vehicles, injuring several peacekeepers. The accusation was denied by a spokesman for Nkunda.

On 27 and 28 October Congolese protesters attacked the UN's headquarters in Goma over what they saw as insufficient protection for them and support to Congolese government forces against the offensive by Nkunda's forces. Thousands of refugees displaced by the fighting have reportedly moved into Goma. UN peacekeepers were reported to have deployed to battle the rebels, using UN helicopter gunships and ground forces against the rebels in Rumangabo. The rationale for this action may have been to protect IDPs in the area—but that remains unclear. Nkunda's army seems to have forced the national army to withdraw from Kimbumba and was reported to be advancing on Goma.

On 27 October Lieutenant General Vicente Díaz de Villegas y Herrería of Spain indicated that he would relinquish his post

citing personal reasons (he had been appointed as force commander for MONUC seven weeks before). Brigadier General Ishmeel Ben Quartey of Ghana was named to serve as Acting Force Commander until a successor to Diaz was appointed.

On 28 October the Security Council was briefed in private consultations by the Under Secretary-General for Peacekeeping Operations Alain Le Roy on the security situation in the eastern provinces of the DRC. He reportedly informed the Council that the situation on the ground was very critical, with Nkunda's forces having advanced within a few kilometres of Goma. Le Roy emphasised the request had been made in early October by Doss for reinforcements for MONUC. He suggested that a political solution involving all the parties was critical. Apparently there was some discussion of the Secretary-General appointing a special envoy to directly engage the DRC and Rwanda. Le Roy also discussed possible options for a multinational force being deployed to assist in securing Goma.

Speaking to the media on 28 October, the president of the Council indicated that during the meeting Council members:

- expressed grave concern at the resurgence of violence in eastern DRC and strongly condemned the "offensive operations";
- urged all parties to immediately observe a ceasefire and to implement the disengagement plan;
- expressed deep concern over the humanitarian consequences of the recent fighting and its negative implications for regional peace and stability;
- reiterated the need for all parties to the Goma and Nairobi agreements to implement them effectively; and
- expressed support for the peacemaking efforts of the Secretary-General and MONUC in the DRC, and called on the relevant parties to cooperate with MONUC to achieve peace and stability in the country and the Great Lakes region.

On 29 October, the Council was scheduled to meet in private consultations for further

discussions. At press time no outcomes were available.

Key Issues

The key issue for the Council is the dangerous situation in the DRC, with its worrying humanitarian implications, and the related issues for the Great Lakes region as a whole. Related issues include urgent protection of civilians requirements and the concerns and role of Rwanda.

The underlying problem is that, despite the agreements which have led to relative stability in western DRC, in the east the Tutsi minority still feels extremely insecure due to lack of accommodations of their concerns by Kinshasa and the presence in the region of the illegal Hutu elements from Rwanda who had perpetrated the genocide against their Tutsi cousins in that country. This situation has fueled the Nkunda rebellion. Equally serious is the problem of relocating Hutu back to Rwanda because of the unwillingness there to make some political accommodations.

Options

Options for the Council members include:

- agree to include either DRC or the Great Lakes as an item in the programme of work as a signal of its seriousness on the issue and determination to take further action;
- use their interventions in the November debate on protection of civilians to highlight the problem in eastern DRC;
- initiate discussions immediately on the request made by Doss for reinforcements for MONUC and on elements for a draft resolution authorising a multinational force, should that become a more feasible immediate option;
- develop an initiative to produce a comprehensive political solution to the regional tension involving not only the good offices of the Secretary-General but also more active leadership from the Council and close cooperation with the AU (this might include pressing Kinshasa to accept the need for a formal ceasefire and a negotiated solution with Nkunda followed by a real solution to the ex-FAR/FDLR problem—thereby removing justifications cited by Nkunda and the



Rwandan government for their positions). Pressure on Kigali to use its influence with Nkunda to get a reasonable ceasefire is also critical along with pressure for some reforms to improve the comfort level of moderate Hutu;

- in view of the situation confronting civilians and the history of genocide in the area to encourage the Secretary-General to use his Special Advisor on the Prevention of Genocide as a part of any high-level team sent to the region; and
- in their capacities as members of the Sanctions Committee to explore possible measures against individuals responsible for attacks on civilians and creating lists of individuals to be targeted with sanctions for recruiting and using child soldiers, and targeting women or children for violence, including sexual crimes, in line with its resolutions 1698 of July 2006 and 1807 of March 2008 respectively.

Council Dynamics

Council members' caution in early October about Doss' request for temporary additional troops for MONUC is now coming back to haunt them. It seems that only France was really sympathetic to Doss' request.

The willingness to discount the Special Representative's warnings seems to have been related to the general hesitancy among Council members about the feasibility of obtaining requisite funding and additional troops to meet such requests. The escalation of the conflict in eastern DRC and the mounting tension between Kinshasa and Kigali now seems likely to make some sort of intervention inevitable and probably at much greater financial cost than would have been the case.

Council members also refrained in their 21 October presidential statement from directly addressing the underlying political

issues. They seemed to prefer to address the problem indirectly.

The DRC Sanctions Committee members (comprising all 15 Council members) seem to accept the request from the Group of Experts for a delay in its next report, especially since this could result in receiving a much more comprehensive document and also because the request was dictated by practical (and not political) considerations. Agreement to the delay is also, reportedly, due in part to an understanding that the Group of Experts' report would be submitted before intensive consideration begins on the review of the DRC sanctions regime in December, as stipulated in resolution 1807.

Underlying Problems

The continued presence of illegal armed groups, especially those originating in Rwanda and responsible for 1994 genocide remain a key problem which exacerbates the insecurity felt by the Tutsi community which is protected by Nkunda forces. Weak state institutions, the illicit flow of arms and formidable socio-economic challenges also continue to impede efforts at peacebuilding in the DRC.

UN Documents

Selected Security Council Resolutions

- S/RES/1820 (19 June 2008) on women, peace and security indicated the Council's intention to consider the "appropriateness of targeted and graduated measures" against parties who committed acts of violence towards women and girls in situations of conflict.
- S/RES/1807 (31 March 2008) lifted the arms embargo for government forces, strengthened measures related to aviation and customs, renewed until 31 December 2008 the sanctions regime on the DRC and extended the mandate of the Group of Experts for the same period.
- S/RES/1698 (31 July 2006), 1649 (21 December 2005) and 1596 (18 April 2005) strengthened sanctions, including, in resolution 1698, provisions against actors recruiting and using

children in armed conflict in the DRC.

- S/RES/1533 (12 March 2004) established the Sanctions Committee and the Group of Experts.

Latest Presidential Statement

- S/PRST/2008/38 (21 October 2008) expressed concern about the resurgence of violence in the eastern parts of the DRC, requested a comprehensive analysis of the situation from the Secretary-General and recommendations for the renewal of MONUC's mandate in the next report for the Council's consideration.

Latest Secretary-General's Report

- S/2008/433 (3 July 2008) was the latest (twenty-sixth) report on the DRC.

Selected Sanctions Committee Document

- S/2008/43 (11 February 2008) was the latest report of the Group of Experts for the DRC.

Other

- S/2008/652 (15 October 2008) was a letter from the Rwandan ambassador to the UN to the president of the Council conveying the Rwanda government's request to the Council to condemn the collaboration between the Armed Forces of the DRC and the Ex-FAR Interahamwe/FDLR, sanction implicated FARDC commanders and suspend MONUC support to the FARDC.
- S/2008/649 (14 October 2008) was a letter from the Rwandan ambassador to the UN to the president of the Council conveying the Rwanda governments' allegations of collaboration between the Armed Forces of the DRC and the Ex-FAR Interahamwe/FDLR.
- S/2008/526 (6 August 2008) was the letter from the Secretary-General informing the president of the Council about his appointment of two people to replace the arms and aviation experts of the Group of Experts on the DRC for the remainder of the Group's current mandate.
- S/2008/312 (9 May 2008) was the

letter from the Secretary-General informing the president of the Council about his appointment of six persons to serve on the Group of Experts.

- SC/9312 (28 April 2008) was the press release on the DRC Sanctions Committee delisting of Kisoni Kam-bale from its consolidated list on assets freezes and travel bans.
- S/AC.51/2008/4 (14 January 2008) was the letter from the president of the Council to the Chair of the DRC Sanctions Committee following up on the recommendations of the Working Group on Children and Armed Conflict.

Other Relevant Facts

Chairman of the DRC Sanctions Committee

Ambassador R.M. Marty M. Natalegawa (Indonesia)

Group of Experts

- Sergio Finardi (Italy, aviation expert)
- Jason Stearns (USA, regional expert and Coordinator of the Group)
- Mouctar Kokouma Diallo (Guinea, customs expert)
- Peter Danssaert (Belgium, arms expert)
- Dinesh Mahtani (UK, finance expert)

Special Representative of the Secretary-General and Head of Mission

Alan Doss (UK)

MONUC Acting Force Commander

Brigadier General Ishmeel Ben Quartey (Ghana)

Size, Composition and Cost of Mission

- *Strength as of 30 August*: 16,668 troops, 670 military observers, 1,051 police, 937 international civilian personnel and 2,120 local civilian staff.
- *Approved budget* (1 July 2008-30 June 2009): \$1,242.73 million

Duration

30 November 1999 to present; mandate expires on 31 December 2008

Expected Council Action

In early November the Council is expected to consider the Secretary-General's report on the UN Mission in Kosovo (UNMIK). The report was originally scheduled for release on 9 October, with a briefing by the Secretary-General's Special Representative Lamberto Zannier planned for mid-October. However, Serbia requested (through Russia) that the briefing be delayed to November to allow time for parallel talks with UNMIK and the EU. The report is expected to be circulated at the end of October, and Zannier's briefing is now expected in the first week of November.

The UNMIK report and briefing do not require any action. However if there are positive developments from the Serbia/UNMIK/EU discussions, Council action to encourage or welcome progress is a possible option.

Key Recent Developments

On 8 October the UN General Assembly voted 77-6 (with 74 abstentions and 35 not voting) for a Serbian sponsored resolution asking the International Court of Justice (ICJ) for an advisory opinion on the legality of Kosovo's unilateral declaration of independence. Voting against were the US, Albania, Nauru, Palau, the Marshall Islands and Micronesia. Most EU countries abstained although Slovakia, Romania, Greece, Cyprus and Spain voted in support. The ICJ could take up to two years to issue its opinion, which will not be binding on the parties.

On 9 October two of Kosovo's neighbouring states, Montenegro and Macedonia, extended recognition. The United Arab Emirates on 14 October became the first Arab nation to do so, bringing the number of countries formally recognising Kosovo's independence to 51.

On 16 October Serbian president, Boris Tadic, said a compromise allowing the EU Police and Justice Mission in Kosovo (EULEX) to be deployed was possible. However, he said three conditions needed to be met: authorisation from the Council, EULEX to be a status-neutral mission, and a stop to referring to the plan developed by

former UN envoy Martti Ahtisaari as the framework for governance of Kosovo.

In mid-October the head of EULEX, Yves de Kermabon, expressed hope that it would be fully operational by the beginning of December. (So far only 500 of 2,200 international staff are in place, and operations have been delayed by Serbia's opposition to EULEX's presence in northern Kosovo.) On 22 October the US and the EU signed an agreement allowing US personnel to join EULEX.

Options

If there is no progress in discussions with Belgrade, one option is to proceed with the briefing on the UNMIK report. But if there are concrete results or prospects for an outcome under which Serbia might accept EULEX, the Council would have the option of a presidential statement:

- highlighting progress made on the six points in administering northern Kosovo (police, judiciary, boundary management, protection of religious facilities, transport and customs);
- formally approving deployment of EULEX; and
- reiterating the oversight mandate of resolution 1244

Another option—perhaps better tailored to finding common ground that does not prejudice either side's position—might be an exchange of letters between the Secretary-General and the president of the Council. In his letter, the Secretary-General could outline understandings reached between the EU, UNMIK and Serbia and convey his intention in light of that to accept EULEX's request for Kosovo-wide deployment under the UN umbrella, and he could clarify reporting lines to UNMIK from EULEX, Organization for Security and Cooperation in Europe (OSCE) and NATO. The letter would be circulated to all members for approval.

Key Issues

A key issue for the Council is how it can help stem the growing divide between the Kosovo government and Serbian-controlled areas. With EULEX only partially deployed and UNMIK no longer at full capacity, there is increasing evidence of deteriorating security as well as corruption and cronyism in northern Kosovo.



Smuggling has become a problem along with the wide availability of illegal arms.

Connected issues include how soon EULEX can be up and running and the wider political question of whether it will be able to fully deploy across Kosovo, particularly in the north. The risk of a soft partition becoming entrenched in the north is a related issue, with Serbs running the main institutions north of the Ibar River.

In this regard, another issue is whether such an outcome can be avoided, perhaps by agreeing that some special status would be given to institutions in the north. Some observers expect that Serbia will want such concessions on all six points before approving EULEX's deployment in the north.

How the various international missions in Kosovo will work together is also an issue. EULEX has yet to sign a political agreement with UNMIK or the OSCE.

Council Dynamics

Some members think there is an opportunity for productive negotiations with Belgrade. Serbia's success in getting the issue of Kosovo's independence referred to the ICJ and a more pro-EU government in Belgrade may have created a more opportune moment for a pragmatic agreement on EULEX. However, some European members and the US are more skeptical and suspect that Serbia might seek more by way of a special status in the north than is tolerable in Pristina. There is also unhappiness among some European members that Serbia continues to use Russia as an intermediary rather than approaching them directly.

Russia remains firm in its position that in the absence of consent from Serbia the EULEX mission is illegal. It continues to actively support Serbia and voiced unhappiness with the recognition by Montenegro and Macedonia of Kosovo. But in practice it has shown in the past that it does not seek to be "more Serbian than the Serbs".

UN Documents

Security Council Resolution

- S/RES/1244 (10 June 1999) authorised NATO to secure and enforce the withdrawal of Yugoslav (FRY) forces from Kosovo and established UNMIK.

Selected Presidential Statement

- S/PRST/2005/51 (24 October 2005) declared it was time to begin the political process to determine the future status of Kosovo.

Selected Letters

- S/2008/638 (10 October 2008) was the letter on the operations of KFOR from 1-31 July 2008.
- S/2007/168 and Add. 1 (26 March 2007) was the letter transmitting UN Special Envoy Martti Ahtisaari's report on Kosovo's future status and the Comprehensive Proposal for the Kosovo Status Settlement.

Selected Reports

- S/2008/458 (15 July 2008) was the Secretary-General's latest report.
- S/2008/354 (12 June 2008) was the Secretary-General's report on how he plans to reconfigure UNMIK.

Other

- S/PV.5944 (25 July 2008) was the discussion on the Secretary-General's July report.
- A/RES/63/3 (8 October 2008) was the General Assembly's resolution referring Kosovo's declaration of independence to the ICJ for an advisory opinion.

Somalia

Expected Council Action

The Council is expecting a consolidated report from the Secretary-General, (due on 4 November, but likely to be delayed) which should include four elements:

- the regular quarterly update on developments in Somalia;
- a response to the Council's request in its presidential statement of 4 September (S/PRST/2008/33) that the Secretary-General elaborate contingency plans for a feasible multinational force (this is expected to include a detailed description of a possible mandate and

operational tasks for such a force, including size and geographical scope)—in addition a detailed concept of operations for a feasible UN peacekeeping mission is expected;

- the requested update on the implementation of the Djibouti Agreement between the Transitional Federal Government (TFG) and the Alliance for the Reliberation of Somalia (ARS); and
- a report on the implementation of resolution 1816 of 2 June 2008 permitting states to enter Somalia's territorial waters to counter piracy.

A Secretariat briefing is also likely. Unless a comprehensive ceasefire takes hold, the Council is unlikely to act on the military options in the report in November. Extended discussion among Council members will probably be needed. Further action on political aspects, however, could be an option for the Council in November.

The Secretary-General of the International Maritime Organisation is expected to brief the Council on issues related to piracy and Council action to renew the provision in resolution 1816 authorising states to enter Somalia's territorial waters (which expires on 2 December 2008) is also a possibility in November.

Key Recent Developments

On 7 October the Council unanimously adopted resolution 1838, once again addressing the issue of piracy off the coast of Somalia. The resolution, drafted by France and co-sponsored by 17 countries, reflects concerns about the increasing levels of sophistication of pirates operating off the coast of Somalia including attacking larger ships further offshore. It did not contain any new legal provisions. The focus was political with calls for more active participation by states to combat piracy and calls on states and regional organisations to coordinate their actions.

NATO, on 9 October, agreed to send seven frigates to join anti-piracy operations off the coast of Somalia. On 14 October the EU said that it is aiming to deploy a joint air and naval force in December to combat piracy. The Netherlands took over the escort of the World Food Program convoys on 23 October when Canada ended its mission, sending a Dutch frigate which will

provide protection until 10 December. Meanwhile, the Ukrainian ship *MV Faina*, held by pirates since the end of September, had yet to be released at press time.

Developments inside Somalia have continued on a largely negative path. In Mogadishu, attacks have intensified, increasingly targeting the African Union Mission in Somalia (AMISOM). Forces opposed to the TFG are more fragmented, but not necessarily weaker. Al Shabaab and the Union of Islamic Courts have been gaining further ground in the south. Security concerns prompted the UN to temporarily relocate its international staff from Marka, in southeastern Somalia, after an explosion hit a UN vehicle, killing the driver and slightly wounding two UN personnel, an Italian and a Somali. Towards the end of the month TFG troops reportedly recaptured the three towns of Bardale, Wajid and Hudur near Baidoa from Islamist insurgents.

On 11 and 12 October approximately 800 additional Burundian troops were deployed in Mogadishu, bringing the strength of AMISOM to a total of just over 3,000. At least two of the newly arrived soldiers were wounded within hours of their arrival when an AMISOM vehicle was hit by an explosive device. On 16 October Ethiopian Prime Minister Meles Zenawi said that Ethiopian forces would stay in Somalia at least until AMISOM is fully deployed.

The humanitarian situation continues to be critical. The total number of internally displaced persons (IDPs) has increased and is now estimated at over 1 million by the UN Office for the Coordination of Humanitarian Affairs. In the lower Shabelle region between Mogadishu and Afgooye, heavy rain left thousands of IDPs without shelter, exacerbating an already dire situation. On 6 October, 52 NGOs operating in Somalia issued a statement expressing grave concern about "the devastating humanitarian crisis in Somalia". Recalling that 3.25 million people are in need of emergency aid (up by 77 percent since the beginning of 2008) and that 1.1 million people are currently displaced in Somalia, the NGOs expect the situation to deteriorate further. The NGO group said the political process so far has had no impact on the ground in

terms of reducing the level of violence and accused the international community of having completely failed Somali civilians. In an interview with the BBC, Human Rights Watch called Somalia “the most ignored tragedy in the world today”.

The political process took an important step forward when the two committees established under the Djibouti Agreement—the Joint Security Committee and the High Level Committee—met in Djibouti on 25-26 October. Two potentially significant accords were signed: The Joint Security Committee agreed that a ceasefire will become effective on 5 November and that Ethiopian troops will start relocating from strategic areas on 21 November. AMISOM, with the assistance of TFG and ARS forces, will take over responsibility for security in these areas “until deployment of a UN force”. In a separate joint declaration the Somali Deputy Prime Minister, Ahmed Abdi Salam Aden, and the ARS Chairman, Sheikh Sharif Ahmed, called for the assistance of the international community and leadership of the UN for the early establishment of a Somali Unity Government which would be open to all Somali nationals and should address as a priority political cooperation and joint responsibility for assuring security.

The agreement reached in Djibouti was reportedly rejected by Sheikh Hassan Dahir Aweys, leader of a separate faction of ARS, who said it was an illusion since no final date was set for the withdrawal of Ethiopian troops. It remains to be seen, therefore, whether the ceasefire is also an illusion. A series of near simultaneous suicide car bombings in Somaliland and Puntland on 29 October could be interpreted as an ominous sign. The bombings struck Ethiopia's embassy in Hargeisa (capital of the break-away region of Somaliland), the president's office and a UNDP building, as well as an intelligence headquarters in Bosasso, Puntland, killing at least 28 people. No group immediately claimed responsibility for the attacks, but Al-Shabaab was reported to be the main suspect.

On 28-29 October an extraordinary meeting of the Intergovernmental Authority on Development in Eastern Africa (IGAD), attended by representatives of the Somali

Transitional Federal Institutions (TFIs), IGAD countries and partners as well as the Special Representative of the Secretary-General, was convened in Nairobi to discuss Somalia. Several participants were highly critical of the Somali leadership and at the end of the meeting a declaration was adopted that contained strong language referring to the political paralysis in Somalia, complete failure to establish institutions of governance, and lack of unity and unhelpful competition among the leadership of the TFIs. It was also noted that the international community had failed in supporting AMISOM. Perhaps the most telling conclusion was that reported from the Ethiopian foreign minister, Seyoum Mesfin, saying that “Somalia's problems are not security but political”. Furthermore, the declaration spelled out a clear timeline for the TFIs' implementation of previous commitments and it was decided to establish a mechanism to monitor its implementation.

At press time, a new resolution on targeted sanctions, including travel ban and asset freeze, was expected to be adopted on 31 October. The provisions in the resolution would apply not only to violators of the arms embargo, but also to individuals who threaten the peace, security or stability of Somalia or impede the delivery of or access to humanitarian assistance in Somalia. However, the Council has stepped back from the tough decision of designating individuals and entities to be targeted by the new sanctions. This will be left to the Sanctions Committee. The Committee's mandate would be expanded also in other areas such as monitoring and information gathering.

Key Issues

The most high profile issue facing the Council in November is the nature and mandate of a possible force for Somalia. Related questions are whether conditions exist for a UN-type peacekeeping operation (and the future of any ceasefire will be an important factor in this regard) or whether a more robust coalition of member states is needed. A second issue is whether any force should focus on protection of civilians rather than just supporting the TFG.

A related issue is that so far the Djibouti Agreement process has not embraced



those responsible for the attacks on the AU force and has failed to translate into improvements on the ground. As a result it is unclear whether enough countries would be willing to contribute forces under current circumstances. A major test for the Somalis therefore is whether the TFG and the ARS will be able to bring the ceasefire agreed at the Joint Security Committee meeting in Djibouti to an effective reality on the ground.

The humanitarian situation is another issue intensifying pressure for intervention. It remains to be seen whether the options presented in the Secretary-General's report will address protection of civilians as a key aspect of a mandate. However, if the humanitarian situation deteriorates further the Council may see itself under pressure to intervene regardless of whether it has the proper means.

Finally, an issue which seems to be emerging is whether in the current circumstances, the Security Council alone is sufficient in the United Nations context, or whether there is a case for wider involvement of other UN bodies.

Options

Options for the Council in November depend to a large extent on conclusions and recommendations in the Secretary-General's report, as well as political developments, in particular whether the ceasefire agreement is real (or can be made real) or whether it is a political illusion.

The Council remains divided on whether to explore a multinational stabilisation force or a UN peacekeeping operation. The UN Department of Peacekeeping Operations (DPKO) believes that at this time a peacekeeping operation is not feasible. The Secretary-General has been active in investigating the alternative option of a multilateral coalition, asking for troops and trying to identify a lead nation. So far no country has come forward with a clear commitment. Ideally a robust multinational

force would be followed by a peacekeeping force once security was established. However, if there are no volunteers for a multinational force the focus may then return to a peacekeeping operation. But it remains equally unclear whether any serious volunteer for such a lead role under that format can be expected either. In both cases it seems to be assumed that the current AMISOM forces would be subsumed in the new operation.

It will be interesting to see whether these dilemmas lead the Council to reconsider possible active involvement from the Military Staff Committee (perhaps in an expanded role as envisaged in article 47 (2) of the UN Charter).

Council action on the political process is another option especially in light of the apparent progress made in Djibouti at the end of October. The Council could decide to signal in a presidential statement that the issue of a ceasefire is of critical importance.

Council Dynamics

There seems to be general agreement in the Council that further initiatives on Somalia are needed, but there is division about what should or can be done. By contrast, there is a common understanding on the need for continued action on piracy.

Differences remain on how to respond to the request for an international stabilisation force in Somalia. Currently, the disagreement is not so much about a multinational versus a peacekeeping force, although that is an underlying issue. Instead, it centres on what is feasible given the current level of violence, what conditions must be met, and what the Somalis themselves must do in terms of real political reconciliation before they can expect outside assistance. The remarks attributed to Ethiopia at the IGAD meeting in Nairobi that the problem is political not a security one will only reinforce those arguing in favour of a political track.

As we wrote in our October *Forecast*, Council members including South Africa, the US and Italy are sceptical that suitable troops can be generated for a multinational force. In reality this argument seems to boil down to a funding issue and the

belief that in the absence of assessed UN funding no such force will be viable. They argue that this means the only option is a peacekeeping mission. Some of them perceive DPKO's risk assessment as too negative, in particular as it relates to the actual strength of the insurgents.

On the other hand, members like France, UK, Belgium and Russia take a more cautious approach, concerned about the strength of the insurgents and the added risks associated with any non-African intervention. They do not believe that a UN peacekeeping force can be robust enough to intervene effectively. They also point to the current deployment problems in Darfur and express doubts that any new force for Somalia would do any better in terms of force generation.

A common view is that there must be more political progress by the Somalis themselves and some consequential amelioration in the security situation. This aspect is leading to some lateral thought as to whether there are ways other UN bodies can help in this regard. In this context, the ceasefire agreement reached on 26 October is an important new development, but it remains to be seen whether it will actually have any effect on 5 November.

Finally, all Council members have in mind other upcoming demands for new UN troops (for example a possible UN military component to succeed EUFOR in Chad, see the relevant brief in this *Forecast*). This and the overall cost of existing UN operations may also influence the Council's approach.

UN Documents

Selected Security Council Resolutions

- S/RES/1838 (7 October 2008) called for intensified action against piracy in Somalia.
- S/RES/1831 (19 August 2008) renewed AMISOM for six months.
- S/RES/1816 (2 June 2008) authorised action against piracy in Somalia.
- S/RES/1814 (15 May 2008) reiterated the Council's intention to strengthen the arms embargo.
- S/RES/733 (23 January 1992) imposed an arms embargo.

Selected Presidential Statement

- S/PRST/2008/33 (4 September 2008) requested detailed planning on an international stabilisation force and peacekeeping force.

Selected Report of the Secretary-General

- S/2008/466 (16 July 2008) was the most recent report.

Latest Monitoring Group's Report

- S/2008/274 (24 April 2008)

Other

- S/PV.5942 (23 July 2008) was the most recent open Council briefing by the Secretary-General's Special Representative for Somalia.

Other Relevant Facts

Special Representative of the Secretary-General

Ahmedou Ould-Abdallah (Mauritania)

UNPOS

- *Maximum authorised size:* 44 international and 28 local civilians
- *Size as of 30 June 2008:* 16 international and 11 local civilians
- *Cost:* \$16.2 million (2008 budget)
- *Duration:* 15 April 1995 to present; mandate expires on 31 December 2009

AMISOM

- *Maximum authorised strength:* 8,000 troops plus maritime and air components
- *Strength as of 12 October 2008:* about 3,000 Ugandan and Burundian troops
- *Key resource contributors:* US, EU, Italy, Sweden, China and the Arab League
- *Duration:* February 2007 to present: AU mandate expires on 17 January 2009 and Council authorisation expires on 19 February 2009.

Useful Additional Resources

- *Piracy in Somalia: Threatening global trade, feeding local wars*, Chatham House Briefing Paper by Roger Middleton, October 2008
- *Somalia: A Country in Peril, a Policy Nightmare*, Enough Strategy Paper by Ken Menkhaus, September 2008

Expected Council Action

A report by the Secretary-General is expected by 15 November on progress towards the full deployment of the UN Mission in the Central African Republic and Chad (MINURCAT) and the Chadian police force *Détachement Intégré de Sécurité* (DIS). It will include an update on planning for the proposed UN military component to follow the EU Mission in Chad and the Central African Republic (EUFOR), including options on size, structure and mandate of a military component in the Central African Republic (CAR).

An accompanying briefing, possibly by Victor da Silva Ângelo, the Secretary-General's Special Representative for Chad and CAR, is expected in late November. This should shape Council deliberations on the proposed UN military component. In resolution 1834 the Council expressed its intention to adopt a resolution on the matter by 15 December. MINURCAT's mandate expires on 15 March.

Key Recent Developments

Despite the deployment of MINURCAT and EUFOR, the security situation in eastern Chad continues to deteriorate and undermine the capacity of humanitarian workers to deliver assistance. Between January and September, humanitarian organisations suffered 107 attacks, including six fatal incidents. As many as 700,000 civilians in eastern Chad require humanitarian assistance. Few of the 290,000 refugees and 180,000 internally displaced persons (IDP) in camps have returned home. Civilians in eastern Chad are exposed daily to physical attacks, theft, rape and forced recruitment to fight. A further increase in violence and insecurity is expected after the end of the rainy season in October.

Progress on political reconciliation in Chad has stalled. It is unclear whether the slow implementation of the 13 August 2007 agreement on electoral reforms will further postpone legislative elections currently slated for 2009. The African Union announced on 10 October it was dispatching a fact-finding mission to Chad led by former president of Burundi Pierre Buyoya. This mission will investigate the situation on the border

between Chad and Sudan and the tensions in relations between the countries. This follows the meeting in September of the AU Dakar Agreement contact group, which failed to agree on details of the joint monitoring force along the border between Sudan and Chad as agreed in the Dakar accord of 13 March. Chad and Sudan's undertaking in September to exchange ambassadors has been agreed for November.

After reaching its initial operating capability in March, the EUFOR deployment reached its full operational capability in mid-September with approximately 3,300 troops, 200 of which are located in CAR. Four Russian transport helicopters are scheduled to arrive in November, boosting the number of air assets by one-third. The deployment has been hampered by a shortage of helicopters.

By 16 September, MINURCAT had trained approximately 324 DIS officers. A further 116 suitable candidates have been selected for training. Once deployed to eastern Chad, DIS officers will conduct routine patrols in IDP camps, refugee camps, and towns. The presidential decree enabling the deployment of DIS to eastern Chad was issued on 27 September after almost two months' delay. The first contingent of 100 DIS officers began deploying to eastern Chad on 24 October. The Chadian government has requested the total strength of DIS be raised from 850 to 1,700 officers.

Limited local infrastructure, poor roads, the delayed deployment of DIS and the volatile security environment continue to contribute to delays in the deployment of MINURCAT in eastern Chad. Advance judicial advisory and corrections units were deployed in October to Abéché. The Deputy Special Representative of the Secretary-General, Rima Salah, is also expected to relocate from N'Djamena to eastern Chad in late October.

On 24 September the Council unanimously adopted resolution 1834, which extended the mandate of MINURCAT until 15 March and expressed its intention to authorise a UN military component to follow EUFOR. The resolution called for the Secretary-General to submit a report by 15 November on planning for the follow-on



operation in Chad and CAR, including options on the CAR component's size, structure and mandate.

During the accompanying debate, French Foreign Minister Bernard Kouchner said humanitarian assistance in Chad had been less effective than expected because of the slow deployments of the hybrid AU-UN force in Darfur (UNAMID), MINURCAT and DIS. Security problems remained, with refugees and internally displaced persons unable to leave camps without risk of being attacked.

In September the EU Special Representative for EUFOR, Ambassador Torben Brylle of Denmark, reaffirmed during a midterm briefing on the mission that its mandate would not be extended in the absence of a follow-on UN mission. EUFOR Operation Commander General Patrick Nash said that 1 June was the deadline for the complete withdrawal of EUFOR.

The Secretary-General's 12 September report on post-EUFOR arrangements recommended an enhanced MINURCAT mandate, including a 6000 strong military force to take over from EUFOR on 15 March. The military force would operate within an expanded area of operations and would include a military air component of 18 helicopters and an armed aerial reconnaissance unit. In addition to 6,000 troops, the report recommended an "over the horizon" (i.e. not necessarily located within Chad) battalion group to deploy expeditiously should the security situation become unmanageable by UN forces. The report suggests a limited extension of EUFOR may be necessary to cover the period of generation of the recommended forces. The estimated cost for the full deployment of the above elements (excluding the "over the horizon" battalion group) for a 12-month period is \$615.2 million.

According to the Secretary-General, the expansion of MINURCAT to include a military component would be effective only if it

were also mandated to address underlying causes of insecurity. He recommended MINURCAT's mandate include protection of civilians at risk, as well as a good offices mandate to support conflict resolution initiatives and justice and accountability mechanisms.

In early September, the World Bank withdrew its support to Chad for the Chad-Cameroon Petroleum Development and Pipeline Project after the government reneged on its commitment to allocate 80 percent of oil revenue to finance development projects tackling poverty, improving governance and assisting displaced persons. The \$4 billion initiative was reportedly the largest single international investment in sub-Saharan Africa. Chad is expected to earn \$1.4 billion in oil revenues this year.

Options

The key option for the Council is to begin work on the Secretary-General's proposals for the follow-on UN military force in Chad and options on the proposed military component in CAR, with a view to adopting a resolution by 15 December.

A second option is expanding MINURCAT's political mandate, but Chad remains reluctant about this. The Council may therefore consider the option of:

- a coherent long-term strategy on how to address political reconciliation and reform issues with the Chadian government and linking MINURCAT's future role in this regard;
- language acknowledging that the fragile situation in Chad and threats to civilians are not only due to the conflict in Darfur, and expressing concern at the lack of progress by the Chadian government in addressing, inside Chad, the root causes of the conflict;
- demanding real progress in implementing the 13 August and Sirte Agreements (the 13 August Agreement, signed in 2007 by the government and political opposition, focused on electoral reforms; the Sirte Agreement, signed on 25 October 2007 by the government and main armed opposition groups in eastern Chad, agreed to a ceasefire and participation of rebels in state institutions); and

- encouraging regional actors to play a more proactive role in reenergising talks between the Chadian government and rebels, and perhaps requesting updates from these regional players in future Council debates.

Another option is to take steps to encourage better relations between Chad and Sudan. Including:

- appointing a regional mediator respected by both parties dedicated to reinvigorating the Dakar Agreement and to working with the two governments and key stakeholders to move the peace process forward;
- extending the mandate of the Special Representative of the Secretary-General to include a more direct role in facilitating Chad/Sudan relations; and
- altering the mandates of MINURCAT and UNAMID to include police monitors to work with the proposed border-monitoring force between Chad and Sudan or, in the event this force never materialises, to monitor the border themselves.

Key Issues

Given that the Secretary-General has recommended a follow-on force with more troops and an expanded area of operation, the key issue for the Council is whether there is, indeed, justification for additional elements at this time. This raises a number of related issues including:

- whether the proposed assets will be available and deployable by March, bearing in mind the difficulties UNAMID has faced (contributors to EUFOR might "rehat" to the UN operation, but it is unclear whether France, which contributes approximately half of the 3,200 EUFOR troops, will do so);
- whether Chad will accept an increase in troop numbers;
- whether EUFOR would be willing to extend its presence on a transitional basis if needed (a key concern for the Council will be to avoid any security gaps due to delays in deployment);
- whether assets for Chad and CAR are deemed a priority over other unrealised peacekeeping commitments such as Darfur and demand for an operation of some kind in Somalia;
- whether the MINURCAT military compo-

nent needs to expand or deploy to additional areas of operation initially, or whether this is something which can be considered in the future;

- what additional resources and infrastructure are needed for the recommended 3,000 additional troops and deployment locations and what impact their procurement will have on deployment timelines; and
- the financial impact on the overall peace-keeping budget.

The Secretary-General has repeatedly told the Council that neither MINURCAT nor EUFOR is ideally mandated to address the root causes of the internal conflict in Chad and its regional aspects.

Given that there appears to be wide support in the Council for a more comprehensive approach to Chad's internal crisis, a key question for the Council is how it can gain Chad's support for an enhanced political mandate and whether Libya, France and other key regional stakeholders can play a constructive role in this area.

A related issue is whether the Council should be focussing more on strategies to support the reform of key institutions in Chad given the government's reluctance to engage meaningfully in political reconciliation and the opposition's lack of strategy and coherence.

Council Dynamics

Most Council members seem to agree that political dialogue and reform in Chad are necessary to bring about resolution to the crisis, but members such as France and Libya are influenced by Chad's objection to this. It seems that most of the P5 (led by France) are reluctant at this point to pursue the political agenda with Chadian President Idriss Déby. Instead, they have prioritised securing a follow-on force to EUFOR, focussing on political issues in the future. The UK seems supportive of pushing a more comprehensive strategy which would include political reform.

Some Council members appear sceptical that a follow-on force of 6,000 is justified or able to be generated. The UK in particular has reservations about the need for a military presence in CAR once EUFOR withdraws.

UN Documents

Selected Security Council Resolutions

- S/RES/1834 (24 September 2008) renewed MINURCAT's mandate and expressed an intention to replace EUFOR with a UN military component.
- S/RES/1778 (25 September 2007) established MINURCAT and authorised the EU protection force.

Selected Security Council Presidential Statements

- S/PRST/2008/22 (16 June 2008) was a statement on the June rebel offensive in Chad.
- S/PRST/2008/15 (13 May 2008) condemned a Darfur rebel attack near Khartoum.

Latest Secretary-General's Reports

- S/2008/601 (12 September 2008) was the most recent MINURCAT report.
- S/2008/601/Add.1 (15 September 2008) described the financial implications for the establishment of a UN military force.
- S/2008/532 (7 August 2008) was a report on children and armed conflict in Chad.

Other Relevant Facts

MINURCAT: Special Representative of the Secretary-General

Victor da Silva Ângelo (Portugal)

MINURCAT: Size, Composition and Cost

- Authorised strength: 1549 including up to 300 police and fifty military liaison officers
- Strength as of 18 September 2008: 768 including 200 police and 33 military observers
- Main police contributors: Côte d'Ivoire, Senegal, Burkina Faso, Benin and France
- Cost: approved budget 1 July 2008–30 June 2009: \$315 million

MINURCAT: Duration

September 2007 to present; mandate expires on 15 March 2009

EU Force: Size, Composition and Cost

- Expected strength: 3,700 troops and 600 on reserve

- Strength in area of operation as of 9 October: 3,265 troops
- Main contributors: France (1,669), Ireland (419), Poland (404) and Austria (186)
- Cost: €119.6 million

EU Force: Duration

17 March 2008 to present; mandate expires on 15 March 2009

Useful Additional Resource

- *Chad: A New Conflict Resolution Framework*, International Crisis Group Africa Report No. 144, 24 September 2008

Bosnia and Herzegovina

Expected Council Action

The Council is expected to reauthorise the EU Force in Bosnia and Herzegovina (EUFOR) before the end of its mandate on 21 November. It will also be briefed by the High Representative and European Union Special Representative to the Secretary General for Bosnia and Herzegovina, Miroslav Lajčák, on developments since his last report in May 2008 (S/2008/300).

Given the limited progress on the political road map for Bosnia, the conditions necessary for closure of the Office of the High Representative (OHR) remain elusive. More worrying are growing signs of divisiveness among the ethnic groups, and Council members may be increasingly interested in monitoring this issue more closely.

Key Recent Developments

On 5 October, Bosnia and Herzegovina held elections for city councils and mayors. The thirty-day electoral campaign was marked by a rise in radical nationalist rhetoric as political leaders offered nationalist platforms with little in the way of concrete proposals for local development. The results reflected deepening ethnic divisions with the three ethnic nationalist parties winning seats largely in their own territories.

In his speech on 23 September to the UN General Assembly, Haris Silajdžić, who currently chairs Bosnia's rotating presidency, underlined the dimensions of the growing controversy when he said that instead of reversing the effects of genocide and ethnic cleansing, the Dayton Peace Agreement had led to "ethnic apartheid". He warned that it would be "a grave mistake if this result

was recognized as lawful". This statement has been interpreted by some in the media as a call for the abolition of the Republika Srpska (RS). Silajdžić gave a similar speech to the Parliamentary Assembly of the Council of Europe on 30 September. The three members of the presidency had been unable to agree on a joint statement. Silajdžić therefore seems to have spoken in a personal capacity rather than conveying the official position of the Bosnia and Herzegovina presidency.

The RS Assembly held an extraordinary meeting on 13 October in response to Silajdžić's statements. Lawmakers discussed "all legal and political means, including the right to a referendum" for the protection of RS. It adopted a resolution demanding better protection for RS and expressed opposition to the greater centralisation of key institutions and services. High Representative Lajčák issued a statement warning the political leadership in Bosnia and Herzegovina "to stop at once forever with unilateral threats and challenges to the Dayton Peace Agreement and focus instead on European priorities". He said that "RS Sovereignty or Bosnia and Herzegovina as State Union" is unacceptable as the RS is "an entity, not a state within a state, full stop."

On 16 June, prior to the development, Bosnia and Herzegovina signed the EU Stabilisation and Association Agreement (SAA) which marked a significant step in its relations with the EU. This was also a key condition for the transition from the OHR to an EU Special Representative.

A further sign of the deepening rift was the announcement in mid-September, by the RS that it would pull out of the state electricity network, Elektroprenos BiH, which had been formed last year as part of an EU-sponsored plan to reform Bosnia's power sector. The formation of the electricity network had been one of the pre-conditions for the SAA. The European Commission expressed concern over RS's

move, saying it would be a step back in the SAA process and would put at risk Bosnia and Herzegovina's integration in the regional and EU electricity markets. Statements warning the RS that its action was illegal and needed to be revoked were issued by the Peace Implementation Council, or PIC (which oversees the Dayton peace process and provides regular guidance to the High Representative), as well as by the US, France and the UK. On 20 September the RS authorities agreed to reverse their decision.

EU defence ministers discussed EUFOR's future at their informal meeting on 1 October in Deauville, France. While a few countries (Slovakia, Italy and Greece) preferred to maintain the force level, the majority were open to a gradual withdrawal and role change for EUFOR. There is talk of replacing the current mission with a rapid reaction force. (EUFOR consists of about 2,200 troops from 22 EU member states, as well as five non-EU countries: Turkey, Albania, Macedonia, Switzerland and Chile.) A final decision is expected to be made on 10 November during a formal meeting of EU defence ministers in Brussels.

After a visit to Bosnia and Herzegovina on 10 October, EU Enlargement Commissioner Olli Rehn expressed concern about the lack of progress on reforms since the SAA was signed. He attributed this to disagreements between communal leaders.

The PIC Steering Board meeting is expected to take place on 19 and 20 November where it will discuss the future of the OHR. The OHR, which began work in 1995, had been expected to complete its job by the end of June 2007. But the slowing pace of reform led the PIC in February 2008 to decide upon the following five objectives to be met before the OHR could be closed: resolution of the issue of state property and defence property; completion of the Brcko Final Award; fiscal sustainability; and entrenchment of the rule of law. It also set two conditions: signing the SAA (met in June) and a positive assessment of the situation in Bosnia and Herzegovina by the PIC Steering Board based on full compliance with the Dayton Peace Agreement. (Details of the objectives and conditions can be found in

Declaration of the PIC Steering Board of 27 February 2008.)

Also in October, a development of wider political significance was the decision of Poland to withdraw its candidacy for election to the Security Council next year to replace Croatia as the elected Eastern European member. This leaves Bosnia and Herzegovina as the sole candidate for the one available seat on the Security Council for Eastern Europe for 2010 and 2011. If no other Eastern European candidates emerge, Bosnia and Herzegovina will be elected to the Council in October 2009.

Options

Adoption of a resolution reauthorising EUFOR seems to be uncontroversial. This reauthorisation resolution has not been fundamentally changed since EUFOR was established in 2004. Only the paragraphs containing information on the latest EU foreign ministers and defence ministers meetings and on the state of progress are updated.

In light of recent developments, however, an option for the Council is to add language to emphasise the importance of seeing more progress on reforms and in bringing down negative rhetoric.

An alternative might be a parallel presidential statement:

- urging acceleration of the reform process and tangible steps towards meeting the objectives set out by the PIC for the closure of the OHR;
- highlighting the Council's concerns over slow reforms and the divisive political climate;
- recalling that under the Dayton Agreement no entity has the right to secede from Bosnia and Herzegovina and cautioning against any moves towards a referendum in support of secession; and
- emphasising the importance of social cohesion among the ethnic groups.

There are further options including:

- a review of the residual structures supporting the Dayton Agreement in light of current realities;
- appointment of a high-level envoy of the Secretary-General, who would be tasked to work with the parties and the

High Representative on reforming the constitution;

- requesting more regular briefings to assess developments and progress on the objectives given by the PIC; and
- suggesting the High Representative present a report with a detailed road map and assessment of the key challenges. (This could be particularly important in light of Bosnia and Herzegovina's possible election to the Security Council next year.)

Key Issues

The key issue is whether the Council and the UN should again take a more substantive role on issues in Bosnia and Herzegovina given increasing signs of ethnic tension.

A related issue is whether the Council should take a stronger position on adherence to the Dayton Agreement. RS's recent behaviour suggests a growing belief that it has the rights of a sovereign state which would be in violation of the Dayton Agreement.

Another issue is whether there are now options to curb the rise in nationalist rhetoric before tensions among the ethnic groups lead to conflict.

A significant issue is what the Council could do to help Bosnia and Herzegovina's Muslim, Croat and Serbian political leaders towards consensus on constitutional reform.

There is also the question of whether the Council should be looking ahead to the national elections, which are expected to be held in 2010 and helping develop strategies that avoid the ethnic tensions which surrounded the recent local elections.

An additional issue is whether the authorities, within a reasonable timeframe, can meet the five objectives and two conditions agreed on by the PIC in February 2008 for the OHR's closure.

A final issue for the Council, if it were to decide on a more active role, is how to work with the EU to help Bosnia and Herzegovina.

Council and Wider Dynamics

European Council members and the US have begun to keep a more careful eye on

Bosnia and Herzegovina since the unrest which arose at the time of Kosovo's declaration of independence in February. However, there still appears to be little appetite to push for an increased Council role beyond the annual reauthorisation of EUFOR.

Some observers had expected that Croatia, given its own experiences, might be a lead player on this issue. However, its very history has made it difficult for Croatia to be proactive. It has strongly argued for protection of the interests of Croats in Bosnia and Herzegovina and the importance of a functioning state (particularly given that it shares a 1,000 kilometre border with Bosnia and Herzegovina). But it does not appear inclined to initiate action on this issue.

Some members, like the US, are expressing growing concern over the rise in nationalist rhetoric.

There are mixed views on whether the negotiations over the resolution will be difficult. In 2006 Russia objected to the standard preambular paragraph in the reauthorisation resolution referring to the Council's commitment to "the political settlement of the conflicts in the former Yugoslavia and preserving sovereignty and territorial integrity of all States there within their internationally recognised borders". Although negotiations on the resolution went smoothly last year, some members are concerned that increased tension over issues of territorial integrity following declarations of independence in Kosovo and South Ossetia and Abkhazia could complicate this year's negotiations. Others feel that with the amount of energy expanded recently on Georgia, key players might not be looking for a new battle.

An area of some disagreement among members is the timeframe for closing down the OHR. While members generally agree on the need for Bosnia and Herzegovina to meet the five objectives and two conditions before the OHR closes down, Russia has voiced concern about the OHR's term being dragged out and is keen to see a reduction in the activities of the OHR, sooner rather than later.

UN Documents

Selected Security Council Resolutions

- S/RES/1785 (21 November 2007) reauthorised EUFOR till 21 November 2008.
- S/RES/1575 (22 November 2004) established the European Union Force in Bosnia and Herzegovina (EUFOR).
- S/RES/1088 (12 December 1996) contained the authorisation of the establishment of a multinational Stabilisation Force.
- S/RES/1035 (21 December 1995) established the International Police Task Force.
- S/RES/1031 (15 December 1995) was on the implementation of the Peace Agreement for Bosnia and Herzegovina and transfer of authority from the UN Protection Force (UNPROFOR) to the multinational implementation force.
- S/RES/743 (21 February 1992) established UNPROFOR.
- S/RES/713 (25 September 1991) marked the start of the UN's involvement in the former Yugoslavia.

Selected Letters

- S/2008/413 (23 June 2008) was the letter from the Secretary-General transmitting the latest report on the activities of the EUFOR in Bosnia and Herzegovina from 1 March 2008 to 31 May 2008.
- S/2008/300 (7 May 2008) was the letter from the Secretary-General conveying the most recent report of High Representative on the implementation of the Peace Agreement including an annex of the PIC's Declaration of 27 February 2008.

Other

- S/1995/999 and annexes (29 November 1995) was the General Framework Agreement for Peace in Bosnia and Herzegovina and Annexes, signed in Dayton.

Useful Additional Resource

- Communique of the PIC Steering Board meeting of 24 and 25 June 2008



Nepal

Expected Council Action

On 7 November the Council is expecting a briefing by the Secretary-General on his trip to Nepal (which at press time was scheduled for 31 October to 1 November). Special Representative in Nepal, Ian Martin, will also present the recent report on the UN Mission in Nepal (UNMIN), discussion of which was previously planned for October.

UNMIN's mandate expires on 23 January. The latest UNMIN report (which at press time was expected at the end of the October) will provide a review of progress over the last few months and further downsizing options as it moves towards the end of its mandate.

The November briefing is likely to cover general issues such as the overall situation in Nepal and UNMIN's role as well as some ongoing areas of concern such as consolidation of the cantonments and integration of Maoist soldiers into the national army. Council members will be keen to hear the Secretary-General's assessment of progress in these areas and the role UNMIN can continue to play in the next few months.

Key Recent Developments

In September the Nepalese prime minister, Pushpa Kamal Dahal (also known as Prachanda), invited the Secretary-General to visit Nepal. At press time, he was scheduled to visit Nepal from 31 October to 1 November as part of an Asian trip covering the Philippines, India, Nepal and Bangladesh. The Secretary-General's programme is expected to include meetings with Nepalese President Ram Baran Yadav, Prime Minister Prachanda, Foreign Minister Upendra Yadav and members of the Constituent Assembly.

In October attempts were made to form a special committee responsible for the integration and rehabilitation of Maoist

combatants. This committee is expected to be made up of the major political parties in the Constituent Assembly and the opposition as well as representatives from the government, the national army and the Maoist People's Liberation Army (PLA). On 21 October agreement was reached by all the ruling parties to form this special committee. However, the process quickly faltered when, on 22 October, the key parties—the Nepali Congress, the Communist Party of Nepal-Unified Marxist-Leninist and Madhesi People's Rights Forum—objected to a member of the CPN-Maoists heading the committee given that combatants of the PLA would be part of the integration process.

In October UNMIN, UNDP and UNICEF met the new Minister for Peace and Restoration and members of the national army to discuss discharge of soldiers in the cantonments who were verified by UNMIN as minors in May 2006, or recruited after that date. Maoist army leaders have also been visiting the cantonments in the past week and have indicated to the disqualified soldiers that they are planning to discharge them.

On 4 October the Nepalese government invited armed rebel groups in the southern Terai region for peace talks. A government negotiation team headed by Peace and Reconstruction Minister Janardan Sharma (a former Maoist commander) and two other cabinet ministers was formed to lead the negotiations. Some Madhesi armed groups in southern Terai have responded positively but want in return the release of prisoners and the withdrawal of court cases against their members. They are also asking for a referendum on autonomy to be held in the Terai.

Options

One option is for the Council members to simply welcome the briefing and focus discussion on aspects of the latest UNMIN report.

But with the quickly approaching deadline for the end of UNMIN's mandate, another option for Council members is a more comprehensive discussion on the UN's

contribution to the peace process in Nepal and how that should evolve in the future.

Another option is to approve a press statement:

- indicating that UNMIN is moving towards shutting down after 23 January and encouraging full use of its personnel in the next two months;
- welcoming the recent attempts to form a special committee and urging it to take concrete steps towards integrating the Maoists combatants; and
- encouraging progress on the consolidation of the cantonments;

A further option would be to discuss possible formats for a follow-on UN mission.

Key Issues

A key issue is whether UNMIN will be able to complete its tasks by January 2009. The delay in the formation of the special committee signals a slowdown in the process for integration of the two armies. It seems increasingly likely that by the end of UNMIN's mandate on 23 January the integration process will not be complete.

Connected with this is the difficulty of integrating 20,000 Maoist soldiers into the national Nepalese army. Already there are signs of resistance. Some opposition parties have protested against having politically indoctrinated cadre in the national military. Some observers are concerned that this may affect Nepal's ability to continue contributing to peacekeeping if there are similar objections internationally. (Over the past fifty years, Nepal has contributed 60,000 peacekeepers in some forty peacekeeping missions and is among the top five contributors to UN peacekeeping.)

A connected issue is that it appears that as Maoists are integrated into the national army, some Madhesi groups may also seek equal representation.

An issue of increasing importance is the growing resentment in the cantonments against the government. The potential for revolt in the cantonments is likely to increase the longer integration is delayed.

Another security issue is a possible surge in violence in the south, particularly if peace

talks are delayed or the government does not respond to demands for the establishment of an autonomous Madhesi state and greater rights for the Madhesi people.

A continuing issue is the lack of progress in demobilising and reintegrating child soldiers in Maoist cantonments.

Council Dynamics

Most Council members have not kept a close watch on the issues since the successful Constituent Assembly elections earlier this year. Members therefore are waiting to hear from the Secretary-General and his Special Representative before formulating positions on UNMIN's future.

There is general agreement that the mission should not be prolonged unnecessarily but there may be some differences over what to do if the Nepalese government does ask UNMIN to stay. Some members are sensing that UNMIN might be valued as a political buffer by the Nepalese government given the unsettled political environment in Nepal. There is also some sense, however, that India is likely to be uncomfortable about UNMIN being prolonged beyond 23 January. It may be that eyes will turn, eventually, to precedents of other kinds of follow-on missions in other regions.

UN Documents
Security Council Resolutions
<ul style="list-style-type: none">• S/RES/1825 (23 July 2008) extended UNMIN until 23 January 2009.• S/RES/1796 (23 January 2008) extended UNMIN until 23 July 2008.• S/RES/1740 (23 January 2007) established UNMIN for 12 months.
Selected Secretary General's Reports
<ul style="list-style-type: none">• S/2008/454 (10 July 2008) was the report on the request of Nepal for UN assistance in support of its peace process.• S/2008/259 (18 April 2008) was a report on children and armed conflict in Nepal.
Selected Meeting Record
<ul style="list-style-type: none">• S/PV.5941 (23 July 2008) was the meeting record to discuss UNMIN's renewal.

against Al-Qaida. The US credits the movement with significantly contributing to the dramatic drop in violence in the past year. Around 20 percent will join the Iraqi armed forces while the remainder will be paid until they find civilian jobs.

On 1 September authority for security in Anbar provinces, the former cradle of the Sunni insurgency, was transferred to Iraqi security forces. Authority for security in Babil and Wasit provinces was also transferred to Iraqi security forces on 23 and 29 October respectively. Iraq now bears the primary security responsibility in 13 of its 18 provinces.

Turkey's parliament extended its army's mandate to carry out cross-border raids against Kurdistan Workers' Party separatists in northern Iraq for another year after the rebels killed 17 Turkish soldiers at a border outpost on 3 October.

Turkey bombed rebel bases in northern Iraq in what was the deadliest battle between the parties in eight months.

On 13 August, the UN and Iraqi government signed a cooperation agreement, defining how the UN will support Iraq's reconstruction, development and humanitarian needs over the next three years. The UN Assistance Strategy for Iraq 2008-2010 contains development and humanitarian solutions for better essential social services, and focuses on boosting Iraq's private sector to create more jobs, and more accountable governance systems. Key to the strategy is co-financing of the projects between the UN and the Iraqi government.

On resolving the residual issues from the Iraq oil-for-food programme, it appears the P5 is discussing a new letter with the Secretariat which provides Iraq 45 days to credibly contest the remaining 132 letters of credit with claims of delivery only, at which point payment to the supplier will proceed. Should Iraq successfully contest

Other Relevant Facts

Special Representative of the Secretary-General and Head of Mission

Ian Martin (UK)

Size and Composition

Latest figures are not available as UNMIN is in the midst of downsizing.

Duration

23 January 2007 to 23 January 2009

Cost

\$88.8 million

Iraq

Expected Council Action

The quarterly report on UN Assistance Mission in Iraq (UNAMI) is due by 7 November. Staffan de Mistura, the Secretary-General's Special Representative, is likely to brief the Council in a public session in mid November. A US briefing on the Multinational Force in Iraq (MNF-I) is also expected. A debate is likely.

Council members will be watching with interest whether an extension of the MNF-I mandate might be necessary, should there be a delay in the status-of-forces agreement currently being negotiated between the US and Iraq. In that event a new resolution would be required before the mandate expires on 31 December. Expert level discussions on immunity provisions relating to the Development Fund for Iraq (DFI), which also expire on 31 December, are also expected.

The UNAMI mandate expires on 7 August 2009.

Key Recent Developments

Violence in Iraq has fallen again in recent months. However, despite improved security and Iraq's growing economy there are still huge problems in the lives of ordinary Iraqi citizens arising from the conflict.

On 7 October the Iraqi Presidency Council ratified a long-delayed provincial election law paving the way for elections in 14 out of 18 Iraqi governorates by 31 January. Parliament earlier approved the law after Kirkuk was excluded from its application. A parliamentary committee will review the status of

Kirkuk by 31 March 2009. The Kurdish parliament is expected to organise elections in its three provinces in 2009. The UN is working with legislators to amend the new law to include provisions for minorities after parliament earlier eliminated an article providing 13 provincial council seats for Iraq's Christians and other minorities.

Iraqi legislators are reviewing a revised draft security agreement governing the conduct of American forces in Iraq after their UN mandate expires on 31 December. Other coalition partners intending to remain in Iraq after the UN mandate expires will also be required to negotiate bilateral agreements with Iraq, and are likely to use the current agreement under review as a model.

Reports say the draft calls for US troops to leave Iraqi cities and villages by 30 July 2009 and withdraw entirely from Iraq by 2011 (although US forces could be permitted to stay under a mutual agreement). US military personnel and defense contractors would receive immunity from Iraqi law except for cases of premeditated murder committed while off-duty and outside US bases. US military operations would be conducted under the supervision of a joint coordination committee while US troops could detain Iraqis only under an Iraqi order. The draft is subject to approval by three political bodies: the Political Council for National Security (senior government officials and leaders of major political groups), cabinet and parliament. Following a 19 October meeting of the Political Council, the main Kurdish parties were the only bloc to endorse the agreement while the Iraqi cabinet, on 21 October, unanimously agreed the draft needed amending. On 29 October Washington received proposals for amendments to the agreement from the Iraqi cabinet. US Defense Secretary Robert Gates had earlier indicated that the US was reluctant to engage further in the drafting process.

On 1 October the MNF-I began transferring responsibility for approximately 100,000 members of the Awakening movement to the Iraqi government. The former, mainly Sunni, insurgents were funded by the US after they became allies in the coalition

the claim, the Council undertakes to consider other options. (For more details on the oil-for-food issue please see our October *Forecast*.)

Options

Formal Council action is unlikely in November.

Key Issues

Several issues may be touched on by delegates including:

- **Governorate Elections:** these are expected by 31 January 2009. The death on 9 October of a Sadrist member of parliament, Saleh al-Ugaili, raised concerns about the potential for violence ahead of the elections. Another concern is the omission in the electoral law of provisions for minorities. Up to half of Christians in the Mosul area (9,300 people) have reportedly been displaced in early October owing to threats, intimidation and attacks.
- **Constitutional Review Process:** in July, after almost two years, the Constitutional Review Committee provided parliament with its draft final report, which included outstanding unresolved issues for further deliberation. Significant matters include the distribution of power between Baghdad and the regions, and the management and revenue distribution of oil fields. It is understood negotiations on unresolved issues have stalled.
- **Humanitarian Situation:** approximately 2.4 million refugees remain in the region with a further 2.7 million internally displaced in Iraq. In May the government undertook to create conditions to facilitate the return of refugees and internally displaced persons (IDPs). UN High Commission for Refugees reports conditions remain unsuitable.
- **Internally Disputed Territories and the Status of Kirkuk:** UNAMI is preparing its second set of analysis on disputed internal boundaries of districts in the northern Iraq provinces of Diyala and Ninewa in addition to Kirkuk. A key question is what bearing decisions taken on this issue will have on governorate elections.
- **Awakening Councils:** if the transfer of command from MNF-I to the government

is poorly managed, this may erode recent security gains.

In the absence of an agreement between the US and Iraq, UNAMI's security beyond the expiry of the MNF-I mandate in December remains an issue for the Council. UNAMI relies upon MNF-I for elements of its security.

Another issue is whether to continue immunity provisions in the DFI. Resolution 1483 of 22 May 2003 created the DFI as the principal repository of revenue from the sale of Iraqi oil and gas and provided immunity for oil and gas and sales' revenue from legal proceedings. Specifically, it was intended to ensure that the proceeds from the sale of crude oil and natural gas were protected from claims made by creditors or others with legal claims against the former regime and benefited the Iraqi people through funding humanitarian assistance, reconstruction and disarmament activities and civilian administration costs. DFI's independent oversight body, the International Advisory and Monitoring Board (IAMB) has consistently raised concerns regarding irregularities in fund administration. A successor to the IAMB, the Committee of Financial Experts, has been created by the Iraqi government in anticipation of IAMB's mandate expiring, and is actively working with it. Although the provisions for the DFI and the mandate for the IAMB were expected to expire upon the formation of a representative government of Iraq, renewal of the arrangements has continued to occur in conjunction with the MNF-I mandate each December.

On the oil-for-food programme, a key issue for the Council is how to ensure that processes that are applied to resolve outstanding letters of credit safeguard the UN from future legal action. A further issue, given that the current draft letter seems unlikely to address Costa Rica and the Secretariat's concerns, is whether the P5 will continue to look for solutions by consensus or seek to put the matter to a vote. A question arises whether the US will also accept some responsibility for the inability to document deliveries with the letters of credit. It seems that all of the remaining

claims are for goods supplied to the US-led Coalition Provisional Authority and the Government of Iraq after the fall of the Saddam regime.

Council Dynamics and Wider Dynamics

During his General Assembly address on 24 September, Iraqi President Jalal Talabani said the situation in his country was no longer a threat to international peace and security and called on the international community to end or settle all measures taken by the Security Council through its resolutions on Iraq based on Chapter VII. It seems unlikely that all Council members would endorse that proposition but most would welcome his statement that Iraq was eager to cooperate with the UN and he called upon the UN to expand its presence in Iraq. It seems likely that the Council would support an extension of MNF-I beyond 31 December, if necessary, and if requested by Iraq.

In the August debate on the UNAMI mandate renewal, many delegations expressed concern at the human rights situation. Indonesia underlined the importance of protection of civilians. France raised concerns on the rights of detainees held in Iraq. Libya also said the millions of IDPs and refugees in neighbouring countries merited special attention by the Council.

The Iraqi government has serious concerns that lifting immunity provisions from the DFI would lead to a flood of claims and is keen for them to continue after 31 December (there have been media reports that \$20 billion in outstanding court judgements against Iraq exist in the US). The P5 seem to be waiting for options from the government for a long term solution. Council members, including South Africa, Costa Rica, Panama, China and Russia, have previously raised concerns regarding irregularities in the administration of the fund.

On resolving residual oil-for-food issues, Costa Rica appears to still hold concerns about exposing the UN to claims. The P5 seem frustrated and still hope for a political decision to take the matter forward.

UN Documents

Selected Security Council Resolutions

- S/RES/1830 (7 August 2008) renewed UNAMI for a further year.
- S/RES/1790 (18 December 2007) renewed the mandate of the MNF-I for one year, with a review by 15 June.
- S/RES/1770 (10 August 2007) expanded UNAMI's mandate.

Latest UNAMI Report

- S/2008/495 (28 July 2008)

Last Security Council Briefing and Debate on Iraq

- S/PV.5949 (6 August 2008)

Latest Letter

- S/2008/523 (4 August 2008) was a letter from Iraq requesting the mandate of UNAMI be extended for 12 months.

Other Relevant Facts

Special Representative of the Secretary-General

Staffan de Mistura (Sweden)

Deputy Special Representative for Political Affairs

Michael von der Schulenburg (Germany)

Deputy Special Representative for Humanitarian, Reconstruction and Development Affairs

David Shearer (New Zealand)

Secretary-General's Special Advisor on the International Compact with Iraq

Ibrahim Gambari (Nigeria)

MNF-I

- *Strength as of October 2008:* 147,800
- *Composition as of July 2008:* US, UK, Georgia, Australia, Romania, El Salvador, Bulgaria, Albania, Czech Republic, Azerbaijan, Denmark, Ukraine, Macedonia, Japan, Latvia, Lithuania, Korea, Moldova, Bosnia-Herzegovina, Estonia, Tonga and Kazakhstan.

UNAMI

- *Composition as of 30 September 2008:* 222 troops (Fiji), seven military observers, up to 446 international civilian staff and 592 local civilian staff.
- *Middle Ring Security* (under MNF-I command): about 200 Georgian soldiers in Baghdad and about sixty South Korean troops in Erbil.

Additional Useful Source

- *Oil for Soil: Toward a Grand Bargain on Iraq and the Kurds*, International Crisis Group, Middle East Report no. 80, 28 October 2008

Guinea-Bissau

Expected Council Action

Security Council members will be keeping a watchful eye on Guinea-Bissau in the lead up to the legislative elections scheduled for 16 November. Depending on developments, a press statement is possible. The mandate of the UN Peacebuilding Support Office in Guinea-Bissau (UNOGBIS) expires on 31 December.

Key Recent Developments

On 15 October the Council adopted a presidential statement welcoming the commitment of Guinea-Bissau's government to hold legislative elections on 16 November and called on the government and all national actors to ensure an environment conducive to transparent, free and fair elections, and to respect the results of the polls. The statement also:

- welcomed technical and financial support provided by the international community for the elections and called on donors to continue to provide financial resources to support the electoral process;
- noted with satisfaction the adoption of the strategic framework for peacebuilding in Guinea-Bissau by the Guinea-Bissau configuration of the Peacebuilding Commission (PBC) on 1 October 2008, the importance of rapid and effective implementation of quick impact projects financed by the UN Peacebuilding Fund and anticipated the establishment of the monitoring and tracking mechanism for the strategic framework;
- reiterated the importance of security sector reform and emphasised the need for the international community to provide further coordinated assistance for its implementation;
- expressed serious concern about the persistent growth in drug trafficking, as well as organised crime, which posed a threat to peace and security in Guinea-

Bissau and in the West African subregion, and stressed the responsibility of the government for tackling this issue and called upon the international community to cooperate actively with Guinea-Bissau in that regard (the Council also requested the Secretary-General to provide in his next report further details of what measures are required to deal with these challenges);

- welcomed the initiative of Economic Community of West African States (ECOWAS) to convene a regional conference on combating drug trafficking on 28 to 29 October 2008 in Cape Verde; and
- looked forward to receiving recommendations from the Secretary-General on how the UN presence in Guinea-Bissau should be reconfigured to support peacebuilding more effectively.

On 7 October the Council convened a public debate during which it was briefed by B. Lynn Pascoe, UN Under Secretary-General for Political Affairs, on preparations towards the 16 November legislative elections which he said were on track. Pascoe told the Council that while the country had made progress since the civil war of the late 1990s, gains could be jeopardised if drug trafficking was not curbed through a regional approach. He called for adequate international assistance to strengthen Guinea-Bissau's national capacity, especially in the judicial sector, to combat the drug trade. He supported the Secretary-General's recommendation for an expert panel to study the drug problem, ahead of the ECOWAS conference. (In his latest report to the Council, the Secretary-General recommended that the Council should "take strong action and ... consider establishing a panel of experts to investigate the identity and activities of those involved in drug trafficking and organised crime Guinea-Bissau" with the possibility of taking measure, including punitive, targeted sanctions that would help reverse the current disturbing growth in the drug trafficking crisis in the

country.” On peacebuilding efforts, he reported an uneasy calm as the elections approached. Reports of a coup plot by elements within the military in August had highlighted the state’s fragile situation and constituted a setback to progress made since 2005 to promote a culture of democratic, civilian-military relations, where the military is “subordinate and accountable to civilian authorities.” The report warned of an “increasingly dark shadow over the country” cast by drug trafficking and organised crime which could potentially set back gains made in the area of governance and impede positive steps towards peacebuilding.)

The chair of the PBC country-specific configuration on Guinea-Bissau, Ambassador Maria Luiza Ribeiro Viotti of Brazil, briefed the Council on the formal adoption of an integrated strategic framework for peacebuilding in Guinea-Bissau. Also, Ambassador Alfredo Cabral of Guinea-Bissau affirmed his government’s primary responsibility for the country’s progress and stated that it would do its best to ensure that the legislative elections would be transparent and credible. He also agreed with the need for a regional approach to the challenge posed by drug trafficking and welcomed the upcoming ECOWAS conference.

Since mid-May there has been an especially virulent outbreak of cholera in Guinea-Bissau, resulting in thousands of people being hospitalised and at least 133 people dead. UN agencies, particularly the UN World Health Organization and UNICEF, have been helping local authorities to control the outbreak.

Developments in the PBC

Following a change of government in early August, the chair of the Guinea-Bissau configuration undertook a further visit to the country from 10 to 12 September to discuss developments, the prospects for the Commission’s continued engagement and the timing for the final adoption of the strategic framework for peacebuilding. On 23 September the Commission adopted conclusions and recommendations arising from the visit (PBC/3/GNB/1). These included the conclusion that the political situation in the country had stabilised following the

establishment of a new government on 5 August, the government supported continued engagement with the PBC and was comfortable with the formal adoption of the country’s integrated peacebuilding framework.

On 1 October the Commission adopted the strategic framework for peacebuilding in Guinea-Bissau (this took into account final input from the Government of Guinea-Bissau). The framework highlighted peacebuilding priorities such as strengthening law enforcement, reforming the security sector, wealth generation and modernising the country’s public administration system. The Guinea-Bissau configuration has since been working towards the eventual adoption of a monitoring and tracking mechanism for the strategic framework.

Key Issues

The key issue at this stage is the holding of successful legislative elections, which are seen as a key milestone in the process of consolidating peace. Other concerns include:

- the security environment before and after the elections;
- the future of the UN presence after the elections; and
- effective consolidation of peace and stability, now largely in the hands of the PBC by tackling the root causes of the past conflict, enhancing good governance, supporting economic recovery as well as requisite security sector reforms, and promoting access to justice and human rights.

A major concern is that the destabilising effect of drug trafficking and organised crime on the country, and the West African subregion as a whole. A related issue, therefore, is whether the Council will take up the Secretary-General’s recommendation to establish a panel of experts.

Options

The Council’s main option appears to be a press statement after the elections indicating its support for the peace consolidation process, including good governance.

Council Dynamics

Council members recently appear to be more engaged on developments in Guinea-Bissau, perhaps because of growing recognition that sustained stabilisation may be threatened by the implications of the illicit drug trade and the potential for a relapse into arbitrary military rule. The country’s ongoing security priorities have been underlined by the work of the PBC. However, they failed to endorse the Secretary-General’s recommendation for an expert panel to study the drug problem. Apparently, some members (Russia and South Africa) fear that this will lead to targeted sanctions which they oppose on national sovereignty grounds. They expressed a preference for building the country’s capacity to curb the drug trade itself and strengthen state authority. Conversely, other Council members (Croatia, Belgium, France and UK) argued that Council action to address the issue of drug trafficking could be complementary to other efforts (including those coordinated by the PBC) to enhance the capacity of the Guinea-Bissau government and also necessary since the Secretary-General had indicated that the issue of drug trafficking could undermine peace and security in the subregion. As a compromise, a decision on how best to proceed on the issue was deferred with a request in the presidential statement that the Secretary-General, in his next report, provide further details of what measures would be required to deal with those challenges.

It seems Council members will await the outcome of the elections and recommendations by the Secretary-General on how the UN presence in Guinea-Bissau should be reconfigured to support peacebuilding more effectively to inform its next steps.

Underlying Problems

Guinea-Bissau is particularly susceptible to organised crime, social unrest, the narcotics trade and, perhaps also, possible terrorist activity because of its limited capacity to effectively police its national territory, weak capacity in government ministries and serious socio-economic challenges. Paying public sector salaries in a timely manner has heightened social, political and security tensions which have not been helped by the current rise of commodity prices.

UN Documents

Security Council Resolution

- S/RES/1233 (6 April 1999) supported the Secretary-General's decision to establish UNOGBIS.

Selected Presidential Statements

- S/PRST/2008/37 (15 October 2008) welcomed the commitment of Guinea-Bissau's Government to hold legislative elections on 16 November and conveyed the Council's concern about pertinent challenges facing Guinea-Bissau.
- S/PRST/2007/38 (24 October 2007) called on the government and the UN system to take further action on drug trafficking and organised crime.

Selected Reports and Letters

- S/2008/628 (29 September 2008) contained the latest report on UNOGBIS.
- A/62/768-S/2008/208 (25 March 2008) was the letter from chairperson of the PBC to the president of the Security Council providing advice on the peacebuilding priorities for Guinea Bissau.
- S/2007/744 (11 December 2007) was the letter in which the Council requested information from the PBC on the situation in Guinea-Bissau.
- S/2007/700 (28 November 2007) and S/2007/701 (3 December 2007) was the exchange of letters between the Secretary-General and the president of the Security Council that revised and extended the mandate of UNOGBIS until 31 December 2008.

PBC Documents

- PBC/3/GNB/1 (23 September 2008) was the PBC's conclusions and recommendations on the situation in Guinea-Bissau.
- PBC/2/GNB/5 (19 March 2008) was the Peacebuilding Support Office background note on the situation in Guinea-Bissau.
- PBC/2/INF/1 (13 February 2008) indicated the membership of the PBC Organisational Committee and membership of the country-specific configurations.
- PBC/2/OC/9 (1 February 2008) was

the letter from the chair of the PBC listing the UN member states, organisations and entities constituting the Guinea-Bissau country-specific configuration of the PBC.

Other

- S/PV.5988 (7 October 2008), S/PV.5925 (25 June 2008) and S/PV.5860 (26 March 2008) were briefings to the Council on developments in Guinea-Bissau and PBC activities relating to the country.
- SC/9286 (27 March 2008) was the latest press statement by the Security Council on Guinea-Bissau.
- S/2008/87 (28 December 2007) was the letter from the chair of the PBC informing the president of the Council about the placement of Guinea-Bissau on the PBC's agenda and taking note of the Council's request for advice on the situation in the country.

Other Relevant Facts

Representative of the Secretary-General and Head of UNOGBIS

Shola Omoregie (Nigeria)

Size of UNOGBIS Staff

About thirty, including international civilians, military advisers, a police adviser and local civilians

Duration

6 April 1999 to present; mandate expires on 31 December 2008

International Court of Justice Elections

Expected Council Action

The Security Council and General Assembly will both hold elections for the International Court of Justice (ICJ) on 6 November 2008. Five judges in total will be elected to the ICJ each for a term of nine years, starting on 6 February 2009. The Statute of the ICJ, in article 8, provides that:

The General Assembly and the Security Council shall proceed independently of one another to elect the members of the Court.

The process is intended to limit the possibility of the vote's outcome in one organ

influencing the vote in the other. Results are usually achieved quickly in the Security Council, but balloting in the General Assembly can take much longer.

Candidates

In this election, nine candidates are contesting five positions. The candidates are: Ronny Abraham (France), Awn Shawkat Al-Khasawneh (Jordan), Sayeman Bula-Bula (Democratic Republic of the Congo), Antonio Augusto Cançado Trindade (Brazil), Miriam Defensor Santiago (Philippines), Christopher John Greenwood (United Kingdom), Maurice Kamto (Cameroon), Rafael Nieto-Navia (Colombia) and Abdulqawi Ahmed Yusuf (Somalia).

Two candidates—Ronny Abraham and Awn Shawkat Al-Khasawneh—are current members of the ICJ. (At the expiry of their first term in office, judges may be re-elected for up to two further terms.)

Election Process

The ICJ consists of 15 judges elected for a term of nine years each by the General Assembly and the Council. Five seats fall vacant for re-election every three years. No two nationals from the same state can hold office at the same time.

Under article 10 of the ICJ Statute, those candidates who obtain an absolute majority (that is, more than 50 percent) of votes in both the General Assembly and in the Council are elected. A candidate must therefore obtain 97 votes in the General Assembly *and* eight votes in the Council. No distinction is made between the weight given to votes of permanent and non-permanent members of the Council.

Each elector may vote for five candidates on the first ballot. If the number of candidates obtaining an absolute majority is less than five on the first ballot, a second ballot for the remaining positions will be held and balloting will continue until five candidates have obtained the required majority. On the second and (if necessary)

subsequent ballots, each elector may vote for five candidates, less the number of candidates who have already achieved an absolute majority. This procedure applies in both the General Assembly and the Council. If more than the required number of candidates obtains an absolute majority on the same ballot in either organ, a new vote on all the candidates will be held. (It is theoretically possible in the Security Council if the votes are evenly spread for all of the candidates to get eight votes in the first ballot.)

When five candidates (and no more) have an absolute majority in either body, the president will notify the other president of the outcome. The results are kept confidential by each president and are disclosed only to members of the second body after their own voting is concluded. (However, it is always possible that the numbers will leak from Security Council delegations.) In the event that the five candidates elected by one are not the same as those elected by the other, both will proceed (independently) to new balloting to fill the unresolved seats. As before, the results of each body will be compared only after the required number of candidates has achieved an absolute majority in each. This process will continue for three meetings, when, if all vacant positions are still not filled, the Council and the General Assembly may decide to convene a conference of six members (three from each) to recommend a candidate for the respective acceptance by the General Assembly and Security Council.

In choosing judges to serve on the ICJ, members of the Council and the General Assembly will consider not only the qualifications of the candidates, but also their involvement in advocacy, relating to issues or disputes before the ICJ or that are likely to come before the ICJ in the near future. Under article 9, the ICJ Statute requires that the electors should ensure the representation of the world's "main forms of civilization and of the principal legal systems" in the body of the ICJ as a whole.

Political Issues

Permanent members of the Council have no legal entitlement to permanent repre-

sentation on the ICJ. However, judges from the P5 are usually present on the Court. This may favour election of the French and UK candidates. Regional considerations are also likely to play a role along with incumbency. This may well favour the Jordanian candidate as he is the only candidate from the Middle East and a well known member of the ICJ, having been its vice-president since February 2006.

Background on the ICJ

The ICJ is one of the four principal organs of the United Nations—the others being the General Assembly, the Security Council and the Economic and Social Council. All UN member states are parties to the Statute of the ICJ, which is an annex to the UN Charter. The ICJ is the only international court of a universal character with general jurisdiction. This jurisdiction is twofold.

First, the ICJ has jurisdiction over all cases referred to it by state parties in the exercise of their sovereign free will. On 31 July 2008, 66 of the 192 states parties to the ICJ Statute had submitted a declaration of acceptance of compulsory jurisdiction to the Secretary-General. This means that among these states, the ICJ's determination of disputes is binding.

States that have not declared their acceptance of the compulsory jurisdiction of the ICJ may also consent to take a dispute between them to the ICJ by way of special agreement. In doing so, they consent to be bound by the ICJ's decision. In the event that one state party fails to abide by the ICJ's decision, the other may have recourse to the Council. Under the UN Charter, the Council may then make recommendations or decide upon measures to give effect to the ICJ's decision if it deems this necessary. Consent may be given either on a case by case basis or, more broadly, by submitting a declaration made under the compulsory jurisdiction procedure in the Statute (article 36).

Further, some 300 bilateral or multilateral treaties provide for the ICJ to have jurisdiction in the resolution of disputes arising out of the treaties' application. State parties to such a treaty will normally be bound by any determination by the ICJ resulting from its interpretation.

Second, the Security Council or the General Assembly may request the ICJ to give an advisory opinion on any legal issue. The General Assembly may also authorise other organs and specialised UN agencies to request advisory opinions of the ICJ.

Recent Cases Relevant to the Council

The ICJ has recently been called upon to exercise its functions in relation to two countries currently on the Security Council agenda: first, a request for an advisory opinion on the legality of Kosovo's declaration of independence; and second, to determine whether the Russian Federation's actions in the Republic of Georgia infringed the International Convention on the Elimination of All Forms of Racial Discrimination (utilising its binding dispute determination function).

UN Documents

Selected Security Council Resolutions

- A/63/188-S/2008/504 (31 July 2008) provided the curricula vitae of the ICJ candidates nominated by their national groups.
- A/63/187-S/2008/503 (30 July 2008) listed the candidates for election to the ICJ, as nominated by their national groups.
- A/63/186-S/2008/502 (30 July 2008) set out the procedure for ICJ elections.

Selected General Assembly Resolution

- A/RES/63/3 (8 October 2008) was the General Assembly's resolution referring Kosovo's declaration of independence to the ICJ for an advisory opinion.

Useful Additional Resources

- Accordance with International Law of the Unilateral Declaration of Independence by the Provisional Institutions of Self-Government of Kosovo, Request for Advisory Opinion, 17 October 2008, ICJ.
- Case concerning the application of the International Convention on the Elimination of all Forms of Racial Discrimination (Georgia v. Russian Federation), Request for the Indication of Provisional Measures. 15 October 2008, ICJ.

Expected Council Action

The chairs of the Counter-Terrorism Committee (CTC, established under resolution 1373), the Al-Qaida and Taliban Sanctions Committee (the 1267 Committee), and the Committee on weapons of mass destruction and terrorism (the 1540 Committee) are expected to address the Council in an open briefing in November. The chairs brief the Council twice a year. No formal outcome is expected but an open debate is possible.

Recent Developments

In the last eight months mandates were all renewed for the three expert groups supporting the Council's Counter-Terrorism Committees:

- the Counter-Terrorism Executive Directorate (CTED);
- the Al-Qaida/Taliban Monitoring Team; and
- the expert group supporting the 1540 Committee.

Contrary to the hopes of some member states the Council did not pursue the option of combining the three support bodies. Instead, all of the renewal resolutions called for better cooperation by the three Committees and their respective expert groups, including improved information sharing, coordinated visits to countries, technical assistance and relations with international and regional organisations. The expert groups are currently trying to implement this by developing a common strategy for cooperation with international and regional organisations for consideration by their respective Committees.

1267 Committee

Resolution 1822 of 30 June extended the mandate of the Al-Qaida/Taliban Monitoring Team for 18 months. The Council responded to longstanding calls for greater transparency and fairness of Committee procedures by:

- making accessible on the Committee's website the publicly releasable reasons for listing all current and future individuals or entities contained in the Consolidated List (a list of individuals and entities subject to the sanctions measures);

- requiring states to take all possible measures to notify the listed individual or entity and providing a copy of the publicly releasable information leading to the listing, and informing the concerned individual or entity when they are removed from the Consolidated List;
- directing consideration of an annual review of names of individuals reportedly deceased;
- directing a review of all names on the Consolidated List by 30 June 2010, and thereafter, to conduct an annual review of all names that have not been reviewed in three or more years;
- encouraging the Committee to continue to ensure fair and clear listing and delisting procedures exist; and
- directing the review of the Committee's guidelines.

At press time, the Committee was discussing the format of the public narrative for the website including whether relevant information collected after the listing date should be added. Also under consideration were working methods for reviewing names on the Consolidated List and review of the Committee's guidelines.

The Committee was also discussing possible implications of the European Court of Justice's decision in relation to Al Barakaat International Foundation and Yassin Abdullah Kadi. Both were designated by the 1267 Committee as being associated with Al-Qaida and had their assets frozen in 2001 under regulations adopted by the European Council that transposed the UN sanctions list into an EU list, obliging EU Member States to freeze the assets of listed individuals and entities. On 3 September the Court ruled that the European Council regulation had infringed Kadi and Al Barakaat's fundamental rights and annulled the regulation insofar as it froze their assets. The Court accepted that the asset freeze might, in principle, be justified. But it said the EU had failed to inform Al Barakaat and Kadi at the time of, or after, their listing, of the reasons for their listing, thereby denying them the right to legal recourse. The Court allowed the European Council three months to remedy the situation. Following the September ruling, the European Council requested the 1267 Committee to supply



information to provide to Kadi and Al Barakaat on the reasons for their listings.

Since the last joint briefing in May, the Committee added three individuals to the Consolidated List, improved existing information on a further 31 individuals and three entities and delisted two individuals, one of whom is deceased and another who had requested delisting through the Secretariat's focal point.

Human Rights Council Developments

On 20 October, Special Rapporteur on the promotion and protection of human rights and fundamental freedoms, Martin Scheinin, briefed the 1267 Committee and CTC. According to Scheinin resolution 1822 is insufficient for meeting the standards articulated by the European Court of Justice to remedy the situation in the case of Kadi. During his briefing Scheinin provided the Committees with a range of options to address challenges to the 1267 regime ranging from establishing an independent body of security classified experts to review listing requests to abolishing the 1267 Committee and its terrorist listing and relying upon resolution 1373 for the legal basis for national terrorist listing procedures (resolution 1373 decides states shall freeze assets of those who commit or attempt to commit terrorist acts).

CTC

Resolution 1805 of 20 March endorsed the revised organisational plan of the CTED and renewed its mandate until 31 December 2010. It urged the CTED to strengthen its role in facilitating technical assistance for the resolution's implementation and to intensify cooperation with international, regional and subregional organisations.

On 10 June the CTC submitted its annual global survey on implementation of resolution 1373 to the Council. The survey provides an assessment of implementa-

tion by regions and subregions, and draws conclusions about progress in the implementation of the resolution in key thematic areas allowing the identification of gaps and vulnerabilities, either in particular regions or across the board.

The survey draws on preliminary implementation assessments (PIAs) for each state. PIAs are the primary tool for assessing countries' implementation of resolution 1373. They were designed to alleviate the need for states to provide regular reports and draw on public information as well as that provided by the state. At press time, the CTC has shared with most states their first PIA. Until the present, there has been no standard approach to assess each state's implementation of resolution 1373. CTED is currently preparing a technical guide to correct this problem, for approval by the CTC. CTED is also discussing working methods for taking stock of progress made by states in implementing resolution 1373.

1540 Committee

Resolution 1810 of 25 April extended the mandate of the 1540 Committee and its Panel of Experts until 25 April 2011. It called upon all states that have not presented a first report on measures taken to implement resolution 1540 to do so and encouraged the Committee to actively promote full implementation by outreach, dialogue, sharing of lessons learned, facilitation of assistance and cooperation. The Committee was requested to report, by 31 December, on options for developing and making more effective existing funding mechanisms for these efforts.

On 18 August, the 1540 Committee presented its second report to the Council on the status of implementation of resolution 1540. The Committee concluded that states need to do more to implement the resolution. Achieving the resolution's goals also required more intensive Council action particularly on capacity building and sharing lessons learned. The Committee should strengthen its role in matching states willing to provide assistance with those in need of assistance to implement resolution 1540.

1556 Working Group

The Working Group under resolution 1556 was established to consider and submit

recommendations to the Council on practical measures to be imposed on terrorists other than Al-Qaida/Taliban and to consider establishment of an international fund to compensate victims of terrorism and their families. The group has been inactive. At its last meeting on 28 April 2006 it was unable to reach consensus on the expansion of the list beyond that already established under the Al-Qaida/Taliban Sanctions Committee. On the compensation fund, the Group encouraged individual states to extend assistance to victims of terrorist attacks. The Group has not reconvened since.

Terrorism Issues in the Wider UN System

In September, the General Assembly conducted the first formal review of the implementation of the UN Global Counter-Terrorism Strategy which was unanimously adopted in September 2006 and outlined concrete measures to address terrorism in all aspects. The Assembly renewed its support for the strategy and called on states and the UN to accelerate efforts to implement it. Members urged the Secretary-General to institutionalise the Counter-Terrorism Implementation Task Force so it can fulfil its mandate of ensuring system-wide coordination and coherence in counter-terrorism efforts of the UN system.

Negotiations on the draft Comprehensive Convention on International Terrorism continue for their tenth year. Disagreements persist about the legal definition of terrorism, the relationship between terrorism and national liberation movements, and activities of states' armed forces in armed conflicts.

Key Issues

Serious due process concerns have been repeatedly raised since the 1267 Consolidated List was created in early 2002. Gradual progress to address these concerns included:

- resolution 1452 provides humanitarian exemptions to the assets freeze;
- resolution 1617 provides guidelines to identify those "associated with" Al-Qaida or the Taliban;
- resolution 1730 establishes a "focal point" within the UN Secretariat to process submissions for delisting;

- resolution 1735 establishes a mechanism on notifying the individual or entity being listed; and
- resolution 1822 decides to publicly release narratives and directs the conduct of regular reviews of names on the Consolidated List.

But as indicated in the 20 October briefing by Special Rapporteur Scheinin the underlying issues still remain. A key question is what EU member states can do to satisfy the right of Kadi and Al Barakaat to legal recourse, in the absence of radical changes to the 1267 regime. A broader issue for the Council, given there are reportedly 25 other lawsuits underway in countries worldwide and the likelihood the European Court's ruling will trigger similar challenges, is what options exist for the longer term. Some in the Security Council have consistently resisted the creation of a body with some level of independence and impartiality to review petitions for delisting, most recently presented in a formal proposal for a review panel by six European member states.

On a quite separate plane for the Council is the problem of implementation of the three resolutions by all states. Non-reporting or late-reporting member states present a real problem for the Council. But the wider issue of non compliance with the substance of resolutions also lurks in the background. While CTC's introduction of the PIA has helped alleviate reporting fatigue, the need remains for states to continually engage with CTED and to review and update their PIA. After four years the 1540 Committee is still waiting for approximately forty states to submit their first report.

The consensus-based decision making procedures of the three counter-terrorism committees (an unwritten rule of all Council subsidiary bodies) continue to impair their work. This was particularly evident during the six months it took to negotiate the final text of the 1540 Committee's most recent report. Given the emerging potential terrorism-related threats (more than fifty countries have alerted the International Atomic Energy Agency they are considering nuclear power), a key question for the Council is whether the Committees can better advance their agendas.

Options

The joint briefing provides the Council (and perhaps the wider UN membership) with an opportunity to continue discussions on improving engagement between the expert groups and member states and other organisations through enhanced cooperation and coordination and other issues of concern. Options here include:

- taking advantage of the upcoming move of almost all Secretariat staff to co-locate the three expert groups;
- unifying the groups under a common management structure, possibly under the banner of a special political mission in the future;
- conducting joint outreach activities including field visits;
- adopting a common reporting regime; and
- unifying the technical assistance programmes of the 1540 Committee and the CTC.

Council and Wider Dynamics

During their summit in June, G8 leaders called on all states to implement Security Council counter-terrorism resolutions. They undertook to further strengthen cooperation among the G8 and the UN, especially by enhancing efficient coordination with the CTC/CTED.

There appears to be widespread acceptance that the combination of the arrival of the new CTED executive director and CTED's new organisational structure has advanced the work of CTC. Previous concerns such as limited outreach to the wider UN membership, consistency of judgments and an unbalanced country visit programme have begun to be addressed.

Council members seem united in appreciation of the implications for the EU of the European Court of Justice's decision. However, there is a sense that some see it as a problem the EU will simply have to live with. Others feel that the case simply demonstrates that the new procedures introduced into resolution 1822 didn't go far enough in protecting the rights of individuals and entities and support the introduction of an independent judicial panel to review delisting applications. The P5 continue to resist such a measure.

Some members are also worried that the court cases around the world may be perceived as undermining Council's authority.

The Council remains divided on 1540 issues, with some preferring to see proliferation issues addressed by the General Assembly.

UN Documents

Selected Security Council Resolutions

- S/RES/1822 (30 June 2008) extended the mandate of the 1267 Monitoring Team until 31 December 2009.
- S/RES/1810 (25 April 2008) extended the mandate of the 1540 Committee and expert body until 25 April 2011.
- S/RES/1805 (20 March 2008) extended the mandate of the Counter-Terrorism Executive Directorate to 31 December 2010.
- S/RES/1735 (22 December 2006) established a mechanism on notifying the individual or entity being added to the Consolidated List.
- S/RES/1730 (19 December 2006) established a "focal point" within the UN Secretariat to process submissions for delisting.
- S/RES/1617 (29 July 2005) provided guidelines to identify those associated with Al-Qaida or the Taliban.
- S/RES/1566 (8 October 2004) called for better cooperation between the Council's counter-terrorism committees and established a working group to consider practical measures to be imposed on terrorists other than Al-Qaida/Taliban.
- S/RES/1540 (28 April 2004) established the 1540 Committee and its mandate.
- S/RES/1452 (20 December 2002) provided humanitarian exemptions to the assets freeze of those on the Consolidated List.
- S/RES/1373 (28 September 2001) established the CTC and its mandate.
- S/RES/1267 (15 October 1999) established the Al-Qaida and Taliban Committee and its sanctions mandate.

Security Council Debate Records

- S/PV.5886 (6 May 2008) was the transcript of the last briefing by the chairs of the CTC, 1540 and 1267



Committees and the following debate.

- S/PV.4892 (12 January 2004) was a debate in which member states began calling for better cooperation between counter-terrorism committees.

Other

- S/2008/428-A/62/891 (2 July 2008) was a discussion paper on the establishment of an expert panel to assess delisting requests from representatives of Denmark, Germany, Liechtenstein, the Netherlands, Sweden and Switzerland.
- A/63/223 (6 August 2008) was the report of the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism.

Other Relevant Facts

Committee Chairs:

- Ambassador Neven Jurica (Croatia): CTC
- Ambassador Jorge Urbina (Costa Rica): 1540 Committee
- Ambassador Jan Grauls (Belgium): 1267 Committee

Useful Additional Resource

- *Security and Human Rights, Counter-Terrorism and the UN*, Amnesty International, September 2008

Lebanon

Expected Council Action

A report on resolution 1701 is expected in November. But it is unclear whether the Council intends to meet to discuss it (it will have heard a briefing by Special Envoy for implementation of resolution 1559 Terje Rød-Larsen on 30 October). Unless the report proposes new ideas on disarmament or the Sheb'a Farms issue, or there are major new developments on the ground, consultations on the 1701 report

are unlikely given the desire of the Costa Rican presidency to hold all discussions in public meetings.

Key Recent Developments

On 16 October the latest report on implementation of resolution 1559 was submitted to the Council. The Secretary-General welcomed positive developments including the election of a new Lebanese president in May, the launch of a national dialogue aimed at developing a national defense strategy, and talks between Lebanon and Syria to establish diplomatic relations. The report, however, emphasised that many elements of resolution 1559 remained to be implemented. It noted, in particular, that:

- several security incidents targeting the Lebanese Armed Forces have highlighted the threat posed by the presence of militias and the apparent strengthening of extremist elements and foreign fighters around Tripoli is also worrying;
- there has been no progress toward delineating the border between Syria and Lebanon;
- the Syrian-Lebanese border remains porous and several states expressed concern at the continuing flow of weapons and fighters;
- Israeli overflights have continued to violate Lebanese airspace;
- Israel still occupies the village of Ghajar in south Lebanon;
- there has been no progress toward disarming militias—this should occur within the context of an inclusive political process with the support of Lebanon's neighbours;
- security incidents in the Palestinian refugee camp Ein al-Hilweh have continued; and
- competition among Lebanese political parties ahead of the next parliamentary elections, combined with the proliferation of weapons and armed groups inside Lebanon, may lead to more insecurity.

A positive development was the signing by the Syrian and Lebanese foreign ministers on 15 October of a memorandum establishing diplomatic relations.

On 8 October the UN appealed for \$40 million in emergency aid for 30,000 Palestinian

refugees uprooted from the Nahr el-Bared camp after clashes with the Lebanese army last year. So far only the US has made a pledge of \$4.3 million. On 6 October the US also agreed to provide \$63 million in military assistance to the Lebanese army.

Another positive development was the adoption on 30 September of a new electoral law, in accordance with the Doha agreement, for the May 2009 legislative elections.

Attacks against the Lebanese army have increased, particularly in northern Lebanon. The latest occurred on 29 September in Tripoli when six were killed, including four soldiers. The Council issued a press statement strongly condemning the attack and reiterating its full support for the Lebanese national dialogue. Following this attack, Syria deployed hundreds of troops on Lebanon's northern border apparently to reinforce border control and because it considers such attacks as a potential threat. This military build-up seemed to raise some American and Lebanese concerns.

On 27 September a car bomb exploded in Damascus close to a security base killing 17 people. It was the third significant attack in Syria since the beginning of the year although Syria's security forces had not been a target in recent years. The Council also condemned this attack in a press statement.

On 16 September Lebanese President Michel Suleiman launched the first session of a national dialogue gathering all Lebanese factions to define a national defense strategy. The second round is expected to take place on 5 November. In the meantime, President Suleiman initiated a series of bilateral reconciliation talks among factions—Christians' rivalries, in particular, have recently resurfaced.

Options

The Council is unlikely to take specific action on the 1559 report. One option following the 1701 report could be a presidential statement:

- welcoming recent positive developments while urging further progress;
- affirming support for the national dialogue and reconciliation process;
- endorsing recommendations of the latest report of the Lebanon Independent

Border Assessment Team (LIBAT); and

- reiterating the need to implement all other elements of resolution 1701, with a particular emphasis on the situation in Ghajar.

Another option, given growing concerns on both sides of the border about security, is for the Council to formally activate a sanctions committee to monitor the cross-border restrictions now in place. Such committees currently exist for all other measures imposed by the Council.

Key Issues

The main outstanding issues relating to resolution 1701 include the following.

Status of Hezbollah: the national dialogue among all Lebanese parties was launched on 16 September by President Suleiman to discuss the reinforcement of state authority over Lebanese territory and a national defense strategy. These have direct implications for Hezbollah's legitimacy as a militia. Key questions are:

- the Lebanese government's authority in southern Lebanon, which is mainly under Hezbollah's control; and
- whether and how to incorporate Hezbollah's weapons and capacities as a militia into a national defense strategy. This discussion will entail, in particular, whether Hezbollah should be allowed to keep its weapons so long as Lebanese land remains occupied (the Israeli-occupied Sheb'a Farms are claimed by Lebanon) as a resistance movement, or whether and how it could be incorporated into the Lebanese army which has primary defense responsibility. While the new Lebanese government reaffirmed the state's full authority, it also affirmed the right of the resistance to free the Sheb'a Farms.

A major issue for Council members is that the national dialogue, which it supports, may result in an outcome under which Hezbollah retains some military capacity—and therefore Council resolutions 1559 and 1701 may never be fully implemented.

Status of Non-Lebanese Militias: it is becoming increasingly difficult to identify the non-Hezbollah militias currently undertaking attacks on Lebanese soil. Some may

have ties to Syria. Some seem to be extremist Sunni groups with loose ties to Al-Qaeda, and others are traditional Palestinian militias. While there is already an agreement, reached in 2006 among Lebanese factions, that Palestinian militias outside refugee camps should be disarmed, there is a sense in Lebanon—and in the Council—that the broader picture can be addressed only in a regional framework, with the participation of Lebanon's neighbours.

Sheb'a Farms and Ghajar: apparently the Secretary-General has continued bilateral talks with all concerned actors (Syria, Lebanon and Israel). But without progress on the Syrian-Israeli track, a solution to the Sheb'a Farms issue is unlikely. Current political uncertainties in Israel will likely further delay the resumption of Syrian-Israeli talks. A related—and apparently easier—issue is the Israeli presence in Ghajar. Israel has yet to agree with a scheme for withdrawal devised by the UN Interim Force in Lebanon (UNIFIL).

Situation in the South: the Lebanese army undertook in September a temporary redeployment from the south to Tripoli because of security concerns there. The 1701 report is likely to address this issue in more detail and the Council will be keen to hear how this has affected UNIFIL.

Cluster Munitions: The UN Mine Coordination Centre in south Lebanon said in August that since the 2006 war between Hezbollah and Israel, twenty people had been killed and about 194 maimed by explosions of cluster bombs, but that almost half of the known bombs had been cleared. The civilian accident rate has also considerably dropped thanks to educational measures, but economic repercussions have been important—for instance, the presence of cluster munitions has hampered agricultural activities. Israel's failure to meet Council demands to provide maps of probable locations of cluster munitions to allow further clearance remains an issue.

Security Situation: a main issue is the increased activity and armed attacks by militias in Lebanon and possible further instability this may entail, especially as legislative elections get closer.

Council Dynamics

France remains a determined supporter of Lebanon, the national dialogue and Council resolutions 1559 and 1701, but it seems less likely to push for Council action at this stage, believing that the Council may have little value to add. The US seems to be somewhat disengaged relative to its past involvement. Many Council members believe that further progress on the 1701 and 1559 processes can now happen only in parallel with regional developments such as peace talks between Israel and Syria. Uncertainties in the future political landscape ahead of elections in the US and Israel seem to reinforce a wait and see approach in the Council.

UN Documents

Selected Resolutions

- S/RES/1832 (27 August 2008) extended the UNIFIL mandate until 31 August 2009.
- S/RES/1701 (11 August 2006) called for a cessation of hostilities between Hezbollah and Israel and for a long-term solution, imposed an arms embargo on Lebanon and authorised a reinforcement of UNIFIL.
- S/RES/1680 (17 May 2006) encouraged Syria to respond positively to the Lebanese request to delineate their common border and to establish full diplomatic relations, and called for further efforts to disarm Hezbollah and to restore the Lebanese government's control over all Lebanese territory.
- S/RES/1559 (2 September 2004) urged withdrawal of foreign forces from Lebanon, disarmament of all Lebanese and non-Lebanese militias, extension of the Lebanese government's control over Lebanese territory, and free and fair presidential elections.

Latest Presidential Statement on Resolution 1559

- S/PRST/2007/17 (11 June 2007)

Latest Presidential Statement on Resolution 1701

- S/PRST/2008/8 (15 April 2008)

Latest Press Statements

- SC/9463 (29 September 2008) condemned in the strongest terms the 29 September terrorist attack in Tripoli.

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- SC/9460 (27 September 2008) condemned in the strongest terms the 27 September terrorist attack in Damascus.

Latest Reports

- S/2008/654 (16 October 2008) was the latest 1559 report.
- S/2008/582 (25 August 2008) was the latest LIBAT report.
- S/2008/425 (27 June 2008) was the latest 1701 report.

Latest Letter

- S/2008/627 (22 September 2008) was a letter from Lebanon on Israeli violations of Lebanese territorial integrity from 1 to 14 September.

Other Relevant Facts

Secretary-General's Special Envoy for Resolution 1559

Terje Rød-Larsen (Norway)

Secretary-General's Special Coordinator for Lebanon

Michael C. Williams (UK)

UNIFIL Force Commander

Major-General Claudio Graziano (Italy)

Size and Composition of UNIFIL

- *Authorised:* 15,000 troops
- *Current (31 August 2008):* 12,295 military personnel.
- *Troop Contributors:* Belgium, China, Croatia, Cyprus, El Salvador, France, FYR of Macedonia, Germany, Ghana, Greece, Guatemala, Hungary, India, Indonesia, Ireland, Italy, Luxembourg, Malaysia, Nepal, Norway, Poland, Portugal, Qatar, Republic of Korea, Slovenia, Spain, Tanzania and Turkey.

Cost

1 July 2008 - 30 June 2009: \$680.93 million (A/C.5/62/30)

Useful Additional Resource

- Mine Action Coordination Center South Lebanon <http://www.maccsl.org/>

Notable Dates for November

Reports Due for Consideration in November	Document Requesting Report
late October	<i>SG report on the UN Interim Administration in Kosovo (UNMIK), delayed from 9 October</i> S/RES/1244
31 October	<i>SG report on the UN Mission in Nepal (UNMIN)</i> S/RES/1825
by 4 November	<i>SG report on Somalia including report on piracy resolution</i> S/PRST/2008/33
by 7 November	<i>SG quarterly report on UN Assistance Mission for Iraq (UNAMI)</i> S/RES/1816
14 November	<i>Report by the High Representative for the Implementation of the Peace Agreement in Bosnia and Herzegovina</i> S/RES/1830
15 November	<i>SG report on the UN Mission in the Central African Republic and Chad (MINURCAT)</i> S/RES/1031
mid to late November	<i>SG report on the implementation of resolution 1701 (Lebanon)</i> S/RES/1834
late November	<i>DRC Group of Experts report due to Sanctions Committee</i> S/RES/1773
30 November	<i>SG report on UN Integrated Office in Burundi (BINUB)</i> S/RES/1807
30 November	<i>SG report on UN-AU Mission in Darfur (UNAMID)</i> S/RES/1791
November/early December	<i>Somali Sanctions monitoring group report</i> S/RES/1828
early December	<i>SG report on implementation of resolution 1818 (Cyprus)</i> S/RES/1811

November 2008	Mandates Expire	Relevant Document
21 November	<i>EU Force in Bosnia-Herzegovina (EUFOR)</i>	S/RES/1785

November 2008	Other Important Dates
31 October-1 November	<i>The Secretary-General is scheduled to visit Nepal and subsequently brief the Security Council on his visit on 7 November.</i>
5 November	<i>The next round of the Lebanese National Dialogue</i>
6 November	<i>ICJ elections</i>
12 November	<i>A council mission to Afghanistan is scheduled.</i>
13 November	<i>Ambassador Jorge Urbina of Costa Rica, who holds the Council presidency in November, will be introducing the annual report of the Security Council to the General Assembly.</i>
13-14 November	<i>An EU-Russia summit is scheduled to take place in Nice.</i>
16 November	<i>Legislative elections in Guinea-Bissau</i>
18 November	<i>The 15 October high-level talks on the recent crisis in Georgia between Georgia, Russia, the EU, the OSCE and the UN will resume.</i>
19 November	<i>A high-level open Council debate on strengthening collective security is expected.</i>

Also expected in November:

- An open Council debate on Protection of Civilians is expected.
- The Council is expected to be briefed on Kosovo by the Secretary General's Special Representative Lamberto Zannier.
- The Council is expected to be briefed on Chad/CAR in late November, possibly by Victor da Silva Ângelo, the Secretary-General's Special Representative.
- The chairs of the Counter-Terrorism Committee, the 1267 Committee, and the 1540 Committee are expected to address the Council in an open briefing.
- The Council is expected to be briefed on Somalia.

Important Dates over the Horizon

- A council mission to Haiti is still being discussed.
- Iraqi provincial elections are scheduled for January 2009.
- An international meeting on the Israeli-Palestinian peace process is expected to be held in Moscow in spring 2009.
- Legislative elections in Lebanon are scheduled for May 2009.
- Presidential and legislative elections in Sudan are scheduled for July 2009
- Legislative elections in Chad are currently slated for 2009.

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Security Council Report is published with the support of the Governments of Canada, Greece, Liechtenstein and Norway, The Rockefeller Foundation, the John D. and Catherine T. MacArthur Foundation and the William and Flora Hewlett Foundation. It is incorporated as a not for profit Organisation and operates in affiliation with the Center on International Organization in the School of International and Public Affairs at Columbia University in New York.