



# SECURITY COUNCIL REPORT

## MONTHLY FORECAST

### OCT 2009



30 September 2009

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## OVERVIEW FOR OCTOBER

Viet-Nam will preside over the Security Council in October.

Two **open debates** are currently expected:

- On 5 October a debate on **women, peace and security** is scheduled and due to be presided over by the country's Deputy Prime Minister and Foreign Minister Pham Gia Khiem. In September, Viet-Nam circulated a draft resolution to be adopted following the debate. This would be the first resolution on this matter since the adoption of resolution 1325 in 2000.
- An open debate on the **Middle East** is expected, following the monthly briefing by the Secretariat. It is currently scheduled to take place in the week of 19 October.

Formal meetings are expected for the adoption of several resolutions. In addition to the expected resolution on women peace and security, the Council is likely to:

- renew the mandate of **MINUSTAH**;
- renew the authorisation of the International Security Assistance Force to **Afghanistan**;
- renew the mandate of the Panel of Experts for the **Sudan** Sanctions Committee; and

- renew the **Côte d'Ivoire** sanctions and the mandate of its Group of Experts.

There will also be formal meetings on **Kosovo** (with the expected participation of representatives of Serbia and Kosovo) and **Timor-Leste**. But no Council decisions are expected.

Briefings are expected on the UN Mission in the **Central African Republic** and **Chad**; on **Somalia**; and on the UN Mission in the **Democratic Republic of the Congo** (MONUC). The Council will also receive its annual briefing from the President of the **International Court of Justice**.

Consultations are likely on the mandate of the UN Operation in **Côte d'Ivoire** (UNOCI) and on the sanctions regime in that country; on the mandate of the UN Stabilisation Mission in **Haiti**; on **MONUC**; on **Iraq-Kuwait** missing persons and property issues; on the UN Mission in **Sudan**; and on the Secretary-General's 1559 report concerning **Lebanon**.

Council members are also expected to continue their work on the **Annual Report of the Security Council** to the General Assembly.

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From 30 September through 2 October, the Council's **1540 Committee** (on non-proliferation of weapons of mass destruction) is expected to hold a meeting with UN members at large to facilitate the participation of member states, intergovernmental organisations and regional organisations in a comprehensive review.

### Aide-Memoire

Important matters pending for the Council include:

- The Secretary-General is yet to appoint a Principal Deputy Special Representative for **UNMIS**. The post has been vacant since April 2008.
- The Council has yet to address the Secretary-General's summary of the report of the UN Board of Inquiry into incidents involving UN facilities and personnel in

**Gaza** between 27 December and 19 January, submitted to it on 4 May (S/2009/250).

- With the mandate of the International Security Assistance Force in **Afghanistan** (ISAF) due for renewal in October, it is important to note that the last ISAF report covered the period from August 2008 to January 2009.
- The Council requested the Secretariat on 21 November 2006 (S/2006/928) to **update the index to Council notes and statements**

**on working methods**. This has not been published.

- The 2005 World Summit requested that the Security Council consider reforms for the **Military Staff Committee**. This has yet to be addressed.
- The Secretary-General is yet to report to the Council on **Kenya** as requested in a February 2008 presidential statement (S/PRST/2008/4).

## Status Update since our September Forecast

- **Iran:** On 9 September the Council received a briefing from the Chair of the 1737 Sanctions Committee, Ambassador Yukio Takasu (Japan).
- **DPRK:** On 14 September the Council held consultations on the Democratic People's Republic of Korea (DPRK). The Sanctions Committee's panel of experts was originally expected to produce an interim report by 12 September, but the panel has not yet been fully established. The Council agreed that the panel should be allowed an additional sixty days to submit its interim report. The Council also heard that the Committee continues to investigate an alleged shipment of arms from the DPRK to Iran.
- **Sierra Leone:** On 14 September the Executive Representative of the Secretary-General and Head of the UN Integrated Peacebuilding Office in Sierra Leone (UNIPSIL), Michael von der Schulenburg, presented (S/PV.6187) the latest report of the Secretary-General on Sierra Leone (S/2009/438). The chairman of the Peacebuilding Commission's (PBC) country-specific configuration on Sierra Leone, Ambassador John McNee of Canada, briefed the Council about the PBC's work (S/PV.6189). On 15 September the Council unanimously adopted resolution 1886 extending the mandate of UNIPSIL until 30 September 2010.
- **Liberia:** On 15 September the Council unanimously adopted resolution 1885 extending the mandate of the UN Mission in Liberia (UNMIL) until 30 September 2010. The Council authorised UNMIL to assist the Liberian government with its preparation for the 2011 general presidential and legislative polls and endorsed the Secretary-General's recommendation (S/2009/299) to implement the third phase of UNMIL's drawdown.
- **Middle East:** On 17 September the Security Council received its regular monthly briefing from Robert Serry, the UN Special Coordinator for the Middle East Peace Process (S/PV.6190). Serry told the Council that President Abbas had signaled his intention to hold elections in January 2010. Also, Serry noted that the Goldstone Report (A/HRC/12/48), commissioned by the Human Rights Council related to the January 2009 Gaza conflict, would be formally presented to that body on 29 September. (SC/9743)
- **Disarmament:** On 24 September the Council held a summit-level meeting, chaired by US President Barack Obama, on the topic of nuclear non-proliferation and disarmament. The Council adopted resolution 1887 at the end of the meeting, which called on countries to sign and ratify the Nuclear Non-Proliferation Treaty, to refrain from conducting a nuclear test explosion and to sign and ratify the Comprehensive Nuclear Test Ban Treaty.
- **Honduras:** The Council met (S/2009/487) on 25 September to discuss a letter from the Brazilian ambassador regarding the situation in Honduras (S/PV.6192). President Zelaya of Honduras, who was overthrown in a June 2009 coup, returned to that country on 21 September taking refuge in the Brazilian embassy. In a press statement the Council stressed the importance of international law and the inviolability of the Embassy of Brazil (SC/9749).

## Women, Peace and Security

### Expected Council Action

In October the Council is expected to hold an open debate on the implementation of resolution 1325 on women, peace and security. (This resolution, adopted in October 2000, recognised a need to incorporate a gender perspective into mandates for peacekeeping missions, and called on all parties to protect women and girls from gender-based violence and to put an end to impunity for such crimes.)

The Council has received the Secretary-General's report on women, peace and security, requested in October 2008 (S/2009/465). A draft resolution is being currently discussed by members.

The discussion is expected to focus on implementation of resolution 1325 and how to improve opportunities for women in post-conflict environments. It will likely also take

stock of UN efforts in supporting member states in formulating and implementing gender policies in security sector reform, preventing sexual violence, advancing women's participation in decision-making and providing resources for women's organisations.

### Key Recent Developments

Although women still face many challenges in conflict and post-conflict situations, there is currently much momentum on issues of women, peace and security. At the time of writing, the Council was discussing gender-related issues and was expected to adopt a new resolution on sexual violence in conflict on 30 September.

The Secretary-General's report will likely highlight the right of women to participate fully in public life in post-conflict situations. His report in June on peacebuilding in the aftermath of conflict noted the importance of actively involving women in post-conflict reconstruction efforts and especially in

public decision making, as violence and intimidation can often prevent them from participating in public life. His upcoming report will likely focus on:

- the vulnerability of women and girls in conflict and post-conflict environments;
- the lack of sufficient data documenting challenges faced by women in conflict and post-conflict environments, which in part may be a result of victims' fear of coming forward;
- the inadequacy of existing laws to protect women and girls from violence, despite the many initiatives taken to address the situation of women in conflict and post-conflict environments (an ongoing problem is the inability of victims to gain access to justice, including judicial remedies);
- the need for strengthening implementation of resolution 1325, particularly by ensuring that peacekeeping operations are systematically mandated to address sexual violence; and

- background on the work the UN has done to support relevant national institutions.

On 14 September, the General Assembly adopted a resolution on UN system-wide coherence. While the resolution covers several issues, one addressed in considerable detail is the strengthening of institutional arrangements within the UN designed to support gender equality and women's empowerment. The resolution endorses consolidating four offices: the Office of the Special Advisor on Gender Issues and the Advancement of Women, the Division for the Advancement of Women, the UN Development Fund for Women and the UN International Research and Training Institute for the Advancement of Women.

The consolidated four offices are to be led by an Under-Secretary-General who will report directly to the Secretary-General.

The Secretary-General has recently highlighted some of his own initiatives. For example, he has given weight to the fact that during his tenure, the number of women appointed to senior posts increased by 40 percent.

In October 2008 the Council held its most recent open debate on resolution 1325. Many members recognised the importance of supporting women's participation in the political process in post-conflict environments. They have also recognised the need for governments to improve security and rule of law, to allocate resources for women's needs, and to implement policies that would benefit women equally.

### Key Issues

An issue for the Council will be how to use the opportunity of the October debate effectively given that it is sandwiched between the approaching tenth anniversary of resolution 1325 and the intensive focus on gender related issues in the Council and the General Assembly in September.

While Council members seem to support gender mainstreaming in the implementation of resolutions 1325 and 1820, an issue which warrants further exploration is how to facilitate, in practice, the full and effective participation of women in peace processes and peacebuilding, while also addressing the impact of conflict on women.

### Options

The most likely option in October seems to be a resolution on the needs of women and girls in post-conflict environments. It may:

- request the Secretary-General and member states to evaluate the multi-dimensional needs of women and girls in post-conflict situations;
- consider the security and recovery needs of women and girls in post-conflict situations;
- urge member states to mainstream gender issues by improving legislation and law enforcement, and by promoting women's political participation;
- call on member states to ensure women's participation at the earliest stages of the peace process;
- highlight the need to address reintegration issues for female ex-combatants in disarmament, demobilisation and reintegration programmes;
- renew its commitment to women, peace and security issues in the upcoming tenth anniversary of resolution 1325, and use the opportunity to take stock of progress on implementation; and
- call for a strengthening of coordination on gender issues within the UN system.

The Council might also request benchmarks to measure progress as well as strategies to ensure prevention.

### Council Dynamics

In general, Council members support the women, peace and security framework and most are ready to push for better implementation of resolution 1325. Discussions on follow-up to resolutions 1325 and 1820 might be an opportunity for Council members to focus on different mechanisms that could be used to tackle the issue of sexual violence. However, it seems that some would prefer to reserve a number of these major issues for the 2010 tenth anniversary.

For October 2009, it seems that among Council members there is a focus on the more limited issues of women's participation in post-conflict environments.

Council members are conscious of the potential role of the recent General

Assembly resolution on improved coherence and see this as improving UN capacity to support Council work on women, peace and security issues.

## UN Documents

### Selected Security Council Resolutions

- S/RES/1820 (19 June 2008) recognised that sexual violence as a tactic of war can exacerbate situations of armed conflict, demanded all parties to protect civilians from all forms of sexual violence and requested a report from the Secretary-General.
- S/RES/1325 (31 October 2000) was the resolution on women, peace and security, in particular expressing the Council's willingness to incorporate a gender perspective into peacekeeping missions, calling on all parties to protect women and girls from gender-based violence and to put an end to impunity for such crimes.

### Selected Secretary-General's Reports

- S/2009/465 (16 September 2009) was the most recent report of the Secretary-General on women, peace and security.
- S/2009/362 (15 July 2009) was the report of the Secretary-General on resolution 1820.
- S/2009/304 (11 June 2009) was the report of the Secretary-General on peacebuilding in the immediate aftermath of conflict.

### Selected Presidential Statement

- S/PRST/2008/39 (29 October 2008) was a presidential statement requesting the Secretary-General to provide more information on the impact of armed conflict on women and girls in conflict situations, to be submitted to the Security Council by October 2009.

### Other

- SG/SM/12454/GA/10856 (15 September 2009) was the Secretary-General's press statement welcoming the General Assembly resolution on system-wide coherence.
- A/63/L.103 (14 September 2009) was the General Assembly draft resolution on system-wide UN coherence.

## Afghanistan

### Expected Council Action

The Council is expected to consider the mandate of the International Security Assistance Force in Afghanistan (ISAF) ahead of its expiry on 13 October.

Given international focus on the question of a new strategy for Afghanistan, the issues that have arisen following the 20 August elections and ongoing civilian casualties, the Council may choose to have a wider discussion on Afghanistan. There may also be some discussion about the high-level international conference proposed by France, Germany, and the UK.

### Key Recent Developments

At press time the official results of the 20 August elections had not been released. The final preliminary results gave incumbent President Hamid Karzai 54.6 percent of the vote and his closest opponent, Abdullah Abdullah, 27.8 percent. However, allegations of vote-rigging and intimidation have led to calls for a recount of votes. On 15 September the head of the Independent Election and Electoral Complaints Commission said that there was “clear and convincing” evidence of fraud, and called for 10 percent of the votes to be recounted. EU election observers estimated that about 1.5 million of the 5.6 million votes were possibly fraudulent. Karzai called the EU assessment “partial” and “irresponsible”. Within the UN Assistance Mission in Afghanistan (UNAMA), differences emerged between the Secretary-General’s Special Representative Kai Eide and his deputy Peter Galbraith over what to do about the situation. This led to Galbraith abruptly leaving the country.

France, Germany and the UK on 9 September wrote to the Secretary-General, calling for a high-level international conference before the end of the year to take stock of progress in Afghanistan and to assess the challenges ahead. The letter also suggested that the conference should agree on a joint framework for new benchmarks and timelines for turning over responsibility to the Afghan authorities. It said the conference should also spell out a vision of a gradual transfer of this responsibility. During a press briefing on 17 September the

Secretary-General welcomed the proposal to hold an UN-led international conference, describing it as “timely and appropriate”.

The new US Commander in Afghanistan, General Stanley McChrystal, reported on the situation in Afghanistan to President Barack Obama on 31 August. From a declassified version of the report it seems that McChrystal’s assessment is that the situation in Afghanistan is serious and that failure to “gain the initiative and reverse insurgent momentum” in the next 12 months “risks an outcome where defeating the insurgency is no longer possible”. He stressed the need to change the operational culture away from “force protection” and urged a focus on protecting Afghan civilians, and on much improved coordination within ISAF. He indicated that the new strategy would require better use of existing resources, but would also entail additional resources.

Civilian deaths continued to be a highly contentious issue in the weeks following the election:

- A NATO bombing raid in Kunduz on 4 September requested by a German commander killed thirty and wounded nine civilians, according to an Afghan-government commission. Also killed were 69 alleged Taliban. Germany defended the airstrike as necessary. McChrystal distanced the US from the attack and apologised to the Afghan people. Karzai condemned the decision to strike, calling it a major error of judgment. The UN called on NATO to investigate the bombing.
- On 4 September one Polish soldier was killed and five others wounded after a bomb exploded near a Polish convoy in eastern Afghanistan.
- On 17 September a suicide bomb attack on a military convoy in Kabul killed six Italian soldiers and ten civilians, marking Italy’s single greatest loss in Afghanistan.

At press time the Council was expected to discuss the Secretary-General’s latest UNAMA report on 29 September. Among the observations of the report, circulated on 22 September, was that:

- the elections were demanding and challenging from many perspectives;
- there had been engagement and debate during the campaign period on political alternatives; and

- in spite of safeguards, serious electoral fraud occurred but that much of it was detected.

The report also highlighted the need to enable the Afghan government to assume the responsibilities of a sovereign state with a new “contract” between the government and its people being a critical component. It also signaled that as a result of planned future expansion and strengthening of UNAMA the estimated budget for 2010 will increase by 70 percent over the 2009 budget.

On 25 September Canadian Foreign Minister Lawrence Cannon, hosted an informal meeting on Afghanistan where Eide briefed foreign ministers of key troop-contributing and donor countries and the Afghanistan foreign minister, Rangin Spanta.

On 2 September the UN Office on Drugs and Crime released its Afghanistan Opium Survey 2009. It reported that poppy cultivation decreased by 22 percent, opium production declined by 10 percent and the number of opium poppy-free provinces rose from 18 to 20 (out of 34).

### Developments in the Human Rights Council

In her address to the 12th session of the Human Rights Council on 15 September, UN High Commissioner for Human Rights Navanethem Pillay urged “all those States contributing to military operations, whether it be in their own country or in other countries, to enhance their efforts to prevent civilian casualties, which in Afghanistan and elsewhere remain at unacceptably high levels”.

Pillay also said the elections in Afghanistan were “a cause for hope” but expressed concern that they “have been marred not only by insurgent violence, but also by heightened pressures on freedom of expression, and on political participation, as well as by a severe backlash against women’s rights. The failure to tackle impunity weakens efforts to build the rule of law”. Pillay expressed the hope that the government and its international partners “will make accountability and justice central elements in the next stages of Afghanistan’s transition”.

## Issues

A key issue is whether the Council will be used as a place for discussing and delivering the strategy for Afghanistan or whether it will be bypassed in favour of conferences or meetings elsewhere. At least one NATO head of state in the general debate of the General Assembly called for the Council to be seen as the principle focus of strategy setting.

There has been much discussion of the issue of domestic political legitimacy in Afghanistan as a result of controversy over the elections, and the risk that this could lead to an increase in popular support for the Taliban because among the Afghan people there is an increasing crisis of confidence in their government. However, there is almost no discussion of the need to increase the legitimacy of ISAF or the UN presence and the corresponding need that the Council's role not be marginalised.

A closely related issue is the UN's role in underpinning the legitimacy of the elections and assisting in finding political solutions.

Another issue is timing. This is relevant both to the ISAF mandate renewal (due 13 October) and any run-off election. It would need to be held by the third week of October, or delayed till next year as the onset of a harsh winter would make voting difficult in much of the country.

A significant underlying question which bears on all of the above questions is the declining public support in many Western countries for the war in Afghanistan. Several have indicated they may withdraw in the next few years:

- Canada has indicated that it is likely to withdraw its troops from Afghanistan in 2011.
- The deaths of six Italian soldiers prompted a renewed debate in Italy over the future of Italian troops in Afghanistan.
- In Germany videos from Al-Qaida warning Germany to withdraw its troops from Afghanistan turned Afghanistan into a key election issue.

- British Prime Minister Gordon Brown has said he hopes that some British troops could be withdrawn once the Afghan army takes over on security.
- Questions have been raised in Poland about the wisdom of the Polish participation after the country lost several soldiers in recent weeks.
- The new Japanese government has said it would not extend its naval refueling operation (which provides fuel and other logistics to ISAF) when it terminates in January, but has hinted that it might shift its efforts toward more development aid.

A future issue is accountability for civilian deaths. The International Criminal Court has begun gathering evidence about possible war crimes committed by combatants on all sides.

## Options

One option is for the Council to simply re-authorise ISAF in a resolution similar to resolution 1833 of 2008, which in an essentially mechanical way extended ISAF's mandate for twelve months until 13 October 2009. However, this approach would demonstrate a continuation of the essentially instrumental role of the Council pursued by the Bush administration under which the UN was absent from the strategic policy debate, and might feed into lessening respect for ISAF and the UN both domestically in Afghanistan and amongst the wider public in troop-contributing countries.

Another option might be to defer the ISAF mandate until concrete proposals for a new strategy are available. This would suggest a technical roll-over in October. The Council could then play a fundamental role in debating a new strategy in light of both General McChrystal's assessment of the situation in Afghanistan and the changes needed for ISAF to achieve its mission.

Another option would be for Ambassador Richard Holbrooke, the US Special Representative for Afghanistan and Pakistan, to brief the Council and for General McChrystal (or another senior com-



mander) to brief an expanded group of ISAF troop and police-contributing countries (TCC/PCCs). (This would fit well with the precedent set by President Obama during the General Assembly when he met with major TCC/PCC contributors to UN peacekeeping.)

As part of the Council monitoring ISAF developments more closely, an option is to request timely, quarterly reports. (The last ISAF report covers the period August 2008 to January 2009.)

## Council Dynamics

While Council members are following events in Afghanistan closely, the ISAF renewal seems to have been far from top of mind in recent weeks. Eide's briefing, scheduled for 29 September will sharpen the focus on the post-election situation and UNAMA's benchmarks. Members are expected to begin discussions on the ISAF resolution only in early October.

The US position appears to be still evolving.

The need for more troops in Afghanistan could be a difficult issue for some Council members. In anticipation of a possible request for more NATO troops, some members may wish to begin discussions on ways of speeding up the "Afghanisation" of the national army and police forces.

A possible controversial area that could be raised by some members is that of civilian casualties. In the past, countries like Austria, Costa Rica and Mexico have stressed the importance of civilian protection and may take up this issue again. This could lead to difficult discussions over possible wording in the ISAF resolution.

Japan is the lead country on this issue in the Council.

## UN Documents

### Selected Security Council Resolutions

- S/RES/1868 (23 March 2009) extended UNAMA's mandate until 23 March 2010 and asked for reports with benchmarks every three months.
- S/RES/1833 (22 September 2008) extended ISAF's mandate until 13 October 2009.
- S/RES/1659 (15 February 2006) endorsed the Afghanistan Compact (on international cooperation with Afghanistan) and its annexes.
- S/RES/1401 (28 March 2002) created UNAMA.

### Selected Presidential Statement

- S/PRST/2009/21 (15 July 2009) stressed the importance that the elections be free, fair, transparent, credible, secure and inclusive.

### Selected Report

- S/2009/475 (22 September 2009) was the Secretary-General's UNAMA report.

### Other

- SC/9735 (26 August 2009) was the Council's press statement on the terrorist attack in Kandahar.
- SC/9734 (20 August 2009) was the Council's press statement following the elections.

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

Kai Eide

### UNAMA: Size, Composition and Duration

- *Strength (as of 30 August 2009)*: 334 international civilians, 1,204 local civilians, 15 military observers, seven civilian police, 53 UN volunteers
- *Duration*: 28 March 2002 to present; mandate expires on 23 March 2010

### ISAF Military Commander

Army General Stanley McChrystal (US)

### ISAF: Size, Composition and Duration

- *Total strength*: about 64,500 troops
- *Contributors of military personnel*: 42 NATO and non-NATO countries
- *Current top contributors*: US, UK, Germany, France, Italy and Canada.

- *Duration*: 20 December 2001 to present; mandate expires on 13 October 2009

### Operation Enduring Freedom: Size, Composition and Duration

- *Current strength*: 13,500 (this is an estimate as the troop numbers shift continuously)
- *Top contributor*: US
- *Duration*: 7 October 2001 to present

### Useful Additional Resources

- *Afghanistan Opium Survey 2009*, September 2009, UNDOC
- *Initial Assessment of the Situation in Afghanistan* by General Stanley McChrystal, Commander of the NATO and US Forces, 30 August 2009

## Haiti

### Expected Council Action

The mandate of the UN Stabilization Mission in Haiti (MINUSTAH) expires on 15 October. The Council is expected to extend it for another 12 months.

### Key Recent Developments

The Group of Friends of Haiti (Argentina, Brazil, Canada, Chile, France, Mexico, Peru, Uruguay and the US) met on 17 September to discuss the MINUSTAH expiry. On 9 September, more than thirty speakers addressed the Council on the matter of Haiti in an open debate. The UN Special Envoy to Haiti, former US President Bill Clinton, opened the meeting. While stating he was convinced of Haiti's ability to move beyond its troubled past, he urged governments that pledged financial assistance to fully fund their commitments as soon as possible. He mentioned his plans to lead a trade mission to Haiti in October aimed at expanding investment opportunities. Clinton, who made his first visit to Haiti as UN Special Envoy in early July, expressed appreciation of the work done by MINUSTAH. He also thanked Council members for their support of the mission and the stability it has provided.

The Secretary-General's Special Representative for Haiti, Hédi Annabi, also addressed the Council, as did Haitian Prime Minister Michèle Duvivier Pierre-Louis. Council members also voiced positive comments on the work of MINUSTAH.

The Council held a private meeting on 4 September during which members and MINUSTAH troop-contributing countries were briefed by Edmond Mulet, the Assistant Secretary-General for Peacekeeping Operations. The Council received the latest report from the Secretary-General on MINUSTAH on 1 September. The Secretary-General noted that while progress was advancing towards peaceful development, it remains fragile and could be reversed. Continued support from the UN and the international community more generally is required to prevent setbacks, his report said.

The report observed that significant threats to stability remain and that Haiti's police capacity is still developing. In light of this, the Secretary-General recommended that the Council renew MINUSTAH's mandate for an additional year, and suggested modifying certain aspects of the mission's composition while retaining a similar overall size and structure. The report called for augmenting MINUSTAH's police units by 120 officers, and reducing the number of troops by the same amount. The replacement of some armoured personnel carriers with lighter patrol vehicles was also suggested as a way to enhance the mission's ability to deploy rapidly and monitor remote border areas and the coastline.

### Key Issues

Lack of political stability, poverty, crime and insecurity remain key issues for Haiti.

As the renewal of the MINUSTAH mandate appears certain, a practical issue will be whether the composition of the mission should be adjusted as suggested in the Secretary-General's latest report, or other changes should be made to better address the current situation.

## Options

Options available to the Council include:

- extending the mandate of MINUSTAH for an additional year with the changes suggested in the Secretary-General's report; or
- including wording in the resolution that addresses in a concrete way the Council's decisions in July and August on the importance of coherence and integration between peacekeeping operations and peacebuilding (see S/PRST/2009/23 and S/PRST/2009/24).

## Council Dynamics

The economic situation in Haiti, and its impact on security, remains a serious concern for Council members. Members hope that Clinton's leadership as UN Special Envoy will aid economic development, both through improving the delivery of pledged funds from donors, and encouraging private investment in Haiti to foster job creation.

Council members appear unanimous in the view that MINUSTAH continues to have a significant role to play in providing Haiti with ongoing security assistance.

Many members support better integrating peacebuilding components into peacekeeping operations, but there is some tension on this issue in the Council in the context of Haiti with a few members firm in the view that nothing should be considered that goes beyond direct security assistance. For example, in the 9 September open debate, China stated that Haiti's economic and social development should not be part of MINUSTAH's mandate. By contrast developing countries in the region have a strong interest in including wider language and it seems that there was some discussion of this in the margins of the 17 September Group of Friends meeting. The Group plans to meet again before October to continue discussing the renewal, and it is possible that references regarding peacebuilding may yet be included in the draft resolution.

Council members also seem to have some differences as to when further scaling back of the military component of MINUSTAH might be appropriate. All are supportive of

the general idea that security, stability and development are linked and that in the short term security is a prerequisite for sustained development. But there are some differences as to what this means in practice.

The US and France are the lead countries in the Council.

### Selected UN Documents

#### Selected Council Resolution

- S/RES/1840 (14 October 2008) renewed the mandate of MINUSTAH until 15 October 2009.

#### Selected Secretary-General's Report

- S/2009/439 on (1 September 2009)

#### Selected Presidential Statements

- S/PRST/2009/24 (5 August 2009) was a presidential statement regarding integration of peacebuilding in peacekeeping missions.
- S/PRST/2009/23 (22 July 2009) was a presidential statement regarding post-conflict peacebuilding.
- S/PRST/2009/4 (6 April 2009) urged donors to make technical and financial assistance available for the Haitian government to meet immediate and short-term development needs.

#### Selected Letter

- S/2009/139 (10 March 2009) were the terms of reference for the Council's March visit to Haiti.

#### Selected Meeting Records

- S/PV.6186 (9 September 2009) was the recent Council open debate on Haiti.
- S/PV.6185 (4 September 2009) was a private meeting of the Council and troop-contributing countries to MINUSTAH.
- S/PV.6101 and resumption 1 (6 April 2009) was the previous Council open debate on Haiti undertaken at the initiative of Mexico.

#### Other

- S/2009/175 (3 April 2009) was the report of the Council's 11 to 14 March 2009 mission to Haiti.



### Other Relevant Facts

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

Hédi Annabi (Tunisia)

#### UN Special Envoy

Bill Clinton (US)

#### Force Commander

Major-General Floriano Peixoto Vieira Neto (Brazil)

#### Police Commissioner

Mamadou Mountaga Diallo (Guinea)

#### Size and Composition of Mission

- *Authorised strength as of 15 August 2006:* military component of up to 7,200 troops, police component of up to 1,951 officers and 16 correction officers
- *Current strength:* 9,158 total uniformed personnel (including 7,060 troops and 2,098 police) as of 1 September 20; supported by 492 international civilian personnel, 1,221 local civilian staff and 202 UN Volunteers as of 31 July 2009
- *Contributors of military personnel:* Argentina, Bolivia, Brazil, Canada, Chile, Croatia, Ecuador, France, Guatemala, Jordan, Nepal, Paraguay, Peru, Philippines, Sri Lanka, US and Uruguay
- *Contributors of police personnel:* Argentina, Benin, Brazil, Burkina Faso, Cameroon, Canada, Central African Republic, Chad, Chile, China, Colombia, Côte d'Ivoire, Croatia, DRC, Egypt, El Salvador, France, Grenada, Guinea, India, Jamaica, Jordan, Madagascar, Mali, Nepal, Niger, Nigeria, Pakistan, Philippines, Romania, Russian Federation, Rwanda, Senegal, Serbia, Spain, Sri Lanka, Switzerland, Togo, Turkey, US, Uruguay and Yemen
- *Cost:* 1 July 2009 - 30 June 2010: \$611.75 million

### Expected Council Action

At press time the Council was expecting the report of the Secretary-General on the UN Interim Administration Mission in Kosovo (UNMIK). The Secretary-General's Special Representative and head of UNMIK, Lamberto Zannier, is likely to brief the Council in mid-October.

The format is likely to follow that of recent Council discussions on Kosovo, with representatives from both Serbia and Kosovo participating. (Serbia participates under the Council's Provisional Rules of Procedure, rule 37, which provides for a member to participate when its interests are affected. Kosovo participates under rule 39, by which the Council can invite a person to provide it with information.) No Council decision is expected.

### Key Recent Developments

The Council last discussed the situation in Kosovo on 17 June when it was briefed by the Special Representative on the Secretary-General's 10 June report. The foreign ministers of Serbia, Vuk Jeremić, and Kosovo, Skënder Hyseni, also addressed the Council.

On 16 June Kosovo President Fatmir Sejdiu announced that local elections would be held on 15 November. He requested the Central Election Commission of Kosovo to undertake all necessary preparations. The Serbian government does not believe Kosovo Serbs should take part in the elections under the current conditions, which it deems are not in line with resolution 1244 (the 1999 resolution that authorised NATO to secure the withdrawal of Yugoslav forces from Kosovo and established UNMIK). According to media reports 21 Kosovo Serb candidate lists have registered in the elections (out of a total of 76), but Kosovo Serb participation is expected to be very low.

On 30 June the General Assembly adopted the 2009-2010 budget for UNMIK, with approximately \$47 million providing for the deployment of 507 personnel. This represents a significant reduction from the 2008-2009 budget of \$198 million which authorised personnel strength of 4,911.

On 29 July the International Court of Justice (ICJ) announced that it would hold public hearings starting on 1 December on the question of Kosovo's unilateral declaration of independence. (The General Assembly asked the ICJ for an advisory opinion on the legality of Kosovo's declaration of independence in a Serbian-sponsored resolution adopted in October 2008.) Kosovo and 36 UN member states submitted written statements before the 17 April deadline established by the Court, and 14 states submitted written comments on these statements by the 17 July deadline. The deadline for indicating an interest in participating in the public hearings was 15 September. The advisory opinion is expected sometime in 2010.

On 25 August violent clashes between Kosovo Serbs and Kosovo Albanians broke out in the ethnically divided city of Mitrovica in northern Kosovo after about 100 Serbs had rallied to protest the rebuilding of Kosovo Albanian houses. Seven people were wounded. EU police, part of the EU Rule of Law Mission in Kosovo (EULEX), used tear gas to disperse the crowd and bring the situation under control. On the same day, in a separate incident in Pristina, 24 EULEX vehicles were damaged in a protest led by Self-Determination (*Vetëvendosje*), an ethnic Albanian nationalist group.

On 13 August NATO's new Secretary-General, Anders Fogh Rasmussen, visited Kosovo. In addition to meeting with the NATO-led Kosovo Force (KFOR), Rasmussen met Kosovo President Fatmir Sejdiu, Prime Minister Hashim Thaçi and the Minister for the Kosovo Security Force, Fehmi Mujota. On 3 August Rasmussen had said that his aim for Kosovo was to see KFOR reduced to a small reaction force or withdrawn altogether by the end of his four-year term. However, during his Kosovo visit Rasmussen underlined that withdrawal of troops would depend on the security situation. (There are still almost 14,000 NATO troops in Kosovo, but this is expected to be reduced to 10,000 at the beginning of 2010.)

Also in August, UN High Commissioner for Refugees António Guterres visited Belgrade, Zagreb, Sarajevo and Banja Luka. The High Commissioner has identified the

Western Balkans as one of five priority regions around the world with a protracted refugee situation. In Belgrade on 28 August, Guterres said that the situation for refugees and internally displaced persons, including thousands displaced from Kosovo, remained unacceptable and that urgent solutions had to be found.

On 11 September, Serbia and EULEX signed a protocol on police cooperation. Pristina initially opposed the agreement, but later withdrew its objections after receiving assurances from the EU and the US that the protocol would not impact Kosovo's status. There were, however, large protests in Pristina following the signing. It was also criticised by some Serbian parties which see the protocol as recognising a border between Serbia and Kosovo.

### Options

The most likely option is for the Council to simply receive the briefing and for members to express their national positions on the issues.

### Key Issues

A key issue is the continuing reconfiguration of the international presence in Kosovo. With the June decision on UNMIK's budget, discussions on downsizing the UN mission seem to have been put to rest for now. However, questions remain as to the UN's role on the ground and the extent to which it should lead on dialogue with the parties, in particular on issues where EULEX is now engaged. A related issue is the planned drawdown of KFOR.

Ethnic tensions resulting from the rebuilding of houses by returnees in the north also remain an issue. While an understanding was reached in principle between the Kosovo Serb and Kosovo Albanian communities earlier this year to diffuse the situation, the recent August violence demonstrated that tensions remain.

A third issue is the slow progress on the six-point dialogue outlined in the Secretary-General's 12 June 2008 report covering the areas of police, courts, customs, transportation and infrastructure, boundary management and protection of Serbian patrimony. While Belgrade is seen as open to discussions on these issues, Kosovo authorities have

remained reluctant to engage. It seems that the forthcoming ICJ advisory opinion on Kosovo's declaration of independence has led to less flexibility by the parties due to their concerns about particular issues either strengthening or weakening their legal case.

### Council Dynamics

The Council is still divided between those who support Kosovo's independence and those who believe that Kosovo's declaration of independence violates international law. Nine members (the US, the UK, France, Austria, Burkina Faso, Costa Rica, Croatia, Japan and Turkey) have recognised Kosovo's independence.

Some Council members, most notably the US, seem to believe that a further downsizing of UNMIK is desirable, but acknowledge that discussions in the Council would be premature at this stage.

Russia maintains that resolution 1244 requests that UNMIK should have a credible presence in Kosovo and should retain coordination and political leadership roles as well as administrative functions.

Most Council members, however, prefer to see Kosovo as a low priority at the present stage.

Some Council members are interested in exploring the possibility of a change to the format of the meetings on Kosovo from an open briefing to a closed meeting or to informal consultations as they believe the open format stifles real discussions and incentivises the parties to use the Council as a stage to present their positions. Some Council members are also open to exploring less frequent reporting from the Secretary-General. Russia, however, is opposed to any such changes.

### UN Documents

#### Security Council Resolution

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

#### Selected Presidential Statement

- S/PRST/2008/44 (26 November 2008) was the presidential statement welcoming the Secretary-General's 24 November report and the cooperation

between the UN and other international actors within the framework of resolution 1244.

#### Selected Letters

- S/2008/638 (2 October 2008) was the letter that transmitted the report 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/2009/300 (10 June 2009) was a report of the Secretary-General.
- S/2008/354 (12 June 2008) was the Secretary-General's report on how he plans to reconfigure UNMIK.

#### Other

- S/PV.6144 (17 June 2009) was the discussion on the Secretary-General's 10 June report.

### Useful Additional Resources

- *Serb Integration in Kosovo: Taking the Plunge*, International Crisis Group, 12 May

## Sudan

### Expected Council Action

In October the Council is due to discuss the Darfur issue and renew the mandate of the Sudan Sanctions Committee's Panel of Experts. The Panel's report was due in September and its mandate expires on 15 October.

Council members are also likely in October to discuss the Secretary-General's report on Sudan. The report is expected to provide an update on the implementation of the Comprehensive Peace Agreement (CPA) in the south and also the overall situation. Some discussion on the work of the UN Mission in Sudan (UNMIS) is expected. The mandate of UNMIS expires on 30 April 2010.

### Key Recent Developments

Serious challenges remain including insecurity in many parts of South Sudan and parts of Darfur.



Problems in South Sudan include inter-tribal violence and attacks by the Ugandan rebel Lord's Resistance Army (LRA) both of which have escalated in the past few months. On 20 September, some eighty people were killed, nearly fifty wounded and around 2,000 homes were burned when Lou Nuer gunmen attacked Dinka Hol village of Duk Padiet in Jonglei state. Inter-tribal clashes in South Sudan are often linked to cattle rustling, while others are in retaliation for previous attacks. On 8 September, in a statement the Secretary-General urged the government of South Sudan to increase its efforts to ensure civilians are protected.

LRA attacks on Western and Central Equatoria states in recent months have led to a large number of civilian casualties and widespread displacement. The LRA attacks on southern Sudan, north-eastern Democratic Republic of Congo (DRC) and Central African Republic (CAR), have in recent months led to an increase in the number of internally displaced persons (IDPs) and refugees. In August and September, a total of 11 attacks have been documented. Since mid-December, some 68,000 people have been internally displaced, 18,000 refugees have arrived from the DRC and CAR, and within the last months alone close to 200 people have been killed and 130 abducted. In Sudan's Western and Central Equatoria States, 11,000 IDPs have been registered during the past two months. UNMIS condemned the LRA attacks in an 11 September press release.

UNMIS is working with the government of South Sudan to provide protection, but has made little progress in implementing concrete responses to these attacks. The government of South Sudan is limited in its capacity to manage local conflicts, which continue to impact communities. Resolution 1870, which renewed UNMIS's mandate in April, requires UNMIS to support local authorities to provide security to civilian population. It also calls for UNMIS to

strengthen conflict management by providing assistance to the government of South Sudan and help reconciliation initiatives at the local level.

The Secretary-General's statement on 8 September expressed concern about escalating inter-tribal violence in South Sudan, which can impact the upcoming elections and referendum, which are key benchmarks in the CPA.

While security is a constant concern, political tensions related to the upcoming elections are also a key factor between the north and south parties. The two most contentious issues are the laws governing the referendum and census results (which will have electoral consequences). On 9 September, the US Special Envoy for Sudan, Scott Gration, met authorities in the north and south and urged them to work together to resolve issues related to the census, the upcoming elections, and preparations for the referendum.

The Secretary General's report in July pressed the Government of National Unity (GNU) on the importance of elections being conducted in an environment where basic political freedoms are respected. The Secretary-General also urged the GNU and Darfur movements to permit a secure environment allowing for elections to take place.

In Darfur there has been an upsurge in fighting between the rebels and the government forces. In mid-September, some 18 civilians were reported to have been killed in the area of the town of Korma. Security remains a serious concern. On 28 August, two international staff members of the AU-UN Hybrid Operation in Darfur (UNAMID) were kidnapped from their homes and were still missing at press time.

On 15 September, the Chair of the 1591 Sudan Sanctions Committee briefed the Council on the Committee's activities for the past three months and highlighted the findings of its UN Panel on the developments in Darfur.

Women's rights are a significant concern. In Darfur and South Sudan, violence and

sexual abuse against women and children by state and non-state actors continues, resulting in large number of victims. In the South, women and children are being increasingly targeted in attacks by the LRA.

The government has also been increasingly taking measures against women. In July, Public Order Police in Khartoum arrested 14 women for wearing trousers, as they were considered to be indecently dressed. Since the Sudanese Criminal Court does not define what constitutes indecent dress, this can lead to arbitrary arrests. One of the women arrested was Lubna Hussein, a Sudanese employee of UNMIS. Hussein decided to plead not guilty on 7 September. Hussein could have received the punishment of up to forty lashes under Sudanese 1991 Criminal Act. Instead she was sentenced to one month in jail, and given the alternative of paying of 500 Sudanese Pounds (roughly \$200). She was released on 9 September, after the fine was paid by the Sudanese Journalists Union.

#### Human Rights-Related Developments

On 15 September the High Commissioner for Human Rights, Navanethem Pillay, said the case of Lubna Hussein was an instance of "a wider pattern of discrimination and application of discriminatory laws against women in Sudan." Pillay said Hussein's "arrest and that of 13 other women was in violation of Sudan's international obligations as a State party to the International Covenant on Civil and Political Rights". The High Commissioner welcomed Hussein's release and called on the government "to take all necessary steps to address the equality gap".

#### Key Issues

The key issue for the Council in October is likely to be the growing recognition that Sudan is now at a critical juncture with its future, not only in Darfur, but also in the south very much at stake. Elections are scheduled for April 2010. And in 2011 South Sudan is due to hold a referendum on whether to remain part of Sudan. This referendum was agreed in 2005 in the Naivasha

Agreement between the Khartoum central government and the southern-based Sudan People's Liberation Army. In addition, referendums will be held in Abyei, South Kordofan and Blue Nile on whether they will become part of South Sudan or Sudan.

Inter-tribal violence in the south and attacks from the LRA in areas near the border with Uganda are central issues. Currently, there are discussions involving UNMIS, the UN Mission in DRC and the UN Organization Mission in the Central African Republic and Chad to increase coordination and information-sharing on LRA movements to provide better protection for civilians across the region. This initiative will support efforts undertaken by governments in the region to curb LRA attacks.

Sudan's general elections scheduled for April 2010 will continue to be a key issue for the Council. In particular, members will be concerned about ensuring free and fair elections and the requisite protection of basic civil and political rights. Security for the electoral process will be among the main concerns. Another concern is ensuring that the largely displaced population of Darfur is given meaningful voice in the process.

#### Options

Council options include:

- taking no action in October but using the various reports that will be available as a basis for discussions among Council members on the next steps;
- using the opportunity of the October discussions to issue a statement supporting the implementation of CPA;
- including in a statement language requesting the Secretary-General to focus UNMIS's resources on the critical current role of supporting the National Elections Commission to facilitate an election process which is genuinely free and independent;
- requesting UNMIS to intensify its efforts to support the government of South Sudan in dealing with the escalating insecurity;
- urging all the UN peacekeeping missions in the region to strengthen information-sharing so civilians are better protected; and
- renewing the mandate of Panel of Experts.

## Council Dynamics

Members seem agreed that strengthening the partnership between the north and south is critical to the survival of the CPA process. Council members increasingly seem to recognise the key linkages between political developments in the North and South.

Most council members would likely give attention to the humanitarian situation both in South Sudan and in Darfur, and with the current level of civilian casualties. Some want the Council to urge both the government of South Sudan and UNMIS to take active steps to prevent further escalation of violence.

The UK is the lead country on this issue in the Council.

### UN Documents

#### Selected Security Council Resolutions

- S/RES/1870 (30 April 2009) renewed UNMIS's mandate.
- S/RES/1590 (24 March 2005) established UNMIS's mandate.
- S/RES/1591 (29 March 2009) established the Panel of Experts.

#### Selected Secretary-General's Reports

- S/2009/391 (28 July 2009) was the report of the Secretary-General on elections.
- S/2009/357 (14 July 2009) was the latest UNMIS report.

#### Other

- SG/SM/12438/1886 (8 September 2009) was the statement of the Secretary-General condemning inter-tribal attacks in South Sudan.
- SG/SM/12397/AFR/1878 (3 August 2009) was the statement of the Secretary-General condemning the attacks in South Sudan which resulted in 161 people killed.

### Other Relevant Facts

#### UNMIS: Special Representative of the Secretary-General

Ashraf Jehangir Qazi (Pakistan)

#### UNMIS: Size, Composition and Cost

- *Maximum authorised strength:* up to 10,000 military personnel and some 750 military observers; up to 715 police personnel

- *Strength as of 31 July 2009:* 9,644 total uniformed personnel, including 8,472 troops, 510 military observers, 622 police; supported by 797 international personnel, 2,395 local civilian and 255 United Nations Volunteers.
- *Main troop contributors:* India, Pakistan and Bangladesh
- *Cost:* 1 July 2009-30 June 2010: \$958.35 million

#### UNMIS: Duration

24 March 2005 to present; mandate expires 30 April 2010

## Somalia

### Expected Council Action

At press time the Council was expecting the Secretary-General's report, due 30 September, on progress in implementing the three-phased approach towards the eventual deployment of a UN peacekeeping operation in Somalia (endorsed by the Council on 26 May in resolution 1872). The report will be discussed in October and a briefing is expected. It is unclear whether there will be any Council decisions.

Also in October, the Somalia Monitoring Group is scheduled to provide its midterm briefing to the Sanctions Committee. The Group's mandate expires on 19 December.

### Key Recent Developments

Violence in Somalia, especially in Mogadishu, appeared to reach unprecedented levels in recent months. According to the Somali Elman Peace and Human Rights Organisation, fighting in Mogadishu during Ramadan (21 August to 19 September) was some of the worst in twenty years. In just four days in September, 32 civilians were killed and 82 wounded. There were frequent reports of insurgent attacks with heavy civilian casualties.

On 14 September US Special Operations forces entered southern Somalia in a daytime helicopter raid and killed Saleh Ali Saleh Nabhan, believed to be one of the most senior Al-Qaida leaders in East Africa and one of many foreigners in Al-Shabaab's insurgency against the Transitional Federal



Government (TFG). It is alleged that Nabhan had masterminded the suicide attack against a hotel (which killed 15 people) and the simultaneous attempt to shoot down an Israeli airplane in Kenya in 2002. Six foreigners, including Nabhan, and three Al-Shabaab fighters were killed in the US operation. Al-Shabaab vowed to avenge the killings.

On 17 September 17 African peacekeepers, including the former deputy force commander, were killed in suicide bombings against the AU Mission in Somalia (AMISOM). At least forty other people were injured. The bombings were carried out by Al-Shabaab fighters who drove two stolen UN vehicles loaded with explosives into AMISOM's main base in Mogadishu.

The AU condemned the killings and said efforts to strengthen AMISOM would continue. The Secretary-General expressed outrage and the EU, Intergovernmental Authority on Development (IGAD), the League of Arab States, Norway and the US condemned the attacks in a joint statement. There was no formal reaction from the Council, but in informal remarks to the press the Council president said members strongly condemned the attacks.

The humanitarian situation continued to deteriorate even further. The number of people in need of humanitarian assistance has increased from 3.2 million in January to 3.8 million, or almost half the Somali population. The total number of internally displaced persons is estimated at 1.55 million, and 83,000 people were reported to have been displaced only since 1 July. On 14 September, however, the World Food Programme announced that it would have to close 12 feeding centres for mothers and children in Somalia due to lack of funding.

In Somaliland, political protests on 12 September following another postponement of presidential elections originally scheduled

for April 2008 turned violent. Three people were killed and ten others wounded by Somaliland police firing at protesters gathered in Hargeisa, the capital of the breakaway republic. There were concerns that the situation might spiral out of control and further destabilise Somalia.

Somaliland has enjoyed relative calm since it unilaterally declared independence in 1991. The AU expressed concern about the rising tensions, calling for calm. The UN announced that it is planning to open a new political affairs office in Hargeisa to offer its support, particularly in the areas of maritime security and counterterrorism.

The Contact Group on Piracy Off the Coast of Somalia held its fourth meeting on 10 September in New York under the chairmanship of Japan, with 45 countries participating. It issued a statement welcoming the significant reduction in the number of successful pirate attacks despite a rise in the overall number of attacks from 156 so far this year, compared with 111 during all of 2008. The group will meet again in January.

The International Contact Group on Somalia held a meeting on 23 September in New York, but no communiqué was issued.

### Key Issues

A key issue remains the serious challenge posed to the TFG by insurgent groups and whether it will receive adequate international support to sustain itself. The UN has not been able to establish the “light footprint” in Mogadishu envisaged as the first step of the three-phased approach. Although the AU has stated that it remains committed to strengthening AMISOM in spite of the recent suicide attacks, the mission still only has 5,000 of the 8,000 authorised troops. On 18 September Al-Shabaab warned Djibouti, which has pledged 500 soldiers to AMISOM, not to send any troops.

A related issue is the increasing evidence of links between Al-Shabaab and Al-Qaida and its implications, in particular in terms of further radicalisation of the insurgency. There seems to be concerns that Al-Shabaab’s recent attack against AMISOM might signal an escalation of the conflict with increasing use of suicide bombers.

A further issue is the situation in Somaliland. Observers warn that if the current elections dispute is allowed to escalate, it could lead to a political and security crisis in one part of Somalia which has been relatively stable.

Another issue is the regional dimension of issues confronting Somalia and whether the Council is willing and able to formulate a sufficiently comprehensive response to both the crisis in Somalia and related regional issues involving Djibouti, Eritrea and Ethiopia.

A major underlying issue is the suffering of the civilian population and the continuing deterioration in the humanitarian situation. According to some estimates, 18,000 civilians have been killed since 2007.

### Options

One option for the Council is to maintain the strategy of the three-phased approach endorsed in May.

Another option is to seek some kind of game changing action by beginning to address some of the regional issues also affecting Somalia, in particular Eritrea’s role in the region, as has been called for by IGAD and the AU.

A third option is to expedite work in the Somalia Sanctions Committee to establish the list of individuals and entities subject to targeted sanctions.

### Council Dynamics

Most Council members seem to believe that options for Somalia are limited and that the current strategy should be maintained. In spite of recent developments Somalia does not seem to have received much attention in the Council. Certainly in September, with most members busy preparing for high-level visits for the General Assembly’s opening debate, energy has focused on initiatives in other fora. The Secretary-General’s report may help to formulate more detailed views on the way forward.

There have apparently been preliminary discussions on possible Council action to sanction Eritrea both for its role in Somalia and its failure to comply with Council demands in its border dispute with Djibouti.

This is mainly an African initiative based on the request to the Council in May from IGAD and the AU to impose sanctions on Eritrea (see also our June 2009 *Forecast*). But it is unclear whether African members of the Council are in agreement on the issue, and other members seem to prefer that any initiative to coerce Eritrea must have undivided African support.

In the Sanctions Committee there has been no further progress on establishing a list of names for targeted sanctions. Council members are now considering the names put forward so far by the Monitoring Group (which includes some Eritrean nationals). They expect to receive some additional names at the mid-term briefing in October. Some Council members would like to have a list in place before the one-year anniversary of the adoption of the targeted sanctions resolution on 20 November.

The UK is the lead country on Somalia in the Council.

### Selected UN Documents

#### Selected Council Resolutions

- S/RES/1872 (26 May 2009) renewed authorisation of AMISOM until 31 January 2010, approved its funding from assessed UN contributions and requested the Secretary-General to implement the phased approach recommended in his 16 April report.
- S/RES/1853 (19 December 2008) renewed the mandate of the Monitoring Group tasked with monitoring the sanctions regime for Somalia for 12 months.
- S/RES/1844 (20 November 2008) imposed targeted sanctions.

#### Selected Secretary-General’s Report

- S/2009/373 (20 July 2009)

#### Selected Meeting Records

- S/PV.6173 (29 July 2009) was a briefing by Special Representative of the Secretary-General Ahmedou Ould-Abdallah.
- S/PV.6158 (9 July 2009) was an open debate on Somalia with briefings by

the Under-Secretary-General for Political Affairs (B. Lynn Pascoe) and the Under-Secretary-General for Field Support (Susana Malcorra).

#### Selected Presidential Statement

- S/PRST/2009/19 (9 July 2009) reiterated the Council's support for the Djibouti Peace Process and the TFG and expressed concern at foreign support of insurgents.

#### Other

- S/2009/461 (15 September 2009) was a letter from the AU transmitting to the Council a declaration adopted at the AU Special Session on the Consideration and resolution of Conflicts in Africa held in Tripoli on 30 and 31 August.
- SC/9719 (29 July 2009) was a Council press statement calling on the international community to take immediate action to stabilise the country.

#### Other Relevant Facts

##### Special Representative of the Secretary-General

Ahmedou Ould-Abdallah (Mauritania)

##### Chairman of the Somalia Sanctions Committee

Claude Heller (Mexico)

##### AMISOM

- *Maximum authorised strength:* 8,000 troops plus maritime and air components
- *Strength as of September 2009:* about 5,000 Ugandan and Burundian troops.
- *Duration:* February 2007 to present: AU mandate expires on 17 January 2010 and Council authorisation expires on 31 January 2010.

#### Useful Additional Resources

- *The Role of the Media in the Upcoming Somaliland Elections: Lessons from Kenya*, Oxford University, September 2009
- *Somalia: The Trouble with Puntland*, International Crisis Group, 12 August 2009
- *'Hostages to Peace': Threats to Human Rights and Democracy in Somaliland*, Human Rights Watch, July 2009

## Timor-Leste

### Expected Council Action

No Council decisions on Timor-Leste are expected in October, but the Council is likely to receive a briefing from the Secretary-General's Special Representative for Timor-Leste, Atul Khare.

At press time the Secretary-General's progress report on the activities of the UN Integrated Mission in Timor-Leste (UNMIT) was expected by 30 September. As requested in resolution 1867 (which in February extended UNMIT's mandate until 26 February 2010), the report will update the Council on the transfer of policing responsibility from UNMIT to the *Polícia Nacional de Timor-Leste* (PNTL). Khare may also brief on the village (*suco*) and sub-village (*aldeia*) elections for chiefs and councils due on 9 October.

### Key Recent Developments

The 10th anniversary of the UN-organised referendum that led to Timor-Leste's independence was marked on 30 August. In remarks to the press, the president of the Council said the Council commended the people and government of Timor-Leste on their efforts towards peace, stability and development. In Timor-Leste Khare said that "in the last 10 years, Timor-Leste had achieved significant progress in the areas of consolidation of the institutions of democracy, respect for human rights". He noted the development of the police and the local military, but added that "the road ahead is still long."

In a report released on 27 August, Amnesty International warned the Council that there was a need for a long-term comprehensive plan to end impunity for crimes in Timor-Leste. It proposed that an international criminal tribunal be set up with jurisdiction over all crimes committed in Timor-Leste between 1975 and 1999. There are 400 outstanding arrest warrants issued by the Serious Crimes Unit, originally set up within the UN Transitional Authority in East Timor (UNTAET) in 1999.

Timor-Leste President José Ramos-Horta, speaking on the 10th anniversary of the referendum, rejected the idea of an



international tribunal and said it was time for the UN to disband the Serious Crimes Unit.

The impunity issues were highlighted on 30 August with the release of Martenus Bere, who had been indicted in 2003 by the Serious Crimes Unit on charges of crimes against humanity, including the Suai church massacre in September 1999. Bere had been detained in Timor-Leste on 8 August. However, a top Indonesian official invited to participate in the 10th anniversary celebration refused to enter the country if Bere remained in custody. A spokesperson for the Secretary-General has said Bere's release is contrary to resolution 1704, which set up UNMIT in 2006, and conflicted with the UN's position of no amnesty or impunity for crimes against humanity. Timor-Leste's Supreme Court is investigating the case to determine if Bere's release violated the constitution.

The gradual resumption of policing responsibilities by the PNTL started in 14 May. It had been halted in 2008 due to the security situation following the dual assassination attempt against the country's president and prime minister. So far the UN Police have transferred to the PNTL control of three of Timor-Leste's 13 districts. In September the PNTL took over an UN-supported police training centre in Dili. The criteria that had to be fulfilled included: the PNTL being able to respond appropriately to the security environment; final certification of at least 80 percent of eligible officers; availability of initial operational logistical requirements; institutional stability; and mutual respect between the military and the national police.

Council activities in the first half of the year included an open debate of the Secretary-General's report on 19 February, the renewal of UNMIT's mandate on 26 February and a private meeting on 27 May with troop-contributing countries to discuss the updating of the concept of operations and rules of engagement for UNMIT.

## Human Rights-Related Developments

On 13 March the Secretary-General's Representative on the Human Rights of Internally Displaced Persons (IDPs), Walter Kalin, reported to the Human Rights Council on the situation in Timor-Leste (amongst other countries). Kalin commended the government for voluntarily closing the majority of the IDP camps established during the 2006 crisis. The return of IDPs from the Metinaro camp will bring more than 13,500 to the total number of families who have received recovery or reintegration packages under the National Recovery Strategy. This leaves 2,480 individuals remaining in transitional shelters.

Kalin identified a number of ongoing challenges: addressing the underlying causes of violence and displacement, redressing prevailing impunity, adopting a land and property law in order to resolve and prevent further land disputes and adjusting compensation packages to assist the most vulnerable, including those with no place of return.

The UN's third human rights report on Timor-Leste, covering July 2008 through June 2009, was published on 15 September. The report said that Timor-Leste had made progress in key human rights areas such as the strengthening of the judicial system and adherence to the rule of law, but still had work to do in the area of accountability.

## Key Issues

A key challenge for the Council is factoring the specific needs of Timor-Leste into its overall approach to peacekeeping, represented in its most recent review in an August presidential statement (S/PRST/2009/24).

A related issue is finding ways incorporate more peacebuilding elements into UNMIT's work in light of paragraph 9 of that statement.

Recent history shows the risks in Timor-Leste of the Council and UNMIT being lulled into a sense of security. Ensuring that UNMIT retains an effective oversight

function in the districts transferred to the PNTL may be a key issue.

Developments in the Bere case and the response to the Amnesty International proposal suggest that accountability for past human rights violations will continue to be a serious issue. Bere's release to the Indonesian government may feed underlying discontent among some sectors of the Timor-Leste population about continuing impunity for crimes committed over the years.

## Options

The most likely option is a general discussion in the Council of the situation in Timor-Leste, particularly progress in the handing over of policing responsibilities to the PNTL.

Possible options include:

- initiating expert-level discussions on possible adjustments to UNMIT's mandate and strength leading to the February 2010 expiry of the mandate;
- requesting the Core Group to provide Council members with recommendations on how to better involve UNMIT in peacebuilding as well as peacekeeping; and
- issuing a press statement emphasising the need to see concrete progress in developing a national security policy and reminding the Timor-Leste government of its pending accountability and justice obligations.

## Council Dynamics

Timor-Leste struggles to get priority attention from most Council members. The apparently stable security situation again leads most members into feeling that things are moving in the right direction. In the last debate most members welcomed the benchmarks and the positive assessment of the overall situation.

Members are interested in Khare's assessment of the transfer of policing responsibility to the PNTL in the three districts and the prospects for it to continue smoothly for the next ten. But members are not currently expecting any surprises from the report that would require them to make any immediate decisions.

Japan is the lead country on Timor-Leste.

## UN Documents

### Selected Security Council Resolutions

- S/RES/1867 (26 February 2009) extended UNMIT until 26 February 2010.
- S/RES/1704 (25 August 2006) established UNMIT.

### Latest Report of the Secretary-General

- S/2009/72 (4 February 2009)

### Other

- S//PV.6086 (26 February 2009) was on the adoption of resolution 1867.
- S/PV.6085 (19 February 2009) was the last Council debate on Timor-Leste.

## Other Relevant Facts

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

Atul Khare (India)

### Size, Composition and Cost

- *Maximum authorised strength*: up to 1,748 police and 34 military officers
- *Size as of 31 July 2009*: 1,582 police and 33 military liaison officers
- *Civilian staff as of 31 July 2009*: 364 international and 880 local, 170 UN Volunteers
- *Key police contributors*: Malaysia, Portugal, Bangladesh and Pakistan
- *Approved budget* (1 July 2009–30 June 2010): \$205.94 million

### Duration

25 August 2006 to present; mandate expires 26 February 2010

### International Stabilisation Force

- *Size as of 1 July 2008*: approximately 920 troops
- *Contributors*: Australia (750 troops) and New Zealand (170 troops)

## Additional Useful Sources

- *'We Cry for Justice', Impunity Persists 10 Years On in Timor-Leste*, Amnesty International, August 2009

## Lebanon

The Council is expected to consider in October the Secretary-General's report on the implementation of resolution 1559. This resolution in 2004 urged the disarmament of all Lebanese and non-Lebanese militias and the extension of government control over all Lebanese territory.

The report is due on 19 October and the Council is expected to discuss it in informal consultations and to receive a briefing from Special Envoy Terje Rod-Larsen in late October. (An Update Report will be published closer to the time of the briefing.)

The main issues for consideration will likely be the fact that Lebanon has yet to form a government since its 7 June elections and issues related to the 14 July explosion of a weapons cache, reportedly belonging to Hezbollah, and the firing of rockets into Israel in early September, reportedly by Palestinian militias.

## Iraq

### Expected Council Action

The Council is expecting a report on Iraq and the Kuwaiti missing persons issue on 22 October. In October the mandate expires for the High-Level Coordinator advising the Security Council on this matter. The Council seems likely to renew the Coordinator's mandate.

Council members are still working on the wider issue of historical resolutions relating to Iraq from the Saddam era, but no decisions are likely to emerge in October.

### Key Recent Developments

US Vice President Joe Biden visited Iraq from 15 to 17 September for meetings with a range of Iraqi leaders as well as the Secretary-General's Special Representative for Iraq, Ad Melkert. Asked by the media about rumours of a possible referendum in Iraq on early withdrawal of US forces, Biden said it was unclear whether a referendum would be held. However, the US would abide by the wishes of the Iraqi people. (Current plans involve a complete US withdrawal by the end of 2011.)

On 10 September a large explosion in a Kurdish village outside Mosul in northern Iraq left dozens of casualties, highlighting concerns that insurgents continue to try to exploit ethnic tensions that exist in the area.

Coordinated truck bombings in Baghdad on 19 August killed nearly 100 people and left more than 1,000 wounded. The Council condemned these attacks, noting they occurred on the anniversary of the 2003 bombing of the UN office in Baghdad. Some viewed the scale of the attacks as evidence that the Iraqi security forces still lack capacity to provide security in the run-up to January elections.

On 4 September, the Iraqi government said it had evidence that linked Iraqis in Syria with bombings in Iraq. Iraq's Permanent Representative to the UN, Hamid Al-Bayati, announced that Iraq had sent a letter to the Secretary-General asking the Security Council to establish an independent investigation into the 19 August truck bombings. At time of writing no Council members had requested action on this request.

Relations between Iraq and Syria seem to have deteriorated in light of these developments. The two states recalled their ambassadors, and Iraq deployed reinforcements along its border to prevent insurgents from crossing from Syria.

On 27 August UN Controller Jun Yamazaki briefed the Council on the Development Fund for Iraq (DFI) and the International Advisory and Monitoring Board (IAMB). The most recent Secretary-General's report on the DFI and the IAMB was issued on 24 August.

The Council unanimously extended the mandate of the UN Assistance Mission for Iraq (UNAMI) for another year on 7 August.

### Key Issues

The key issue before the Council is the resolution of outstanding Iraq/Kuwait issues. These continue to be politically sensitive and difficult. A related question is whether these issues would become even more complicated if the High-Level Coordinator's mandate is not renewed.

A separate, but no less complex issue, is how the Council should respond to Iraq's



request that resolutions adopted during the regime of Saddam Hussein be rescinded. The request was laid out in a letter on 7 December 2008. (The letter was included as an annex to resolution 1859 which requested the Secretary-General to report on all Council resolutions concerning Iraq since 1990.)

### Options

Options include:

- requesting the Secretary-General to continue the mandate of the High-Level Coordinator for the issue of missing Kuwaiti and third-country nationals and the repatriation of Kuwaiti property for an additional six months, or for another period of time;
- allowing the mandate to expire (a less likely option); and
- seeking to give the resolution of the issues some momentum by adopting a statement reaffirming the Council's commitment to resolving outstanding issues between Iraq and Kuwait and giving the High-Level Coordinator some greater guidance.

### Council and Wider Dynamics

Although Council members were very concerned about the 19 August truck bombings there is some hesitation about taking up the subsequent Iraqi request for the Council to establish an independent investigation.

Likewise, the current preference of members appears to be to postpone substantive action on the DFI and the IAMB until the expiration in December of related immunities which prevent creditors from being able to seize Iraqi funds or oil shipments. The fact that delegations have been occupied with preparations for the opening of the General Assembly has contributed to a lack of action on historical resolutions relating to Iraq from the Saddam era.

On the question of extending the mandate for the High-Level Coordinator, the US is supportive of efforts to recover Kuwaiti

nationals and property and is sympathetic to the view that the UN role should continue. Russia has also traditionally been supportive of this mandate. Other Council members seem to have no objection to it being renewed.

Some Council members feel that in practical terms, ending the Coordinator position would inevitably complicate the negotiation of other related Iraq/Kuwait issues identified in the Secretary-General's report on Saddam-era resolutions. These other issues, such as compensation and the maintenance of the boundary between Iraq and Kuwait, remain unresolved. Also, some members feel that while the likelihood of Kuwait recovering more of its nationals, their remains and its national archives is lessening with the passage of time, the return of some material suggests there may still be more effects to be found.

The US is the lead country on Iraq issues in general, and the UK is the lead on Iraq/Kuwait issues.

## Selected UN Documents

### Selected Security Council Resolutions

- S/RES/1883 (7 August 2009) extended the UNAMI mandate for another 12 months.
- S/RES/1859 (22 December 2008) extended the arrangements for the DFI and the IAMB until 31 December 2009 and requested the Secretary-General to report on all Council resolutions concerning Iraq since 1990; a letter from Iraq requesting the lifting of Saddam-era resolutions is included as an annex to the resolution.
- S/RES/1483 (22 May 2003) established sanctions against the previous Iraqi government, created the DFI, provided immunity to Iraqi petroleum products and envisaged the termination of the oil-for-food programme.
- S/RES/1284 (17 December 1999) appointed a High-Level Coordinator for Iraq/Kuwait missing persons and property.

### Selected Press Statement

- SC/9637 (16 April 2009) agreed to finance the activities of the High-Level Coordinator for six months.

## Selected Meeting Record

- S/PV.6179 (7 August 2009) was a Council open debate on renewing UNAMI.

## Selected Secretary-General's Reports

- S/2009/430 (24 August 2009) was the Secretary-General's report on the Development Fund for Iraq and the International Advisory and Monitoring Board.
- S/2009/393 (30 July 2009) was a UNAMI report.
- S/2009/385 (27 July 2009) was the Secretary-General's report on the review of Iraq resolutions.
- S/2009/190 (8 April 2009) was a report on Iraq/Kuwait missing persons and property.

## Other Relevant Facts

### Special Representative of the Secretary-General for Iraq

Ad Melkert (Netherlands)

### Secretary-General's High-Level Coordinator for Iraq/Kuwait Missing Persons and Property

Gennady Tarasov (Russia)

## Democratic Republic of the Congo

### Expected Council Action

In October the Council will consider the Secretary-General's report on the UN Mission in the Democratic Republic of the Congo (MONUC), due on 30 September, as well as the final report of the Group of Experts on the DRC sanctions. The mandate of the Group and the sanctions regime expire on 30 November. MONUC's mandate expires on 31 December.

### Key Recent Developments

On 10 July the Council was briefed in an open meeting by Alan Doss, the Secretary-General's Special Representative in the DRC and the head of MONUC. Doss indicated that significant progress had been achieved in the integration of Congolese armed groups into the national army (*Forces armées de la République démocratique du Congo*, or FARDC). He also cited progress in joint MONUC-Congolese

national army operations against foreign armed groups operating in the DRC. These include the Lord's Resistance Army (LRA) in northeastern DRC and Rwandan Hutu militias known as the Democratic Liberation Forces of Rwanda (*Forces démocratiques de libération du Rwanda*, or FDLR) in the eastern provinces. (It seems that these operations have nevertheless resulted in grave humanitarian consequences for the civilian population, particularly in terms of displacement due to reprisal attacks by the illegal armed groups.)

Also on 10 July, the Council issued a press statement in which it "undertook to continue to monitor progress" by the Congolese authorities to address impunity in the national security forces. The Council also requested the Secretary-General to keep it informed of further developments in this regard.

On 6 August, President Joseph Kabila of the DRC met his Rwandan counterpart, Paul Kagame in Goma, the provincial capital of North Kivu. The meeting resulted in pledges by both leaders to continue their joint efforts to address the destabilising presence of the FDLR in the DRC. They also committed to consolidate their renewed relationship through future meetings in both Kigali and Kinshasa.

On 3 September, the International Criminal Court's (ICC) Appeal Chamber decided that Jean-Pierre Bemba, a former Congolese vice-president and opposition leader, charged with having committed war crimes and crimes against humanity in the Central African Republic, should remain in custody ahead of his trial. (In August the Pre-Trial Chamber of the ICC had found that Bemba's continued detention was unnecessary to ensure his appearance at trial and granted temporary release. However, ICC Prosecutor Luis Moreno-Ocampo successfully appealed that decision, arguing that Bemba was a flight risk and could harm witnesses involved in his trial.)

In the eastern DRC, MONUC reported the desertion on 4 September of hundreds of former rebels who had been integrated into the Congolese army. Renegades cited dissatisfaction with salaries and assigned military ranks.

On 20 September Grégoire Ndahimana, a high-level FDLR figure indicted by the International Criminal Tribunal for Rwanda (ICTR) for his role in the 1994 genocide, was handed over to the court following his arrest in eastern DRC by the Congolese army on 10 August. He was one of 13 fugitives remaining out of 81 people indicted by the ICTR for serious violations of international humanitarian law committed in Rwanda in 1994.

### Human Rights-Related Developments

On 7 September two UN reports on human rights violations carried out both by the Congolese army and rebel groups in the eastern DRC were issued by the UN Joint Human Rights Office. The reports were a collaborative effort between MONUC and the Office of the High Commission for Human Rights. One report highlighted the predatory actions of Congolese government forces against civilians in Goma and surrounding areas in late October and November 2008, as they fled advancing forces from the mainly Congolese Tutsi rebel group, the National Congress for People's Defence (*Congrès National pour la Défense du Peuple*, or CNDP).

The other report focused on human rights violations committed by the CNDP, including at least 67 cases of arbitrary executions on 5 November 2008 in Kiwanja, North Kivu. In this incident, which followed intense fighting between the CNDP and the Mayi Mayi militia, the CNDP carried out reprisal killings of civilians suspected of being members or collaborators of the Mayi Mayi. In the aftermath of the attacks, MONUC was strongly criticised for not having protected the civilians.

The reports prompted the High Commissioner for Human Rights, Navanethem Pillay, to conclude on 9 September that the atrocities could amount to war crimes or crimes against humanity, and that they constituted "part of a self-perpetuating pattern" of largely unpunished brutality in eastern DRC.

The Human Rights Council will conduct its Universal Periodic Review of the DRC on 3 December.

### Key Issues

The key issue for Council members following the crisis in eastern DRC in late 2008 is effective implementation of MONUC's mandate to protect civilians. A related issue is sustaining political support for UN efforts to reinforce MONUC's rapid-reaction capacity to protect civilians by generating additional capacity, which was authorised by the Council in November 2008.

Another key issue is progress by the DRC government to address accountability for actions by the national security forces.

The main issue for the DRC Sanctions Committee is the effective implementation of the sanctions regime. Key factors fueling instability in the DRC include illegal arms trafficking and the illicit exploitation of natural resources.

### Options

Options for the Council in October include:

- a statement after consideration of the Secretary-General's report following up on accountability issues and the effectiveness of the joint MONUC/FARDC operations;
- for the Sanctions Committee, reporting quickly to the Council its conclusions and recommendations following consultations on the Group of Experts' report; and
- another option for the Sanctions Committee, adding to its targeted sanctions list new names of individuals and entities obstructing the peace process, recruiting child soldiers or committing sexual violence.

### Council Dynamics

Council members seem agreed on the need for MONUC to continue as a robust operation furnished with adequate capacity. Council members also remain mindful of the need for a closer monitoring of the effectiveness of MONUC's joint operations with the Congolese army against the FDLR in light of humanitarian consequences.

Due to the continued violence in the eastern parts of the DRC (including attacks against children, women and civilians in general)



some Council members are focusing on additional action against those responsible.

France is the lead country on the DRC in the Council.

### UN Documents

#### Selected Security Council Resolutions

- S/RES/1857 (22 December 2008) renewed the sanctions regime for the DRC and extended the Group of Experts' mandate until 30 November.
- S/RES/1856 (22 December 2008) renewed MONUC's mandate and continued authorisation of the additional 3,085 troops for MONUC until 31 December 2009.
- S/RES/1843 (20 November 2008) authorised the temporary deployment of an additional 3,085 troops to reinforce MONUC's capacity.
- S/RES/1807 (31 March 2008) lifted the arms embargo for government forces, strengthened measures related to aviation and customs.
- S/RES/1698 (31 July 2006), 1649 (21 December 2005) and 1596 (18 April 2005) strengthened sanctions, including provisions in resolution 1698 against actors recruiting and using children in armed conflict in the DRC.

#### Latest Presidential Statements

- S/PRST/2008/48 (22 December 2008) welcomed regional efforts to address the security threat posed by the LRA.
- S/PRST/2008/40 (29 October 2008) condemned the offensive by the rebel CNDP in the eastern region of the DRC and noted the request for reinforcement of MONUC.
- S/PRST/2008/38 (21 October 2008) expressed concern about the resurgence of violence in the eastern parts of the DRC and requested a comprehensive analysis of the situation.

## Secretary-General's Report

- S/2009/335 (30 June 2009)

## Other

- SC/9703 (10 July 2009) was the latest Council press release on the situation in the DRC.
- S/PV.6159 (10 July 2009) was the verbatim record of the briefing by Alan Doss.
- S/2009/253 (4 May 2009) was the latest report of the Group of Experts on the DRC.
- SC/9608 (3 March 2009) was the press release on the addition of four individuals to the assets freeze and travel ban list by the DRC Sanctions Committee.
- S/2009/105 (19 February 2009) was the letter from the Secretary-General on the revised concept of operations and rules of engagement for MONUC.
- S/2009/52 (27 January 2009) was a letter from the Secretary-General about difficulties being encountered in attempts to secure additional troops and capacities for MONUC.
- SC/9576 (16 January 2009) expressed concern about LRA activities.
- S/2008/791 (15 December 2008) was the response from Rwanda to the accusations of the DRC Group of Experts
- S-8/1 (1 December 2008) was a resolution on DRC adopted by the Special Session of the Human Rights Council.

## Other Relevant Facts

### Chairman of the DRC Sanctions Committee

Ambassador Ertuğrul Apakan (Turkey)

### Group of Experts

- Christian B. Dietrich, USA (aviation)
- Claudio Gramizzi, Italy (arms)
- Dinesh Mahtani, UK (finance expert and coordinator)
- Mouctar Kokouma Diallo, Guinea (customs expert)
- Raymond Debelle, Belgium (regional expert)

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

Alan Doss (UK)

## MONUC Interim Force Commander

Lieutenant General Babacar Gaye (Senegal)

## Size, Composition and Cost of Mission

- *Strength as of 31 July 2009*: 16,960 troops, 703 military observers, 1,076 police, 1,006 international civilian personnel and 2,539 local civilian staff, 592 UN volunteers
- *Approved budget* (1 July 2009-30 June 2010): \$1,350.00 million

## Duration

30 November 1999 to present; mandate expires on 31 December 2009

## Côte d'Ivoire

### Expected Council Action

In October the Council will consider the Secretary-General's midterm report on Côte d'Ivoire and review the situation in the country. It will also review the mandate of the UN Operation in Côte d'Ivoire (UNOCI), which ends on 31 January 2010.

The Council is expected to renew the sanctions regime (on arms and diamonds, along with a targeted asset freeze and travel ban on certain individuals) and the mandate of the Group of Experts on Côte d'Ivoire. Both are due to expire on 31 October. The Group's report on the implementation of the sanctions measures is also due by 15 October.

### Key Recent Developments

On 23 July the Secretary-General's Special Representative for Côte d'Ivoire, Choi Young-jin, briefed the Council on the latest report of the Secretary-General. The report said the overall security situation remained generally stable, with significant progress being made in the past two years in the implementation of the 2007 Ouagadougou Political Agreement. The Secretary-General also highlighted community tensions in the west of the country, which have adversely impacted the return of internally displaced persons.

The Under-Secretary-General for Peacekeeping operations, Alain Le Roy, visited Côte d'Ivoire from 10 to 14 June to consult with national and international stakeholders on the Ivorian peace process and the

activities of UNOCI. He met, President Laurent Gbagbo, Prime Minister Guillaume Soro, President Blaise Compaoré of Burkina Faso (the facilitator of the Ivorian peace process) and the leaders of the Ivorian opposition. He obtained assurances that remaining tasks under the reunification agenda would not pose obstacles to meeting the 29 November date for the presidential election.

On 30 July the Council adopted resolution 1880 extending the mandate of UNOCI until 31 January 2010. The Council requested the Secretary-General to provide a midterm report by the end of September about the situation on the ground, including a specific update on the security situation and preparations for the electoral process. It emphasised that political actors were "bound to" respect the current electoral timeline, reiterated its preparedness to impose targeted sanctions against those who obstruct the elections, and expressed its "conviction that any postponement of the elections of 29 November would be inconsistent with a credible process". The Council expressed its intention to review progress of the electoral process and, possibly, the mandate of UNOCI by 15 October.

On 4 September the Secretary-General wrote to the Council advising on preparations of the provisional electoral list for the Ivorian presidential election. He said the Office of the Ivorian Prime Minister had indicated that there would be about a two-week delay in its publication.

But on 14 September Ivorian officials indicated that the country would miss the 15 September deadline to publish the provisional voter lists by another two weeks. (Reasons cited included a shortage of data processing staff because of a lack of money to pay employees and breakdowns in communications systems.)

On 11 September, Choi in a Reuters interview implied that the November 29 poll might be delayed. He said that the focus should be on progress made, rather than obstacles remaining.

On 29 September the Council adopted a presidential statement expressing concern about the delay in the publication of the

provisional voters list, and reiterated that Ivorian political actors were bound to respect the electoral timetable. The Council indicated that it would review the situation by 15 October, and to “react as appropriate ... towards those who would block the progress of the electoral process.”

### Human Rights-Related Developments

In its efforts to overcome an entrenched culture of impunity, UNOCI’s Human Rights Division has been monitoring and helping to investigate human rights violations, particularly violence against children and women. Other priorities include: raising human rights awareness among target groups such as the defence and security forces, public servants, women and children, supporting the functioning of the newly established national human rights commission and the implementation of the government’s human rights priority action plans.

The Human Rights Council will conduct its Universal Periodic Review of Côte d’Ivoire on 3 December.

### Key Issues

Recent delays in publishing the electoral list and Choi’s reported comments about a possible delay of the election date have resulted in concern among Council members about the issue of whether the 29 November date for presidential election in Côte d’Ivoire will be postponed (two previous dates set for holding the elections were missed in 2005 and 2008).

In this context Council members will be all the more concerned about the issue of the mandate of UNOCI.

Other issues for consideration include the sanctions regime on Côte d’Ivoire and the renewal of the mandate of the Group of Experts. Resolution 1842, adopted on 29 October 2008, requires the Council to review the sanction measures “in light of progress achieved in the implementation of the key steps of the peace process and of the progress of the electoral process” before they expire.

Another issue in the background is whether the Council should begin active consideration

of placing the country (still in a state of flux in terms of peace consolidation) on the agenda of the Peacebuilding Commission (PBC). A related question is whether the technical and socioeconomic challenges confronting the electoral and peace processes suggest the need for enhanced peacebuilding action. This issue is directly within the Council’s ambit. The case for more effective coordination and coherent resource mobilisation during this period could be considered as part of measures to move the peace process forward, especially since Côte d’Ivoire requested last year to be placed on the agenda of the PBC.

### Options

Options for the Council include:

- adopting a further statement in October on the elections, reinforcing the strong language of its September presidential statement;
- deciding on a simple renewal of the sanctions regime as well as the mandate of the Group of Experts without modifications, which is a likely option;
- alternatively modifying the sanctions regime and adding new names to induce compliance with the peace process;
- reducing the scope of application of the sanctions, to recognise progress already made (this option is perhaps more likely after a successful election);
- beginning the process of PBC engagement to facilitate enhanced peace consolidation; and
- implementing the penultimate paragraph of its presidential statement of 5 August (S/PRST/2009/24), in which it recognised the importance of introducing peacebuilding elements in peacekeeping operations before transfer to PBC.

### Council Dynamics

Council members seem agreed on the need to monitor the electoral situation closely and proactively in order to keep it on track. Their request in resolution 1880 for the Secretary-General to provide an update on developments signalled a stronger resolve to keep the issue under close scrutiny. It also showed determination to press Ivorian political leaders to adhere to the political timetable in the lead-up to the presidential elections.



Members are concerned about reports of a possible delay in holding the presidential elections. France said during the 30 July meeting that the “Council will not allow itself to be tricked by technical ploys” and if the 29 November elections were to be delayed, “the parties responsible will be clearly identified, and the Security Council will draw the necessary conclusions.” The Secretary-General’s upcoming report will be an influencing factor in their discussions.

Most Council members appear ready to keep the sanctions regime in place and renew the mandate of the Group of Experts.

Burkina Faso and France are the lead countries in the Council on this issue.

### UN Documents

#### Selected Council Resolutions

- S/RES/1880 (30 July 2009) extended the mandate of UNOCI until 31 January 2010.
- S/RES/1842 (29 October 2008) extended the sanctions regime until 31 October 2009 and decided that any obstruction to the electoral process would be subject to sanctions.
- S/RES/1643 (15 December 2005) renewed until 15 December 2006 the sanctions regime and established sanctions on diamonds.

#### Selected Presidential Statements

- S/PRST/2009/25 (29 September) was a presidential statement expressing concern about the delay in the publication of the Ivorian electoral list and expressing the Council’s intention to review the situation by 15 October 2009.
- S/PRST/2009/16 (29 May 2009) was a presidential statement welcoming the CPC’s 18 May communiqué.
- S/PRST/2008/42 (7 November 2008) expressed deep concern about the postponement of presidential elections, urged the Ivorian parties to

complete the identification and registration of voters operations before the end of January 2009 and expressed its determination to fully support the electoral process on the understanding that elections will be organised before the end of spring 2009.

- S/PRST/2008/11 (29 April 2008) welcomed the approval by the Ivorian authorities of the Independent Electoral Commission's proposal to postpone the presidential elections to 30 November 2008.
- S/PRST/2007/8 (28 March 2007) endorsed the Ouagadougou Agreement.

#### Latest Secretary-General's Report

- S/2009/344 (7 July 2009)

#### Selected Letters

- S/2009/5 (5 January 2009) and S/2008/793 (16 December 2008) were the letters from the Secretary-General appointing experts to the Côte d'Ivoire Sanction Committee's Group of Experts.
- S/2008/834 (30 December 2008) was the letter containing the fourth supplementary agreement to the Ouagadougou Agreement.
- S/2008/694 (11 November 2008) was a letter from Burkina Faso transmitting the press statement of the 10 November CPC meeting in Ouagadougou.

#### Other

- S/2009/446 (4 September 2009) was the letter from the Secretary-General to the president of the Council providing an update on the preparation of the provisional electoral list for the Ivorian presidential election.
- S/PV.6168 (23 July 2009) was the latest briefing by the Secretary-General's Special Representative, Choi Young-jin, on the situation in Côte d'Ivoire.
- S/2007/144 (13 March 2007) contained the Ouagadougou Agreement.

#### Other Relevant Facts

##### Special Representative of the Secretary-General

Choi Young-jin (Republic of Korea)

##### Force Commander

Major-General Fernand Marcel Amoussou (Benin)

##### Police Commissioner

Major-General Gerardo Cristian Chaumont (Argentina)

##### Chair of the Sanctions Committee

Claude Heller (Mexico)

##### Group of Experts

El Hadi Salah, Algeria (customs and coordinator of the Group of Experts)

Grégoire Bafouatika, Republic of Congo (aviation)

James Bevan, UK (arms)

Joel Hernando Salek, Colombia (finance)

Noora Jamsheer, Bahrain (diamonds)

##### Size and Composition of UNOCI

- *Strength as of 30 July 2009:* 8,394 total uniformed personnel, including 7,024 troops, 198 military observers; 1,172 police; supported by 407 international civilian personnel, 426 local staff and 288 UN Volunteers
- *Key troop-contributing countries:* Bangladesh, Ghana, Jordan, Morocco and Pakistan.

##### Approved Budget

1 July 2009-30 June 2010: \$491.77 million

## Chad/CAR

### Expected Council Action

The Council is expecting a report from the Secretary-General on the UN Mission in the Central African Republic and Chad (MINURCAT), due by 15 October.

The report will provide an update on security and humanitarian developments in eastern Chad and the northeastern Central African Republic (CAR), as well as progress made in the implementation of the MINURCAT mandate and fulfillment of benchmarks. MINURCAT's mandate expires on 15 March 2010.

### Key Recent Developments

On 28 July the Special Representative and Head of MINURCAT, Victor Da Silva Angelo, briefed the Council on implementation of the mandate and highlighted recent political, security and humanitarian developments.

He briefed on progress in the framework of the 2007 Political Accord in Chad, signed on 17 August between the government and the political parties. The Accord was designed to reinforce democratic processes in the country while addressing the two key issues of reforming the electoral process and stabilising the political situation. The Accord calls for an electoral census, an updated and transparent electoral register and formation of a National Independent Electoral Commission to organise and supervise the poll. To create a secure environment for elections the Accord calls for depoliticisation of the administration, freedom of expression, an independent judiciary and a social pact to ensure the security of citizens. The parliamentary elections were delayed to the end of 2009 to allow time for the agreement to be implemented.

The Chadian government seems ready to proceed with the planned elections, but a renewed focus on key components of the Accord seems urgent and it is necessary to ensure that election laws conform with the terms of the agreement and remain independent of government influence. The Secretary-General's report in July urged the Government of Chad and all stakeholders to move forward with the political process in making sure that it is more inclusive while addressing the root causes of the conflict.

The security situation in eastern Chad remains a concern. Recent political developments have not concretely addressed security of the population in the east. The crisis in neighbouring Darfur continues to generate tensions. The Secretary-General's report in July noted insecurity in eastern Chad and increased crime against humanitarian personnel. Aid workers in eastern Chad and Darfur continue to face insecurity while providing assistance to civilians.

In CAR, insecurity in the northeast remains a concern as armed groups and bandits continue to stage attacks, leading to displacement of civilians, including those who

fled their homes after rebels attacked the town of Birao in April. In addition, during the attacks on 6 and 21 June in the Vakaga region, most inhabitants were driven out of the area, which was already hosting some 300 refugees from Darfur and 3,000 internally displaced persons (IDPs). Aid workers in the area were evacuated to the UN base following the second attack.

In the last two months, insecurity restricted humanitarian work by limiting access to areas around Bokayanga, Kengar, Gonkira, Gbaizara and Batangafo (400 kilometres north of the capital Bangui). Civilians have been subjected to widespread cases of rape, killings, arbitrary arrests, torture, displacement and destruction of property. Most of these attacks have been perpetrated by armed cattle raiders, bandits or combatants in the area, including government soldiers.

Another serious problem in CAR is the presence of the Ugandan-based Lord's Resistance Army (LRA), which in August launched several attacks in Guli, Nguili Nguli and Maboussou. LRA raids in CAR displaced thousands of civilians in August, disrupting agricultural production and increasing food insecurity. In addition, large number of refugees and IDPs were caught in the latest attacks in several villages along the borders of CAR, the DRC and South Sudan. In September, government forces from CAR and Ugandan troops jointly fought LRA units which crossed into the CAR from the Democratic Republic of Congo.

### Sudan-Chad

The further deterioration of relations between the governments of Chad and Sudan following the incursion in May in eastern Chad was also a setback for the security of the broader region. The Doha Agreement, in which the parties on 3 May committed to refrain from using force against each other and cease providing support to armed opposition groups, was not respected by either side. Chad accused Sudan of supporting rebels during an attack in eastern Chad in May.

In July tensions between the two countries increased. Attacks in their territories, have impacted civilians living near the border area. On 20 July, the Secretary-General

issued a statement condemning increased violence in West Darfur and along the Chad-Sudan border. The Secretary-General called on both governments to increase their efforts to bring stability to the region.

### Key Issues

A key issue for the Council is whether MINURCAT forces are effectively supporting security in eastern Chad and in zones of deployment in the CAR. This is a key issue for humanitarian workers, refugees and displaced populations including returnees.

The deteriorating relations between Sudan and Chad are also a key issue.

A related concern is the limited prospect for safe and voluntary return of IDPs, which depends also on the management of local conflicts between ethnic groups in eastern Chad.

### Options

Options available to the Council include:

- taking action to encourage the full deployment of MINURCAT, which would boost security, especially in the east of Chad and in CAR;
- acting proactively to address the interstate conflict between Sudan and Chad by putting the issue specifically on the Council agenda; and
- taking action to request more cooperation among peacekeeping missions in the area, including UNAMID, MINURCAT and MONUC.

### Council Dynamics

Many Council members are concerned about the situation in eastern Chad and CAR. Some see the Chad-Sudan issue as essentially regional in nature, and feel that peacekeeping missions in the region (including MINURCAT and UNAMID) should coordinate much better in monitoring rebel movements. Others, including some African members, think that a bilateral approach among neighbouring countries is a better way of dealing with cross-border issues, including refugees and civilian protection.

Council members seem to agree on the need to press the parties to move forward with the implementation of the Doha Agreement of 3 May and the Dakar Agreement of 13 March 2008.



Most members support benchmarks highlighted in the Secretary-General's report. Some believe that benchmarks could be a useful way to evolve prevention strategies. Others think that benchmarks do not effectively address the complicated issues and security requirements. Nor do they adequately address condition for return of IDPs.

### UN Documents

#### Selected Security Council Resolutions

- S/RES/1861 (14 January 2009) renewed MINURCAT's mandate until 15 March 2010 and authorised the deployment of a military component to replace EUFOR.
- S/RES/1778 (25 September 2007) established MINURCAT and authorised EUFOR.

#### Selected Security Council Presidential Statements

- S/PRST/2009/13 (8 May 2009) condemned renewed military incursions in eastern Chad by "Chadian armed groups, coming from outside".
- S/PRST/2008/22 (16 June 2008) was a statement on the June rebel offensive in Chad.

#### Latest Secretary-General's Reports

- S/2009/359 (14 July 2009) was a report on MINURCAT.
- S/2009/277 (29 May 2009) was a report on the protection of civilians in armed conflict.
- S/2009/214 (23 April 2009) was the letter transmitting report on the activities of the EU military operation in Chad and CAR.
- S/2009/199 (14 April 2009) was a report on MINURCAT.

#### Other

- SG/SM/12373 (20 July 2009) was the statement of the Secretary-General condemning violence in West Darfur, Chad and Sudan border.
- S/PV.6121 and S/PV.6122 (8 May 2009) were verbatim records of the

Council meetings to discuss renewed cross-border rebel activity in Chad.

- S/2009/232 (6 May 2009) was a letter from Chad requesting a Council meeting on the situation between Chad and Sudan.
- S/2009/231 (5 May 2009) was the note verbale from the Chadian government accusing Sudan of facilitating the renewed cross-border rebel activity.

### Other Relevant Facts

#### MINURCAT: Special Representative of the Secretary-General

Victor da Silva Angelo (Portugal)

#### MINURCAT: Size, Composition and Cost

- *Authorised strength as of 14 January 2009:* 300 police, 25 military liaison officers, 5,200 military personnel and an appropriate number of civilian personnel
- *Strength as of 31 July 2009:* 2,623 total uniformed personnel, including 2,352 troops, 21 military observers, and 250 police officers, as well as 398 international civilian personnel, 302 local civilian staff, and 111 UN volunteers.
- *Main police contributors:* Côte d'Ivoire, Senegal, Burkina Faso, Benin and France
- *Main military contributors:* France and Ireland
- *Cost:* approved budget 1 July 2009–30 June 2010: \$690.75 million

#### MINURCAT: Duration

September 2007 to present; mandate expires 15 March 2010

## Security Council Elections 2009

### Expected Action

In October (possibly the fifteenth) the General Assembly will hold elections for five Security Council seats which have two-year terms. The new members will take their seats on 1 January and will serve in 2010 and 2011. In accordance with usual practice the Council is expected to invite the incoming members to observe its work, including its informal consultations, for a period four weeks at the end of 2009.

Security Council Report has published a *Special Research Report* on the 2009 Security Council Elections which provides detailed analysis of Security Council elections, including details about the five candidates and an in-depth explanation of the electoral process and the established practices of the regional groups.

### Background

The candidates for election in 2009 are:

- Nigeria and Gabon (for the two African seats);
- Lebanon (for the one Asian seat);
- Brazil (for the one Latin American and Caribbean (GRULAC) seat); and
- Bosnia and Herzegovina (for the one Eastern European seat).

At press time it appears that all five seats will be uncontested.

**Africa Seats:** Nigeria and Gabon have been endorsed by the AU for the two available African seats. Nigeria has had three terms on the Council: 1966-1967, 1978-1979 and 1994-1995. Gabon has had two: 1978-1979 and 1998-1999.

**Asian Seat:** Lebanon won regional endorsement in 2008 from the Asian group in 2008. The last time that Lebanon, a founding member of the UN, served on the Council was 1953-1954.

**Eastern European Seat:** Bosnia and Herzegovina is the only candidate for the Eastern European seat. Poland, which had also been a candidate, withdrew in October 2008. Bosnia and Herzegovina has never been on the Council (although it was part of

Yugoslavia when that country had four Council terms).

**GRULAC Seat:** Brazil, the only candidate for the GRULAC seat, was endorsed by the group in February 2009. Brazil is one of the UN's founding members and was part of the first group of elected Council members in 1946. Since then it has been on the Council nine times, most recently in 2004-2005.

Having won endorsement by their regional groups, all five candidates are in practice assured of election by the General Assembly. This is the first time since 2004 where the number of candidates equals the number of available seats. However, because these are elections to a principal UN organ, formal balloting is required even though the five candidates will most likely not be facing any competition. (General Assembly decision 34/401, paragraph 16, allows the Assembly to dispense with elections where there is a "clean slate" from a regional group, but this applies only to subsidiary organs and therefore does not apply to Council elections.)

All five candidates will need to secure two-thirds of the votes of those present and voting.

If no new candidates emerge at the last minute the ten non-permanent Council members in the 2010-2011 Council will be: Austria, Bosnia and Herzegovina, Brazil, Gabon, Japan, Lebanon, Mexico, Nigeria, Turkey and Uganda.

The table below illustrates the number of seats available to the different regions in the election, the declared candidates and their previous terms on the Council.

Region	Available Seats in the 2009 Election	States Running	Years Served on the Council
Africa	2	Nigeria	Three terms comprising six years (1966-1967, 1978-1979, 1994-1995)
		Gabon	Two terms comprising four years (1978-1979, 1998-1999)
Asia	1	Lebanon	One term comprising two years (1953-1954)
Eastern Europe	1	Bosnia and Herzegovina	has never served
Latin America & Caribbean	1	Brazil	Nine terms comprising 18 years (1946-1947, 1951-1952, 1954-1955, 1963-1964, 1967-1968, 1988-1989, 1993-1994, 1998-1999, 2004-2005)

## Obligatory Abstention Issue

A procedural issue that may arise during 2010-2011 flows from the fact that two new members of the Council—Lebanon and Bosnia and Herzegovina—are actually themselves on the Council's agenda. The possible conflict of interest that could arise from such a situation was foreseen in the UN Charter. Article 27 (3) provides:

*Decisions of the Security Council ... shall be made by an affirmative vote of nine members including the concurring votes of the permanent members; provided that, in decisions under Chapter VI, and under paragraph 3 of Article 52, a party to the dispute shall abstain from voting.*

In the early days of the UN there were a number of examples of the use of article 27(3). In 1947 the UK abstained from voting on the Corfu Channel Question and in 1950-1951 India abstained on three resolutions on the India-Pakistan question. Both expressly referred to article 27(3).

Council decisions on the UN Interim Force in Lebanon or issues relating to Bosnia and Herzegovina may lead to questions about whether article 27(3) is applicable.

Our 2009 Special Research Report will provide more background on the question.

## Peace and Security Concerns

Council members will also be conscious of the fact that for some of the new members joining the Council in 2010 recent signs of political fragility could portend complications.

- Over the last year there has been an increase in divisive rhetoric challenging the sovereignty and constitutional order in Bosnia and Herzegovina. Leading political parties are also finding it increasingly difficult to agree on a basic political structure for Bosnia and Herzegovina.
- Gabon's recent 30 August election results were disputed by the opposition which called for a poll recount.
- At the time of writing Lebanon was still trying to form a government following elections on 7 June.

## International Court of Justice

### Expected Council Action

The president of the International Court of Justice (ICJ), Hisashi Owada of Japan is expected to brief the Council in October. This briefing, which has been held annually since the practice was first established in 2000, normally coincides with the president's presentation of the Court's annual report to the General Assembly. (The president is invited to brief the Council under rule 39 of the Council's Provisional Rules of Procedure, which allows the Council to invite a person to provide it with information.)

The briefing normally takes place in a closed meeting and no Council decision is expected. It will be Judge Owada's first appearance before the Council since succeeding Rosalyn Higgins of the UK on 6 February. He is expected to give a presentation on the overall activities of the ICJ and discuss the relationship between the Council and the Court.

At press time the ICJ annual report covering the period from August 2008 through July 2009 had yet to be released.

### Background on the ICJ

The ICJ is one of the UN's six principal organs. All UN member states are parties to the ICJ Statute, which is an annex to the UN Charter. The ICJ is the only international court of a universal character with general jurisdiction. The Court is composed of 15 judges, elected for terms of office of nine years in separate but simultaneous elections by the General Assembly and the Council. (For more details on the elections, please refer to our November 2008 *Forecast*.)

As of September, 66 of the 192 states parties to the ICJ Statute had submitted to the Secretary-General a declaration of acceptance of compulsory jurisdiction. States that have not done so may also consent to take a dispute between them to the ICJ through special agreement. In addition, some 300 bilateral and multilateral treaties provide for ICJ jurisdiction in the resolution of disputes arising out of the treaties' application.



The ICJ and the Council have an important nexus established by the Charter. In the event that a state fails to abide by an ICJ decision, the other party may have recourse to the Council. Under the Charter, the Council may then make recommendations or decide upon measures to give effect to the ICJ's decision.

The ICJ also exercises advisory jurisdiction through a procedure allowing intergovernmental organisations to request advisory opinions. The 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 UN organs or agencies to request advisory opinions from the ICJ.

The most recent advisory case, which is still pending, was the General Assembly's request in a resolution adopted in October 2008 for an advisory opinion on the legality of Kosovo's unilateral declaration of independence of 17 February 2008. The opinion is expected sometime in 2010.

### UN Documents

#### Selected General Assembly Documents

- A/63/4 was the annual report of the ICJ to the General Assembly covering the period 1 August 2007-31 July 2008.
- A/63/PV.34 was the meeting record from the 2008 presentation of the ICJ's report to the General Assembly.

#### 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.

## Notable Dates for October

Reports for consideration in October	Document Requesting Report
16 September	<i>SG report on Women, Peace and Security (S/2009/465)</i> S/PRST/2008/39
30 September	<i>SG report on Timor-Leste (UNMIT)</i> S/RES/1867
30 September	<i>SG report on the DRC (MONUC)</i> S/RES/1856
30 September	<i>SG report on Côte d'Ivoire (UNOCI)</i> S/RES/1880
30 September	<i>SG report on Kosovo (UNMIK)</i> S/RES/1244
30 September	<i>SG report on Somalia</i> S/RES/1872
late September	<i>SG report on Sudan (UNMIS)</i> S/RES/1881
15 October	<i>DRC Group of Experts</i> S/RES/1857
22 October	<i>SG report on Iraq-Kuwait (missing persons and return of property)</i> S/2006/469
by end of October	<i>SG report on Chad/CAR (MINURCAT)</i> S/RES/1861

October 2009	Mandates Expire	Relevant Document
13 October	<i>International Security Assistance Force to Afghanistan (ISAF)</i>	S/RES/1833
15 October	<i>Haiti (MINUSTAH)</i>	S/RES/1840
15 October	<i>Sudan Panel of Experts</i>	S/RES/1841
31 October	<i>Côte d'Ivoire Sanctions and Group of Experts</i>	S/RES/1842

October 2009	Other Important Dates
9 October	<i>The village (suco) and sub-village (aldeia) elections for chiefs and councils in Timor-Leste are due.</i>
15 October	<i>The General Assembly is expected to hold elections for five Security Council seats.</i>
31 October	<i>The mandate for the High-Level Coordinator for Iraq-Kuwait missing persons and property ends.</i>

Also expected in October:

- The president of the ICJ, Hisashi Owada, is expected to brief the Council.
- The Secretary-General's Special Representative and head of UNMIK, Lamberto Zannier, is likely to brief the Council.
- Secretary-General's Special Representative for Timor-Leste, Atul Khare, is likely to brief the Council.
- The Council is expected to hold an open debate on the implementation of resolution 1325 on women, peace and security.
- The Somalia Monitoring Group is scheduled to provide its midterm briefing to the Sanctions Committee.
- The final report of the Group of Experts for Côte d'Ivoire is expected.
- Special Envoy Terje Rod-Larsen is expected to brief the Council on the implementation of resolution 1559 concerning Lebanon.

## Important Dates over the Horizon

- Local elections are expected in Kosovo on 15 November 2009.
- Presidential elections are expected in Côte d'Ivoire on 29 November 2009.
- The Council is expected to review the extension of the terms of permanent judges in the ICTR/ICTY who were members of the Appeals Chamber by 31 December 2009.
- Legislative elections in Chad are slated for late 2009.
- The Human Rights Council will conduct its Universal Periodic Review of Côte d'Ivoire and the DRC on 3 December.
- Parliamentary elections in Afghanistan are scheduled for 2010.
- Parliamentary elections for Iraq are provisionally scheduled for January 2010.
- Palestinian presidential and legislative elections are to be held in January 2010.
- The trial of former Liberian President Charles Taylor is expected to continue until February 2010 with a possible ruling in July and a sentencing in August.
- Elections (presidency and parliament, south Sudanese presidency, state governors, southern parliament and state assemblies) in Sudan are expected in April 2010.
- General elections in Myanmar are slated for 2010.
- The ICJ is expected to make an advisory opinion on the legality of Kosovo's February 2008 unilateral declaration of independence sometime in 2010.
- Presidential and legislative elections in Liberia are scheduled for 2011.

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