



SECURITY COUNCIL REPORT

MONTHLY FORECAST

JAN 2010



30 December 2009

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

OVERVIEW FOR JANUARY

China will hold the presidency of the Council in January.

An open debate on cooperation between the UN and regional and subregional organisations is planned towards the end of the month.

Two UN operations' mandates expire in January: the UN Mission in **Nepal** (UNMIN) on 23 January and the UN Operation in **Côte d'Ivoire** (UNOCI) on 31 January. Also, the Council authorisation for the AU Mission in **Somalia** (AMISOM) expires on 31 January.

The Council will receive several **briefings** in January:

- On **Afghanistan**, a briefing by Special Representative of the Secretary-General Kai Eide is expected, presenting the most recent report of the Secretary-General and an update on recent developments in the country. This is likely to be followed by a debate.
- On **Côte d'Ivoire**, Special Representative of the Secretary-General Choi Young-jin is expected to brief prior to the Council's expected renewal of UNOCI.
- A briefing on **Nepal**, by the Representative of the Secretary-General Karin Landgren

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Aide-Memoire

Important matters pending include:

- The quarterly reports of the International Security Assistance Force in **Afghanistan** continue to be seriously delayed. (The last report, released in June, covered the period from August 2008 to January 2009).
- 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 2009 (S/2009/250).
- Reports from the **Kosovo** Force (KFOR) have disappeared. The last one available covers the period from 1 to 31 July 2008.
- In December 2008 and January 2009, in resolutions 1850 and 1860, the Council was actively involved in calling for renewed and urgent efforts to achieve a comprehensive peace in the **Middle East** (and welcomed plans for a high-level international meeting in Moscow in 2009). By contrast, as 2009

draws to an end the Council's voice is silent.

- The Secretary-General continues to delay responding to the mandate to assist with the delineation of the international borders of Lebanon, especially **Sheb'a Farms**, in accordance with resolution 1701.
- 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 latest report of the **Lebanon Independent Border Assessment Team**, issued on 25 August 2008, still awaits Council consideration (S/2008/582).
- 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).

- The December 2004 report by the Secretary-General on human rights violations in **Côte d'Ivoire**, requested in a May 2004 presidential statement (S/PRST/2004/17), has still not been made public. Also on Côte d'Ivoire, the December 2005 report by the Secretary-General's Special Adviser on the Prevention of Genocide has not been published.
- UNAMI reports on human rights in **Iraq**, in the past produced every two to three months, have decreased in their frequency and regularity. The last report, released in December 2009, covered the period from 1 January to 30 June 2009.
- In a presidential statement on **Darfur** in July 2008 (S/PRST/2008/27) the Council welcomed the UN investigation underway into the 8 July 2008 attack against UNAMID peacekeepers. The Council has not followed up this investigation.

is expected prior to the likely renewal of the UNMIN mandate.

- The Special Representative of the Secretary-General for **Somalia**, Ahmedou Ould-Abdallah, is likely to brief on developments in that country prior to the expected renewal of the AMISOM authorisation.
- The Special Representative of the Secretary-General for **Kosovo**, Lamberto Zannier, is expected to update the Council on recent developments and a debate is likely.
- A briefing on **West African** issues is also expected by the Special Representative of the Secretary-General and head of

the UN Office for West Africa (UNOWA), Said Djinnit.

- A briefing on **Central Asian** issues is expected from the head of the UN Regional Centre for Preventative Diplomacy for Central Asia (UNRCCA).
- There is a possibility of a briefing on **Sudan** by the Under-Secretary-General for Peacekeeping Operations, Alain Le Roy.
- There will also be the monthly briefing on the **Middle East** and at press time discussions were still continuing on a possible debate.

Consultations are expected on the report of the International Commission of Inquiry investigating the 28 September 2009

government forces crackdown on pro-democracy demonstrators in **Guinea**.

There will also be Council decisions on allocation of the chairpersons of the subsidiary bodies and of the Council elected members of the Peacebuilding Commission.

The Council is also expecting in January a report from its **Counter-Terrorism** Committee dealing with weapons of mass destruction (1540 Committee) and to receive proposals from the Secretary-General for monitoring and reporting on the protection of women and children from rape and other sexual violence in armed conflict and post-conflict situations, as requested by resolution 1888.

Status Update since our December Forecast

- **International Criminal Tribunals:** On 3 December the presidents and prosecutors of the International Criminal Tribunals for the former Yugoslavia (ICTY) and for Rwanda (ICTR) briefed on implementation of the Tribunals' completion strategies (S/PV.6228). The Tribunals' reports were circulated to Council members in November (S/2009/587 and S/2009/589). On 16 December the Council, responding to requests from the Tribunals, adopted resolutions 1900 and 1901 authorising expanding capacity of ad litem judges to temporarily exceed the maximum allowed by the statutes and allowing two ad litem judges. The Council underlined its intention to extend by 30 June 2010 the terms of office of all trial judges until 31 December 2012 or until completion of their cases if sooner.
- **Drug Trafficking:** On 8 December the Council held an open debate on drug trafficking as a threat to international security (S/PV.6233 and resumption 1). The Foreign Minister of Burkina Faso, Alain Yoda, presided and the Secretary-General participated. The executive director of the UN Office on Drugs and Crime, Antonio Maria Costa, also spoke. All regional groups' representatives participated along with the AU, the EU, the Non-Aligned Movement, and the Economic Community of West African States. The Council adopted a presidential statement (S/PRST/2009/32) recognising that drug trafficking and related

transnational organised crime activities are a serious threat to international peace and security. Council members stressed the importance of strengthening transregional and international cooperation to counter the problem. They asked the Secretary-General to mainstream the issue of drug trafficking as a factor in conflict prevention strategies, conflict analysis, integrated missions' assessment and planning and peacebuilding support. The Council also asked the Secretary-General to provide more information on drug trafficking where it raises risks to international peace and security.

- **Cyprus:** In informal consultations on 9 December Council members heard briefings by the Secretary-General's Special Adviser on Cyprus, Alexander Downer, and the Secretary-General's Special Representative, Deputy Special Adviser and Head of the UN Peacekeeping Force in Cyprus (UNFICYP), Tayé-Brook Zerihoun. The Secretary-General had issued separate reports on UNFICYP (S/2009/609) and on his good offices mission for Cyprus (S/2009/610). On 14 December the Council renewed UNFICYP's mandate for a further six months until 15 June 2010 (S/RES/1898). Turkey voted against the resolution (all others were in favour) and gave an explanation of vote (S/PV.6239) stating that it could not support a resolution implying a single government of the whole island.
- **Iran:** On 10 December 2009 the chair of the

1737 Committee on Iran sanctions, Ambassador Yukio Takasu of Japan, briefed the Council (S/PV.6235) on reports of sanctions violations involving arms shipments from Iran aboard the *Hansa India* in October 2009 and aboard the *Francop* in November 2009. Takasu expressed the Committee's grave concern over "an apparent pattern of sanctions violations" on the part of Iran.

- **Burundi:** On 10 December the Executive Representative of the Secretary-General for Burundi and head of the UN Integrated Office in Burundi (BINUB), Youssef Mahmoud, briefed the Council (S/PV.6236) on the latest report of the Secretary-General on situation in the country (S/2009/611). On 17 December the Council adopted resolution 1902 extending the mandate of BINUB until 31 December 2010. It called for international support for next year's national elections in Burundi while expressing concern about continuing human rights violations, restrictions on civil liberties and political violence (S/PV.6245).
- **Counter-Terrorism Committee:** On 14 December 2009 outgoing chair of the Counter-Terrorism Committee (CTC), Ambassador Ranko Vilić of Croatia, briefed the Council (S/PV.6238). He stressed that the ongoing cooperation of member states is essential to CTC's stocktaking process, which has proved to be complex and lengthy. Council members held informal consultations on CTC's updated global

Status Update since our December Forecast (continued)

survey of implementation on the same day.

- **Central African Republic (CAR):** On 15 December the Council was briefed by the Special Representative and head of the UN Peacebuilding Support Office in CAR (BONUCA), Sahle-Work Zewde, on the activities of the mission and the latest report of the Secretary-General on situation in the country (S/2009/627). On 21 December the Council adopted a presidential statement (S/PRST/2009/35) welcoming the establishment of the UN Integrated Peacebuilding Office in CAR (BINUCA) on 1 January 2010. It also requested the Secretary-General to make recommendations regarding benchmarks for BINUCA.
- **Ad-Hoc Working Group on Conflict Prevention and Resolution in Africa:** On 15 December the Council extended the work of the Ad-Hoc Working Group for Conflict Prevention and Resolution in Africa until 31 December 2010 (S/2009/650).
- **Golan Heights:** On 16 December the Council renewed the UNDOF mandate until 30 June 2010 in resolution 1899 following consideration of the latest Secretary-General's report (S/2009/597). According to its practice on this issue, the Council also adopted a presidential statement (S/PRST/2009/34) noting the Secretary-General's observations that the situation in the Middle East would remain tense until a comprehensive settlement on all aspects of the Middle East can be reached. (S/PV.6241)
- **Middle East:** On 17 December the Council was briefed by the UN Special Coordinator for the Middle East Peace Process, Robert Serry (S/PV.6248) followed by consultations. Serry told the Council that if progress towards resuming negotiations isn't achieved then both the Palestinian Authority and the two-state solution are at risk.
- **1267 Committee:** On 17 December 2009,

the Council unanimously adopted resolution 1904 which renewed the mandate of the 1267 Committee (Al-Qaida and Taliban sanctions) Monitoring Team for 18 months. Members of Al-Qaida and the Taliban identified on the consolidated list will continue to be subject to asset freezes, travel bans and weapons bans (S/PV.6247). The resolution also includes significant changes designed to improve due process, including creation of an Office of the Ombudsperson. The Ombudsperson will serve as a point of contact for individuals and entities requesting that they be delisted, and will compile information on individual delisting requests from various sources including Committee members and the individual or entity involved. Also, Committee members are called on to provide reasons when they object to delisting requests. The revised procedure is intended to ensure that pending delisting requests are addressed by the Committee within six months, member states provide listed individuals with a narrative summary of their listing and a description of effects of their listing, and improved procedures for considering delisting requests including the possibility of submitting requests to the Ombudsperson.

- **Liberia:** On 17 December the Council adopted resolution 1903 renewing targeted sanctions for 12 months and readjusted the arms embargo to allow the Liberian government, as well as the UN Mission in Liberia (UNMIL), to receive certain military materiel for the same time period. The Council also extended until 20 December 2010 the mandate of the Panel of Experts monitoring the implementation of the sanctions. (S/PV.6246)
- **Guinea:** On 18 December the Secretary-General submitted to the Council the report of the International Commission of Inquiry

investigating the 28 September government forces crackdown on pro-democracy demonstrators in Guinea. On 21 December Council members were briefed by the UN Department of Political Affairs on key elements contained in the report. Council members subsequently decided to await the translation of the report (from the original French version) before formally considering it.

- **Iraq:** On 21 December 2009 the Council adopted resolution 1905 extending the arrangements and related immunities for the Development Fund for Iraq (DFI) and the International Advisory and Monitoring Board (IAMB) until 31 December 2010. The Council called on the government of Iraq to put in place an action plan and timeline by 1 April to ensure the transition to a post-DFI mechanism by 31 December 2010. (S/PV.6249)
- **DRC:** On 23 December, the Council adopted resolution 1906 extending the mandate of the UN Organization Mission in the Democratic Republic of the Congo (MONUC) but only for 5 months until 31 May 2010. It reprioritised MONUC's focus onto protection of civilians and addressed in detail violations of international law, including from sexual violence, accountability, impunity, reform of the security sector and misuse of national resources. The Council issued a press release (SC/9832) expressing concern over attacks on civilians and mentioned that MONUC will withdraw from supporting DRC units found to have breached human rights, humanitarian or refugee law. The Council also requested the Secretary-General to conduct a strategic review of the situation in the DRC and MONUC's progress towards achieving its mandate so that discussions could begin on drawdown but in such a way as to avoid the risk of relapse into instability. (S/PV.6253)

Nepal

Expected Council Action

In mid-January the Council is expected to receive a briefing from Karin Landgren, the Secretary-General's Representative and head of the UN Mission in Nepal (UNMIN). It will also discuss the future of UNMIN, whose mandate expires on 23 January.

The Secretary-General's report is due 11 January.

At press time, Council members were still waiting for a formal request from the Nepal government. However, there are indications that a six-month extension is likely.

Key Recent Developments

The situation between the Nepal govern-

ment and the Maoists remains tense. The Maoists continue public protests over what they see as the president's unconstitutional decision in May 2009 to overrule their decision to dismiss the head of the army, who had refused to integrate Maoist fighters into the national military. On 18 December 2009 Maoist supporters pelted the convoy of the minister of energy, injuring six people.

The Maoists led a general strike from 20 to 22 December 2009. On 20 December strikers clashed with police leading the Office of the High Commission for Human Rights to call on all groups to use restraint, to avoid provocation and reduce tension through dialogue.

By 18 December 2009 the Unified Communist Party of Nepal-Maoist (UCPN-M) unilaterally declared the existence of 13 “autonomous states” based on the party’s federal model. The Maoist chairman and former Nepalese prime minister, Pushpa Dahal, warned during a public rally that these autonomous states could one day work as a parallel government.

The Special Representative of the Secretary-General for Children and Armed Conflict, Radhika Coomaraswamy, visited Nepal from 14 to 17 December 2009 to try to accelerate the release of almost 3,000 individuals who have been in cantonments for the last three years despite having been verified as minors by the UN. She met with the Minister for Peace and Reconstruction, Rakam Chemjong, and the commander of the Maoist People’s Liberation Army, Nanda Kishore Pun, as well as Dahal on 16 December to discuss the release of former child soldiers.

On 16 December 2009 the Nepalese government and the UCPN-M signed an action plan committing both sides to release the former child combatants over a forty day period starting on 27 December 2009. The signing of an action plan is a successful first step in removing the Nepalese party from the Secretary-General’s list of parties which recruit and use children. (The list is published in his regular reports on Children and Armed Conflict.)

On 6 November 2009 the Council was briefed by Landgren. She said the peace process had faced a “protracted deadlock, with the added risk of confrontation” and suggested a review of the progress of implementing the major peace agreements. The Nepalese permanent representative also spoke during the briefing and expressed unhappiness with the assessment in the Secretary-General’s report that a “Government of national unity remains desirable” for promulgation of a new

constitution and successful integration and rehabilitation of Maoist combatants.

On 25 November 2009 Nepal’s parliament passed its budget, averting a financial crisis, after the Maoists lifted their blockade of parliament.

Human Rights-Related Developments

On 25 December, the Office of the High Commissioner for Human Rights in Nepal expressed serious reservation about the decision to promote a general who had been in charge of a brigade implicated in torture, arbitrary detention and disappearances in 2004, to be the second-in-command in Nepal’s army.

On 8 December 2009, Richard Bennett, the Representative of the UN High Commissioner for Human Rights in Nepal addressed the Joint Forum for Human Rights in Kathmandu and expressed the hope that the government would soon issue an invitation to the UN Special Rapporteur on the situation of human rights defenders, Margaret Sekaggya, to visit Nepal. Special rapporteurs have been requesting permission to visit since 2003, with the latest request made in June 2009. However, no visits have been authorised by the Nepalese government.

In a joint report released on 15 October 2009, Human Rights Watch and Advocacy Forum said that three years after the end of armed conflict, the Nepalese government had failed to conduct credible investigations and to prosecute those responsible for extrajudicial killings, torture and enforced disappearances.

Following a visit to Bardiya district on 9 December 2009, one year after the UN issued a report, envoys to Nepal from eight nations and the EU called for an end to impunity for those responsible for disappearances during the civil war.

Key Issues

The key issue for the Council is whether the current situation in Nepal points toward extending UNMIN’s mandate for a further

period. A closely related issue is whether the Council should simply roll over UNMIN’s existing mandate or whether it is appropriate to now also include explicit language regarding an exit strategy. When the mission was set up in 2007, members agreed it should be of limited duration. If the mandate is renewed, it will be the fifth renewal for the mission that had an original life expectancy of one year.

A related key issue is what the Council can do to encourage the government to address the underlying issues that limit UNMIN’s capacity to fulfill its mandate in the near future.

A connected issue is the slow progress by Nepal’s Army Integration Special Committee and how the Council can encourage it to take concrete decisions on the reintegration of the two armies.

Also an issue is what the Council might do to alleviate some of the stresses on the peace process and encourage its resumption.

Related to this is the question of how to lessen tensions between the government and the Maoists. Some observers are concerned that the current stalemate may derail the peace process.

An ongoing issue is the de facto impunity for human rights violations committed by both sides during the ten-year civil war.

A major issue, now partly resolved, is the issue of child soldiers. The action plan signed by the Nepalese government, the UCPN-M and the UN to release former child soldiers is an important step. However, a key issue will be monitoring progress and ensuring the parties are keeping to the agreed timeline.

A growing issue is the difficult relationship between the Nepalese government and UNMIN. Recently, aspects of the Secretary-General’s reports and Landgren’s briefings have not been well received by the government side, but the UN is trying to maintain a careful balance between the parties. A related issue is the application of the Brahimi Report dictum that the Council should be briefed as frankly as possible.

A continuing issue is whether a new constitution can be drafted by May and the impact

on the peace process and the UNMIN role if this deadline is not kept.

Options

Options for UNMIN's renewal are:

- rolling-over UNMIN's mandate with no change for six months;
- renewing UNMIN's mandate for six months with language signaling an exit strategy, a process to start within three months and steps taken towards implementation by July 2010;
- renewing UNMIN for three months and asking for an exit strategy to be developed within that timeframe;
- widening UNMIN's mandate to include more explicit involvement in the peace process and reconciliation process; and
- not renewing UNMIN. (This seems unlikely as most members are against a sudden withdrawal.)

Further options include:

- inviting the Special Representative of the Secretary-General for Children and Armed Conflict to brief Council members;
- developing language for conveying the Council's concern over the fragility of the peace process on the one hand and the need for an exit strategy for UNMIN on the other;
- using the informal interactive dialogue format (used for Sri Lanka) for both parties to the conflict to provide informal background for the Council;
- developing ways in which the UN could assist Nepal in conflict prevention mediation (among the options could be involvement of the Mediation Support Unit);
- considering whether an independent and impartial review of the implementation of the Comprehensive Peace Agreement of 2006 would be useful and who would be best placed to conduct it;
- considering a Council visit to Nepal to familiarise members better with the situation on the ground before further decisions are taken on the mission's future, and to signal the Council's concern; and
- initiating a series of informal meetings with Nepal's neighbours and key donors to discuss options for reducing UNMIN's arms monitoring role such as consolidation of sites and considering alternatives to UN arms monitoring.

Council Dynamics

Many Council members appear to want more than just a rollover of UNMIN's mandate. There is increasing frustration with the lack of progress in creating conditions that would allow UNMIN to leave. Members are equally concerned about the fragility of the peace process. There seems to be general agreement that a responsible withdrawal is needed rather than a sudden shut down of the mission.

Some members are keen for the Secretary-General's report to provide a frank assessment of what the UN sees as UNMIN's future role in Nepal in order to assist them in assessing options on the mission's future.

The UK is the lead country on this issue. It has been encouraging stronger language in resolutions renewing UNMIN's mandate. France, the US and some non-permanent members (notably Mexico and Austria) also feel that UNMIN's current mandate cannot continue without change. Turkey seems cautious about the idea of discussing an exit strategy before the political situation has settled.

China and Russia seem reluctant to depart from the original mandate or to put too much pressure on the Nepalese government. It remains to be seen whether the Council is ready for some flexibility in terms of an exit strategy within a modified mandate. Final positions are likely to be strongly influenced by the Nepalese government's actual request.

Some members are also grappling with the need to find ways of reducing peace-keeping budgets and therefore need to give good reasons for renewing missions like UNMIN.

Nepal is not expected to be a high priority for most of the new members coming into the Council. However, Brazil and Nigeria have personnel in UNMIN and could take a more active interest.

UN Documents

Security Council Resolutions

- S/RES/1879 (23 July 2009) extended UNMIN until 23 January 2010.
- S/RES/1740 (23 January 2007)



established UNMIN for 12 months.

Selected Reports of the Secretary-General

- S/2009/553 (26 October 2009) was a report reviewing progress in the peace process and implementation of UNMIN's mandate.
- S/2000/809 (21 August 2000) was the Brahimi Report.

Other

- S/PV.6214 (6 November 2009) was the meeting record of the 26 October 2009 report and the briefing by the Secretary-General's representative to Nepal.
- S/2009/360 (14 July 2009) contained Nepal's request for an extension of UNMIN.

Other Relevant Facts

Special Representative of the Secretary-General and Head of Mission

Karin Landgren (Sweden)

Size and Composition

About 261 including about seventy arms monitors

Duration

23 January 2007 to 23 January 2010

Useful Additional Source

Still Waiting for Justice: No End to Impunity in Nepal, Human Rights Watch, 15 October 2009

Côte d'Ivoire

Expected Council Action

In January the Council is expected to consider the Secretary-General's report on the UN Operation in Côte d'Ivoire (UNOCI) and to renew the mandate of UNOCI, which expires on 31 January. The Secretary-General's Special Representative for Côte d'Ivoire, Choi Young-jin, is likely to brief the Council.

Key Recent Developments

On 29 October 2009 the Council renewed for another year the arms embargo and diamond trade ban in Côte d'Ivoire, as well as targeted sanctions restricting the travel of individuals. It indicated that it would review these measures contingent on the holding of free and fair presidential elections and progress in implementing key steps of the 2007 Ouagadougou Agreement aimed at resolving Côte d'Ivoire's armed conflict.

Afterwards the Permanent Representative of Côte d'Ivoire, Ambassador Ilahiri Alcide Djédjé, expressed disappointment because the government had expected a clear commitment by the Council to lift sanctions after the presidential elections. He said that while the AU had initiated sanctions against his country in 2004, it and the Economic Community of West African States (ECOWAS) had subsequently been pushing for their lifting. On 24 April 2009 the Ivorian delegation had requested the Council to review sanctions imposed on certain Ivorian political actors, taking into account the current context of peace and reconciliation and the commitment of those individuals to achieving those goals. Djédjé said his government would subsequently take steps at ECOWAS and the AU to have the sanctions against individuals lifted immediately and the arms embargo lifted three months after the presidential elections.

On 23 November 2009 the Ivorian Independent Electoral Commission published the provisional list of voters. (The list was originally scheduled to be published by the end of August 2009 but was delayed because of technical difficulties.)

Also on 23 November the head of UNOCI, Choi Young-jin, following a visit to centres in Abidjan where the provisional electoral list had been posted, indicated that UNOCI had analysed the list and had not detected any political manipulation. Choi said the provisional list provided a good basis for a definitive electoral list.

At the sixth meeting of the Permanent Consultative Framework (*Cadre permanent de concertation*, or CPC) of the Ouagadougou Agreement on 3 December 2009, the

main Ivorian political actors decided to postpone the first round of presidential elections until the end of February or the beginning of March 2010 due to technical and financial constraints. The CPC members endorsed the following stages, recommended by the chairman of the Ivorian Independent Electoral Commission:

- handling complaints regarding the provisional electoral list in December 2009;
- preparing and issuing the final electoral list, the lists of persons authorised to vote at each polling station, voter registration cards and national identity cards in January 2010;
- issuing voter registration and national identity cards and electoral campaigning in February 2010; and
- holding the first round of the presidential elections in late February or early March 2010.

The CPC invited the Electoral Commission to propose to the government a date for the first round of the presidential election as soon as possible, while taking these stages into account. (The CPC was established in 2007 following the Ouagadougou Agreement and involves Ivorian President Laurent Gbagbo, former rebel *Forces nouvelles* leader Prime Minister Guillaume Soro and the leaders of the main opposition parties, former prime minister Alassane Ouattara and former president Henri Konan Bédié.)

On 7 December 2009 Council members were briefed during consultations by the UN Under-Secretary-General for Peacekeeping Operations, Alain Le Roy, on the situation in the country. His briefing highlighted the conclusions of the sixth meeting of the CPC.

On 8 December 2009 the Council adopted a presidential statement in response to the decision to delay the election till the end of February or the beginning of March 2010. It urged Ivorian actors to address remaining tasks and to hold open, free, fair and transparent presidential elections at the earliest possible date.

On 18 December UNOCI announced that it was taking action to investigate allegations of sexual abuse and exploitation among its military personnel, with some incidents dating back to 2006.

Human Rights-Related Developments

The UN Human Rights Council's Universal Periodic Review Working Group evaluated the fulfilment of human rights obligations by Côte d'Ivoire on 3 December. The Working Group noted that concrete steps had been taken towards improving human rights, and encouraged Côte d'Ivoire to make further improvements on a number of fronts, including ending impunity from prosecution for acts of violence.

In response to the review, Côte d'Ivoire indicated that once it was out of the current crisis it intended to focus on reinforcing the rule of law. It accepted over one hundred recommendations made during the review, some of which had already been put into effect, and undertook to examine and respond to a further forty recommendations.

Key Issues

The latest in a series of postponement of presidential elections and ongoing security concerns underscore the fragility of the situation ahead of the upcoming expiration of UNOCI's mandate. The key issue for the Council will be whether to adjust the mission's mandate in January or wait until after the elections.

A second likely issue will be how best to use the January resolution to respond to the challenges in the political process and to signal the Council's resolve for elections to be held without further delay.

A third issue will be to schedule a review process once a new date for the elections is announced by the Ivorian authorities in view of the related issue arising from concerns over whether the new timeline will be realistic.

Options

Options for the Council include:

- renewing UNOCI's mandate without any change for another six months (or a possibly less);
- reinforcing UNOCI's mandate relating to the election process;
- reiterating its position about the unacceptability of repeated delays in the voter

agreement to the Ouagadougou Agreement.

Other

- S/2009/626 (7 December 2009) and contained the press statement of the sixth meeting of the CPC of the Ouagadougou Agreement.
- S/PV.6209 (29 October 2009) was the verbatim record of the latest meeting of the Council on the situation in Côte d'Ivoire.
- S/2007/144 (13 March 2007) contained the Ouagadougou Agreement.

Other Relevant Factors

Special Representative of the Secretary-General

Choi Young-jin (Republic of Korea)

Force Commander

Major General Abdul Hafiz (Bangladesh)

Police Commissioner

Major-General Gerardo Cristia Chaumont (Argentina)

Chair of the Sanctions Committee

Claude Heller (Mexico)

Size and Composition of UNOCI

- *Strength as of 31 October 2009:* 8,378 total uniformed personnel, including 7,028 troops, 192 military observers; 1,158 police; supported by 406 international civilian personnel, 633 local staff and 303 UN Volunteers
- *Key troop-contributing countries:* Bangladesh, Ghana, Jordan, Morocco and Pakistan.

Approved Budget

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

Afghanistan

Expected Council Action

In early January, the Council is expected to be briefed by the Secretary-General's Special Representative in Afghanistan, Kai Eide. The Secretary-General's report,

identification and registration processes, and requiring the Ivorian parties to make more progress in order to conduct polls in early 2010; and

- setting some timelines for ongoing Council monitoring and perhaps even considering a visit to Côte d'Ivoire by a small Council mission.

Council Dynamics

Council members remain concerned about the latest delay in holding the presidential elections. But they also recognise the importance of holding credible rather than hasty elections in order to ensure durable peace. Nonetheless, members remain committed to ensuring that the political actors stay the course. They recently demonstrated this resolve by maintaining the sanctions measures against individuals despite requests to the contrary by the government of Côte d'Ivoire, the AU and ECOWAS.

In its repeated requests (including in its most recent presidential statement) for the Secretary-General to provide an update on developments in the country and options for the future direction of UNOCI, the Council has signalled resolve to keep the issue under close scrutiny and to press Ivorian political leaders to adhere to the political process leading up to the elections.

Council members are expected to renew the mandate of UNOCI, but there are questions in some minds whether this would be for a full six months or less. The Secretary-General's upcoming report (as well as the date to be set by the government for the elections) is expected to largely influence the Council's decision.

It remains to be seen whether Council dynamics will change in 2010 with the exit of Burkina Faso (the facilitator of the Ivorian peace process). The entry in January of Nigeria (a prominent member of ECOWAS) is also relevant.

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

UN Documents

Selected Council Resolutions

- S/RES/1893 (29 October 2009) renewed the Côte d'Ivoire sanctions

regime until 31 October 2010.

- 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.

Selected Presidential Statements

- S/PRST/2009/33 (8 December 2009) noted with concern the postponement of the first round of the presidential election, scheduled for 29 November 2009.
- S/PRST/2009/25 (29 September 2009) expressed 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) welcomed the CPC's 18 May communiqué.
- S/PRST/2008/42 (7 November 2008) expressed the Council's 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/2009/495 (29 September 2009)

Selected Letters

- S/2009/446 (4 September 2009) was 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/2009/5 (5 January 2009) and S/2008/793 (16 December 2008) were from the Secretary-General appointing experts to the Côte d'Ivoire Sanction Committee's Group of Experts.
- S/2008/834 (30 December 2008) contained the fourth supplementary

expected at the end of December, is likely to cover political developments including the recent elections, security, mission support, the benchmarks presented in the last report and a proposal for a strengthened role of the UN Assistance Mission to Afghanistan (UNAMA) in aid coordination.

UNAMA's mandate expires on 23 March.

Key Recent Developments

US President Barack Obama on 1 December 2009 announced a revised US strategy for Afghanistan. It invokes a military surge, enhanced efforts in building the capabilities of Afghan national forces and a target date for beginning reductions of US forces in 18 months. US officials stress, however, that the mid-2011 date for a gradual transition to Afghan forces is conditional on the security situation and the readiness of the Afghan forces to take over.

On 2 December 2009 the Secretary-General welcomed the new US plan. He said the UN remains committed to supporting a transition to increased Afghan ownership, responsibility and leadership for peace and development.

In the first half of 2010 there will be a series of events relating to Afghanistan on the international stage. The first will be a conference in London on 28 January, which is expected to firm up the timeline for transferring responsibility from coalition to Afghan forces and improving coordination of international aid. A follow-up conference in Kabul is expected by the middle of the year.

In Brussels, on 5 December 2009, NATO foreign ministers announced that NATO would commit an additional 7,000 soldiers to Afghanistan. NATO foreign ministers from countries with troops in the International Security Assistance Force (ISAF) issued a statement reemphasising that the ISAF mission is essential and expressing continued support for UNAMA.

On 9 December 2009 Eide called for key partners in Afghanistan to work together in a more coordinated and streamlined way to support national development. He also warned against quick-impact projects rather than long-term sustainable solutions. Earlier, he had called for a transition strategy focused on building Afghanistan institutions.

An anti-corruption conference initiated by Afghan President Hamid Karzai was held from 15-17 December 2009. A resolution issued at the end of the conference called for the government to stop providing immunity to corrupt officials and to encourage accountability in its institutions.

On 19 December 2009 Karzai nominated 23 cabinet ministers. Many of the key cabinet posts such as defence, interior, finance and education were not changed. Some Afghan groups were disappointed by the lack of change in the government line-up. ISAF contributors were generally approving of the overall selection. At press time the Afghan parliament had not voted on the new cabinet.

Eide announced on 11 December 2009 that he would not renew his contract when it expires in March. Press reports indicate that the Secretary-General may announce Eide's successor at the London conference.

Peter Galbraith, who was dismissed from his position as Deputy Special Representative of the Secretary-General in Afghanistan on 1 October 2009, has taken legal steps challenging the termination of his appointment. The position has yet to be filled.

Human Rights-Related Developments

On 11 November, during an open debate on protection of civilians in the Security Council, a statement on behalf of UN High Commissioner for Human Rights Navi Pillay expressed ongoing concerns about the climate of impunity in Afghanistan. She urged that the legal framework governing conflict-related detention should be brought into line with international law. She said that failure to hold to "account those responsible for the gravest crimes over more than three decades of war and the resulting climate of impunity is a significant factor in the political turmoil and growing insecurity in Afghanistan." (S/PV.6216)

Issues

A key issue at this point is whether and how UNAMA should play a stronger role in civilian coordination. Among the questions raised are:

- What is needed to allow UNAMA to more effectively coordinate aid?
- Can this be done within UNAMA's mandate or will it need to be changed?
- What are the implications for the UNAMA budget?
- How meaningful is it to speak of UNAMA having overall responsibility for coordination of civilian activity given the rumours of the likely appointment of a new civilian coordinator structure for ISAF?

A related issue is whether new modalities will need to be developed for coordinating coordinators or whether the focus should be on finding ways of using the current structures more effectively.

An interesting question is whether the Council can establish a role for itself in developing and promoting a comprehensive vision for coordination in Afghanistan. One of the key problems appears to be a lack of overall political strategy and the need for collective leadership involving not only UNAMA but also member states perhaps utilising the inclusive methodology applied in the Peacebuilding Commission's country-specific configurations.

A related issue is how UNAMA should be encouraged to begin building better ties with key players in Afghan society including civil society, human rights groups and former Taliban.

Security remains a serious underlying issue. At press time, UNAMA's budget and the Secretary-General's request for additional security funding for vulnerable UN locations remained to be approved by the General Assembly's Fifth Committee (Administrative and Budgetary).

Other continuing issues include accelerating training of Afghan forces and tackling corruption. An underlying issue is what the UN can do to support these efforts.

Options

One option for the Council in January would be a statement addressing key issues and leading the way for the London conference, especially on the issue of the need for stronger civilian coordination.

Other options include:

- a debate offering members a chance to set out their views on strengthening

- UNAMA's coordination role;
- requesting a briefing from the Secretary-General following the London conference and reengaging in a more detailed debate with a view to some Council action in February; and
- requesting the UN to host a wider more inclusive round of preparatory meetings in New York with stakeholders to discuss strengthening UNAMA's coordination role ahead of its mandate renewal in March.

Council Dynamics

Most members are following developments in Afghanistan closely but with little focus on the UN discussions. The outcome of the 28 January conference is already being prepared but few Council members are yet ready to focus on the implications for UNAMA. Some appear to feel that there is no need for change as UNAMA's role could be strengthened and reoriented within the current mandate.

Many Council members strongly support UNAMA having a leading role in Afghanistan. The US has said that it sees the UN role in Afghanistan as vital and is particularly supportive of UNAMA's expansion of its provincial offices.

A number of members are particularly concerned about UN staff security and are keen to hear more details of the Secretary-General's plans for improved security.

In January, Turkey takes over from Japan as the lead country in the Council on Afghanistan and is expected to play an active role on this issue in 2010.

UN Documents

Selected Security Council Resolutions

- S/RES/1890 (8 October 2009) extended ISAF's mandate until 13 October 2010.
- 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/1401 (28 March 2002) created UNAMA.

Selected Presidential Statement

- S/PRST/2009/28 (29 October 2009) condemned the terrorist attack on a UN guesthouse in Kabul on 28 October.

Selected Secretary-General's Report

- S/2009/475 (22 September 2009)

Other

- S/PV.6216 (11 November 2009) on protection of civilians.
- SC/9784 (6 November 2009) was on the Afghanistan elections.
- SC/9778 (28 October 2009) was on the terrorist attack in Kabul.

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

Kai Eide (Norway)

UNAMA: Size, Composition and Duration

- *Strength (as of 31 October 2009):* 344 international civilians, 1,266 local civilians, 17 military observers, eight 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 71,030 troops
- *Contributors of military personnel:* 43 NATO and non-NATO countries
- *Current top contributors:* US, UK, Germany, France, Canada and Italy
- *Duration:* 20 December 2001 to present; mandate expires on 13 October 2010

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

Somalia

Expected Council Action

In January the Council is expected to renew the authorisation of the African Union Mission in Somalia (AMISOM). The current authorisation expires on 31 January as decided in resolution 1872 of 26 May 2009. AMISOM's AU mandate expires on 17 January and is expected to be renewed.

The Council is also scheduled to discuss a report on Somalia from the Secretary-General due on 31 December 2009. The report is expected to include the regular



periodic update, as well as an assessment of progress in implementing the three phased approach to Somalia endorsed in resolution 1872. A briefing by Special Representative of the Secretary-General Ahmedou Ould-Abdallah is likely.

Key Recent Developments

In November 2009, Council discussions focused on piracy and sanctions issues. On 18 November 2009 the Council held a debate to discuss the Secretary-General's 13 November report on implementation of resolution 1846 (which authorised anti-piracy action off the coast of Somalia) and heard a briefing by Ould-Abdallah. On 30 November, the Council adopted resolution 1897 renewing the anti-piracy measures of resolutions 1846 and 1851 (which authorised action on land) for another 12 months.

On 16 November 2009 Council members met in informal consultations and were briefed by the chairman of the Somalia Sanctions Committee, Mexican Ambassador Claude Heller. They reviewed the targeted sanctions imposed by resolution 1844. (The resolution stipulated that the Council should review these measures one year after its adoption.) In a press statement following the meeting the Council noted that the targeted measures remained necessary to address the situation in Somalia. (However, there are currently no names on the list for the targeted measures.) It also reiterated its support for the Djibouti Peace Process and the Transitional Federal Government (TFG).

On 3 December 2009 an attack by a suicide bomber during a medical school graduation ceremony in Mogadishu killed at least 22 people, including three TFG ministers (for health, education and higher education). The Council condemned the attack "in the strongest terms" in a presidential statement adopted that same day.

On 7 and 8 December 2009 there were demonstrations against Al-Shabaab in

Mogadishu and in some camps for internally displaced persons in which its black flag was burned.

On 8 December 2009 the Somalia Sanctions Committee was informed by the Somalia Monitoring Group that its experts had received threats and warnings by unknown sources. The Group has reportedly been investigating whether Somali businessmen, including contractors working for the World Food Programme, are diverting aid money to insurgent groups in Somalia. On 11 December 2009 the Committee issued a press statement deploring such acts of intimidation and urging states to cooperate with the Monitoring Group.

The 2010 Somalia Humanitarian Appeal was launched on 3 December 2009, requesting \$689 million. There is little or no carryover funding for 2010 and donors were urged to provide early funding to respond to the humanitarian crisis. The UN Resident and Humanitarian Coordinator for Somalia, Mark Bowden, held a news conference in New York on 8 December 2009, stressing that the humanitarian consequences would be very serious if the situation in Somalia was not addressed. On 17 December 2009 the UN Children's Fund said it was having difficulties raising funds for its work in Somalia.

The International Contact Group on Somalia met on 17 December 2009 in Jeddah, Saudi Arabia. It issued a communiqué calling on the international community to provide "coordinated, timely and sustained support" and welcoming the idea of holding an international conference to discuss transition objectives.

On 21 December 2009 the Somali parliament convened in Mogadishu for the first time since August 2009. The meeting was hit by mortar attacks reportedly killing eight people, but no lawmakers were injured.

On 23 December 2009 the Council adopted a resolution imposing sanctions on Eritrea, with Libya voting against and China abstaining. The new sanctions regime includes an arms embargo, as well as targeted measures (travel ban and assets freeze) on Eritrean nationals and entities that violate the arms embargo, provide support to

insurgent groups which aim to destabilise the region, obstruct implementation of resolution 1862 concerning the Djibouti/Eritrea border dispute or obstruct the work of the Somalia Monitoring Group. (Please see also our 16 December 2009 *Update Report* on Eritrea for further details.)

Human Rights-Related Developments

On 27 November 2009, Shamsul Bari, "the Human Rights Council's Independent Expert on the situation of human rights" in Somalia, condemned the series of stonings that had taken place in Al-Shabaab controlled areas of Somalia. He called on all parties to immediately refrain from acts of torture and murder, including stoning, amputations and floggings and abide by their obligations under international human rights and humanitarian law.

On 3 December 2009, Bari expressed shock and dismay at the suicide bombing that day in Mogadishu and appealed to the international community to strengthen the capacity of the TFG to investigate the explosion and to prosecute its perpetrators.

Key Issues

The key issue for the Council in January is renewal of the authorisation for AMISOM to operate in Somalia. A related question is whether the AU will seek to change the mission's mandate. The Intergovernmental Authority on Development, or IGAD, has called on the AU Peace and Security Council (PSC) and the Security Council to change AMISOM's rules of engagement to improve its "response mechanism". An AU meeting in Tripoli on 31 August 2009 requested the PSC to review the mandate of AMISOM, in particular with regard to its authorised strength and logistical support.

A second issue is progress in implementing the three phased approach to Somalia endorsed by the Council in May, in particular regarding delivery of international assistance. Donors have still not delivered on all the pledges made at the conference in Brussels in April 2009. Coordination also seems to be an issue. The Somali government has presented a budget for 2010 of

\$108 million (40 percent is allocated to security) of which almost 80 percent would have to come from donors.

Another issue is whether recent developments, in particular the 3 December suicide bombing, signal increasing foreign influence and an escalation of the security threat beyond Somali borders. Some observers suggest that Somali insurgents have imported terrorist tactics and technology used in Iraq and Afghanistan which have allowed them to reach a new level of sophistication. The deputy AU representative to Somalia warned in December that Al-Qaida was strengthening its presence in Somalia and that the security situation was getting out of hand.

A further issue is implementation of the sanctions regime for Somalia. The Somalia targeted sanctions resolution was adopted in November 2008. But listings imposing targeted measures have yet to be acted upon by Council members. Despite the evidence presented by the Monitoring Group, no individuals have yet been designated as subject to the sanctions. (The recent resolution on Eritrea gives the Somalia Sanctions Committee responsibility for designations under this new sanctions regime as well.)

A major underlying issue is the suffering of the civilian population, the continuing deterioration in the humanitarian situation and the ongoing violations of international humanitarian, human rights and refugee law.

Options

Options for the Council in January include:

- a simple renewal of the authorisation for AMISOM for another period (for how long will to some extent depend on the AU's mandate renewal, but six months seem likely);
- reiterating previous messages, including in support of the Djibouti Peace Process and the TFG, and stressing in particular the importance of international assistance to Somalia in all areas;
- revisiting the question of appropriate timing for establishment of a UN presence in Mogadishu and requesting another report from the Secretary-General on progress in implementing the three phased approach;

- addressing the parties' obligations under international humanitarian, human rights and refugee law, condemning violations and calling for measures to fight impunity; and
- on sanctions, if designating individuals and entities for targeted measures under the Somalia and Eritrea sanctions regimes fails to progress within the Sanctions Committee, an option would be to bring the issue to the Council for a decision.

Council Dynamics

The three phased approach to Somalia appears to still enjoy Council members' support. In this regard it seems unlikely that the new Council membership in 2010 will lead to any significant changes in dynamics. Renewal of the AMISOM authorisation appears uncontroversial and at this time changes to the mandate are not expected.

Most recently the focus has been on the role of Eritrea in the region. As was evident from the vote on the recently adopted sanctions resolution, the Council is clearly split on what action to take. Several members would have preferred a more gradual approach. It remains to be seen whether the Somalia Sanctions Committee will be able to agree on implementation of the new provisions anytime soon.

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

Selected UN Documents

Selected Council Resolutions

- S/RES/1907 (23 December 2009) imposed an arms embargo and targeted sanctions on Eritrea.
- S/RES/1897 (30 November 2009) renewed for a period of 12 months the anti-piracy measures of resolutions 1846 and 1851.
- 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/1862 (14 January 2009) demanded that Eritrea withdraw its forces within five weeks to the

positions of the status quo ante in its border dispute with Djibouti.

- S/RES/1853 (19 December 2008) extended the mandate of the Monitoring Group tasked with monitoring the sanctions regime for Somalia and requested the Secretary-General to reestablish the group for a period of 12 months.
- S/RES/1844 (20 November 2008) imposed targeted sanctions relating to the situation in Somalia.

Latest Secretary-General's Report

- S/2009/590 (13 November 2009) was on piracy as requested in resolution 1846.

Selected Meeting Records

- S/PV.6254 (23 December 2009) was the adoption of the Eritrea sanctions resolution with explanations of vote and statements by Djibouti and Somalia.
- S/PV.6221 (18 November 2009) was a debate on piracy off the coast of Somalia in which the Special Representative of the Secretary-General gave a briefing on the Secretary-General's November 2009 report.

Selected Presidential Statements

- S/PRST/2009/31 (3 December 2009) condemned the 3 December attack in Mogadishu.
- 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

- SC/9813 (11 December 2009) was a press release from the Somalia Sanctions Committee concerning threats against the Monitoring Group.
- SC/9790 (16 November 2009) was a Council press statement noting that the targeted sanctions regime for Somalia should remain in place.
- S/2009/569 (3 November 2009) was a letter from the Secretary-General submitting a report on the activities of EU's anti-piracy operation Atalanta.
- S/2008/769 (10 December 2008) was a report of the Monitoring Group for the Somalia sanctions regime.



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 December 2009:* about 5,200 Ugandan and Burundian troops.
- *Duration:* February 2007 to present: AU mandate expires on 17 January 2010 and Council authorisation expires on 31 January 2010.

Kosovo

Expected Council Action

In January the Council is expecting a report from 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 scheduled to brief the Council towards the end of the month.

The format of the briefing is likely to follow that of recent Council discussions on Kosovo, with representatives from Serbia and Kosovo participating in a formal meeting. (Serbia participates under rule 37 of the Council's Provisional Rules of Procedure. Kosovo participates under rule 39, by which the Council can invite a person to provide it with information.) No Council action is expected.

Key Recent Developments

From 1 to 11 December 2009, the International Court of Justice (ICJ) held public hearings on the Kosovo question. (In October 2008, the General Assembly asked the ICJ for an advisory opinion on the legality of Kosovo's unilateral declaration of independence.) In addition to Serbia and Kosovo,

27 UN member states participated in the hearings, including all the P5. It was the first time that China appeared before the Court.

Arguments in the hearings focused on several points. One was the status of international law regarding declarations of independence. Another was the legal effect of Security Council resolution 1244 (which in 1999 authorised NATO to enforce the withdrawal of Yugoslav forces from Kosovo) and whether a new decision by the Council might be required.

At the end of the hearings the Court set a time limit for written submissions of 22 December 2009 on various questions. The Court is now expected to issue its advisory opinion sometime in the first half of 2010.

Sixty-four states have now formally recognised Kosovo's independence.

The Council last discussed the situation in Kosovo on 15 October 2009 when it was briefed by the Special Representative on the Secretary-General's 30 September 2009 report. Zannier said that the political situation and the parties' differing views on UNMIK's role had substantially affected the implementation of the mission's mandate. The mission was therefore focusing its efforts on issues relating to minorities, dialogue and reconciliation, and external relations. The situation in the north remained a concern. The number of returns to Kosovo of internally displaced persons from minority communities was far below what had been hoped for, and UNMIK was working with the Office of the UN High Commissioner for Refugees to promote further returns. Zannier also pointed out that the parties seemed increasingly conscious of the impact any actions might have on the proceedings in the ICJ.

Municipal elections were held on 15 November 2009 followed by a second round on 13 December. These were the first elections since Kosovo's declaration of independence and the first to be held without the assistance of either UNMIK or the Organisation for Security and Co-operation in Europe (OSCE). Of the 74 entities participating in the elections, 22 represented Kosovo Serbs. Serb voter participation was negligible in the north, but higher in

the south than in previous elections. The two parties of the governing coalition, the Democratic Party of Kosovo and the Democratic League of Kosovo, won a majority of municipalities in the first round. Preliminary results indicated that this was also the case in the second round.

According to international observers, the elections generally met international standards and took place in a calm and orderly atmosphere. After the second round, however, the Election Commission on Appeals and Complaints asked for an election rerun in three municipalities after investigations revealed serious irregularities.

Admiral Mark Fitzgerald, Commander of NATO's Joint Force Command Naples, whose areas of operation includes south-eastern Europe, indicated during a visit to Belgrade on 16 December 2009 that the improved security situation would permit reductions in the troop level of the Kosovo Force (KFOR) and that withdrawals would start in January with the goal of reduction to 10,000 troops. Fitzgerald said that further reductions would be considered later, depending on the security situation.

Human Rights-Related Developments

On 9 December 2009, OSCE published a report covering the period from January 2008 to June 2009 on progress being made by Kosovo institutions towards the protection and integration of national minorities. It discussed law enforcement, the return and security of displaced persons, use of languages, education and participation in social and political life. According to the report, integration challenges include deficiencies in the security and justice system in prosecuting ethnically motivated crimes, and lack of proper conditions for return and repatriation. The report called for more compliance with laws governing cultural and religious rights, use of languages, and education, as well as for improved representation of communities in public broadcasting.

Key Issues

An issue for the Council is whether to continue with its current approach on

Kosovo with quarterly UNMIK reports from the Secretary-General and open briefings by the Secretary-General's Special Representative or whether to reduce the frequency or change the format of the meetings from an open briefing to informal consultations.

Another issue is UNMIK's mandate, in particular relating to 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.

A further issue is the ongoing impact of the ICJ proceedings on the willingness of the parties to take flexible positions.

Options

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

Another option would be for the Council to address the issue of the future frequency and format of the meetings. (Resolution 1244 only requests reporting at "regular intervals", so changing the reporting cycle does not require any formal Council decision.) Because this issue is controversial, a compromise solution offering something to both sides seems likely to be necessary. In this regard an option might be agreement on fewer formal meetings, but a more active role by the Council in the situation in Kosovo in an informal or "interactive dialogue" setting.

Council Dynamics

The Council is still divided between those who support Kosovo's independence and those who believe that Kosovo's unilateral declaration of independence violated international law. Some maintain a more neutral position. As a result of the changes in Council membership as of 1 January, only six Council members (the US, the UK, France, Austria, Japan and Turkey) recognise Kosovo's independence as opposed to nine in 2009. It remains to be seen whether this will influence discussions, and in particular what role Bosnia and Herzegovina will seek to play on this issue as an incoming elected Council member from the region.

An important feature of the dynamics on this issue is that a number of members see Kosovo as a low priority.

Russia prefers the status quo. It supports the ongoing role of UNMIK and a credible UN presence in Kosovo, particularly for coordination and political leadership roles.

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) welcomed 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) transmitted the report on the operations of KFOR from 1 to 31 July 2008.
- S/2007/168 and add. 1 (26 March 2007) transmitted UN Special Envoy Martti Ahtisaari's report on Kosovo's future status and the Comprehensive Proposal for the Kosovo Status Settlement.

Selected Secretary-General's Reports

- S/2009/497 (30 September 2009)
- S/2008/354 (12 June 2008)

Other

- S/PV.6202 (15 October 2009) was the debate on the Secretary-General's 30 September report with a briefing by the Special Representative.

Other Relevant Facts

Special Representative of the Secretary-General

Lamberto Zannier (Italy)

UNMIK

- *Size of mission:* 510
- *Cost:* \$47 million (2009-2010 budget)

KFOR (NATO FORCE)

- *Force Commander:* Lieutenant General Markus J. Bentler (Germany)
- *Size of mission:* 12,631 troops (as of 12 October 2009)

Sudan

Expected Council Action

In January members will hold informal consultations to discuss the Secretary-General's report on the UN Mission in Sudan (UNMIS) which should provide an update on the overall situation of the country. Under-Secretary-General for Peacekeeping Operations Alain Le Roy may brief the Council on the situation of UN peacekeeping in Sudan. Some Council response to the risks facing South Sudan is possible. No action on Darfur is expected until February when the Secretary-General's report on the AU-UN Hybrid Operation in Darfur (UNAMID) is expected.

The mandates of UNMIS and UNAMID expire 30 April and 31 July, respectively.

Key Recent Developments

Tension continues between Khartoum's ruling National Congress Party (NCP) and the southern-based Sudan People's Liberation Movement (SPLM) as the 2010 national elections approach. The stakes are high because of the 2011 referendum on self-determination for South Sudan.

In December 2009 demonstrators took to the streets of Khartoum and other cities, leading to the arrest of some key SPLM political leaders on 6 December and leaders from the opposition Umma party on 14 December. Riot police used tear gas to break up the demonstrations in Khartoum.

On 17 December 2009 the government said it would prevent any attempts to stage more demonstrations. It maintained that the conditions in the country were not suitable for such expression.

On 13 December 2009 the Sudanese cabinet approved the draft bill of the South Sudan Referendum, the Abyei Referendum and the Act of People's Consultation in South Kordofan and the Blue Nile. The parliament approved the bill on 22 December. SPLM parliamentarians returned after a two-month boycott of the national assembly. Under the bill, a declaration of independence by South Sudan would require a 60 percent turnout of registered voters and a 51 percent vote in favour of the referendum. Initially, the NCP had argued for a vote in favour of between 75 and 90 percent and a two-thirds turnout.



On 7 December, the National Elections Commission completed voter registration for the 2010 national elections. More than 15 million voters (over 75 percent of the estimated voting-age population) are reported to have been registered throughout the country.

In Darfur, however, access was not gained to all camps for displaced persons, including the large camps in Kass and Kalma in south Darfur. Moreover, as noted by the Atlanta-based Carter Center, proof of residency documents appeared weak, creating bias in the process of identifying some registrants. Many rural areas did not receive adequate information on voter registration from mobile voter registration teams.

In South Sudan significant intertribal violence has resulted in large numbers of civilians killed. A report by the International Crisis Group on 23 December 2009 warned that this increasingly politicised intertribal violence risked further destabilising South Sudan ahead of the national elections and the referendum.

In his October 2009 report the Secretary-General addressed the situation in South Sudan, in particular the parties' lack of commitment to the implementation of the Comprehensive Peace Agreement (CPA). He urged the NCP and SPLM to:

- provide political space during the conduct of the upcoming elections;
- finalise post-referendum arrangements;
- sustain political will by improving security in the three areas including Southern Kordofan, Blue Nile and Abyei;
- increase the capacity of South Sudan to deliver basic services and manage conflict; and
- improve judicial and penal systems to support the establishment of rule of law.

His upcoming report on these elements will be significant.

On 21 December 2009, former South African President Thabo Mbeki and the AU Commission Chairperson Jean Ping briefed

the Council on the recommendations of the AU High-Level Panel on Darfur, headed by Mbeki. Members of the Council welcomed the report in a press statement and called on the Sudanese government and other parties in Sudan and the region to support the report's recommendations.

On 4 December 2009, the Chief Prosecutor of the International Criminal Court (ICC), Luis Moreno-Ocampo, briefed the Council and stated that rape, indiscriminate bombings and other crimes against civilians continue in Darfur. He noted that the government of Sudan still refuses to cooperate with his office. (On 4 March 2009 the ICC issued an arrest warrant for Sudanese President Omar al-Bashir on charges of war crimes and crimes against humanity in Darfur.)

On 7 December 2009, Council members condemned the attacks on UNAMID peacekeepers in Darfur on 4 and 5 December, which resulted in the death of five Rwandan soldiers. The UNAMID convoy was escorting a water tanker in north Darfur when it was ambushed by unidentified armed militias.

Also in Darfur on 13 December 2009, two civilian UNAMID peacekeepers, held for more than one hundred days by kidnapers, were freed following a personal request for help made by the Secretary-General in a phone conversation with Sudan's president on 7 December 2009.

On 2 December 2009, the Secretary-General appointed Ibrahim Gambari of Nigeria as the new head of UNAMID. He replaces Congolese diplomat Rodolphe Adada, who stepped down in August.

Human Rights-Related Developments

A statement at the Security Council made on behalf of the UN High Commissioner for Human Rights, Navi Pillay, on 11 November 2009 expressed concern about the situation in Darfur. She said the human rights of internally displaced persons, human rights defenders and humanitarian workers continue to be violated. The statement also said Darfur exemplified situations in which, despite robust mandates, there were political, structural, operational and resource

issues that limited the effectiveness of UN peacekeeping missions. In her view, the situation necessitates "the employment of a broader human rights approach with a focus on the entire spectrum of rights beyond physical protection." (S/PV.6216)

The Secretary-General's Special Representative for Children and Armed Conflict, Radhika Coomaraswamy, visited Sudan in November 2009. Following her visit, she said Sudan's Ministry of Justice assured her that children in Sudan would not be executed for crimes carrying the death penalty. She also called upon the Sudanese government to adopt a comprehensive national strategy to combat gender-based violence that included prevention, accountability and response.

On 21 December 2009, the Office of the UN High Commissioner for Human Rights released a report on attacks in southern Sudan by the Ugandan rebel group, the Lord's Resistance Army (LRA). It said the LRA was responsible for killing civilians, rape, abducting adults and children, recruiting and using child soldiers and forcing children to work as sex slaves, porters and spies. The report concluded that the "evidence suggests that the LRA attacks may amount to crimes against humanity" under the Rome Statute of the ICC.

Key Issues

A key issue is whether the Council should now become engaged in the detailed implementation of the CPA, including reforms necessary to allow space for political parties to voice their opinions. A related issue is whether the Council should simply urge the parties to work toward overcoming obstacles or whether to be more active.

A second issue is security and conflict management in South Sudan and the three areas along the north-south border specified by the CPA (Abyei, Blue Nile and South Kordofan). A related issue is how the Council, UNMIS and the donor community can help to deal with the growing insecurity by building the capacity of law enforcement while at the same time improving the rule of law in these regions.

Options

Options for the Council may include:

- simply urging the parties to increase dialogue and improve relations in support of the CPA;
- addressing the need for legislative reforms to open political space in advance of the elections; and
- addressing the growing security risks likely to result from poor implementation of the rule of law by both the national authorities in general and by the SPLM in addressing issues in the south.

Council Dynamics

On 31 December 2009 five elected members leave the Council, including Libya which played a very significant role in discussions on Sudan. It seems likely that Nigeria, which becomes its successor in January, will also play a significant but somewhat different role. Its focus seems likely to be less on the immediate politics of the subregion and more influenced by its wider regional and global interests, including as a key troop-contributor to UNAMID.

Most Council members seem increasingly focused on the 2010 elections and 2011 referendum and the support from the international community that will be necessary, along with stronger commitment by the parties.

The UK is the lead country on Darfur in the Council. The US is the lead country on the north-south Sudan peace process.

Selected Security Council Resolutions

- S/RES/1881 (30 July 2009) renewed UNAMID for a further year.
- S/RES/1870 (30 April 2009) renewed UNMIS.
- S/RES/1828 (31 July 2008) renewed UNAMID.
- S/RES/1593 (31 March 2005) referred the situation in Darfur to the ICC.
- S/RES/1591 (29 March 2005) and S/RES/1556 (30 July 2004) imposed sanctions.

Selected Presidential Statement

- S/PRST/2009/13 (8 May 2009) called on Chad and Sudan to respect and fully implement their mutual commitments.

Latest Secretary-General's Reports

- S/2009/592 (16 November 2009) was

- on UNAMID.
- S/2009/562 (27 October 2009) was a report of the sanctions Panel of Experts.
 - S/2009/545 (21 October 2009) was on UNMIS.
 - S/2009/391 (28 July 2009) was on possible UN support for the upcoming elections in Sudan.

Selected Security Council Meeting Records

- S/PV.6251 (21 December 2009) was the briefing by former South African President Thabo Mbeki and AU Commission Chair Jean Ping on the recommendations of the AU High-Level Panel on Darfur.
- S/PV.6230 (4 December 2009) was the briefing of ICC Prosecutor Luis Moreno-Ocampo to the Council.

Selected Letters

- S/2009/599 (17 November 2009) transmitted the report of the AU High-Level Panel on Darfur.
- S/2009/144 (6 March 2009) was the AU Peace and Security Council communiqué on the ICC arrest warrant for President Bashir.
- S/2009/100 (18 February 2009) was the Agreement of Goodwill and Confidence-Building for the Settlement of the Problem in Darfur.

Other

- SC/9831 (21 December 2009) was the press statement of the Council on the Mbeki report.
- AU/Dec.245(XIII) (3 July 2009) was the decision of the AU Assembly about non-cooperation with the ICC.
- A/HRC/11/L.17 (18 June 2009) was a resolution from the Human Rights Council establishing the mandate for an independent expert on human rights in the Sudan.
- A/HRC/11/14 (June 2009) was the report of the Special Rapporteur for Sudan to the Human Rights Council.

Other Relevant Facts

UNAMID: Joint AU-UN Special Representative for Darfur

Ibrahim Gambari (Nigeria)

Joint AU-UN Chief Mediator

Djibril Yipènè Bassolé (Burkina Faso)

UNAMID: Force Commander

Lieutenant General Patrick Nyamvumba (Rwanda) (as of 1 September)

UNAMID: Size, Composition and Cost

- *Maximum authorised strength:* up to 19,555 military personnel, 3,772 police and 19 formed police units (total police 6,432)
- *Main troop contributors:* Nigeria, Rwanda, Egypt and Ethiopia
- *Military Strength as of 30 September 2009:* 18,755 military personnel
- *Police Strength as of 30 September 2009:* 3,941 police personnel
- *Cost:* 1 July 2009 - 30 June 2010: \$1,598.94 million

UNAMID: Duration

31 July 2007 to present; mandate expires 31 July 2010

UNMIS: Special Representative of the Secretary-General and Head of Mission

Ashraf Jehangir Qazi (Pakistan)

UNMIS: Size, Composition and Cost

- *Maximum authorised strength:* up to 10,000 military and 715 police personnel
- *Main troop contributors:* India, Pakistan and Bangladesh
- *Military Strength as of 30 September 2009:* 9,961 military personnel
- *Police Strength as of 30 September 2009:* 682 police personnel
- *Cost:* 1 July 2009 - 30 June 2010: \$958.35 million

UNMIS: Duration

24 March 2005 to present; mandate expires 30 April 2010

Sanctions Committee Chairman

Thomas Mayr-Harting (Austria)

Useful Additional Resources

- *Jonglei's Tribal Conflicts: Countering Insecurity in South Sudan*, International Crisis Group, 23 December 2009
- *Carter Center Commends Broad Participation in Sudan's Registration, Urges Additional Steps to Ensure Genuine Elections*, The Carter Center, 17 December 2009

Women, Peace and Security

Expected Council Action

In January, the Secretary-General is expected to advise the Council regarding

his proposals for monitoring and reporting within the existing UN system on the protection of women and children from rape and other sexual violence in armed conflict and post-conflict situations, as requested by resolution 1888.

At press time, in the absence of the Secretary-General's actual proposals, it is difficult to assess what action the Council might take in January or whether decisions might be taken in February.

Key Recent Developments

On 23 December 2009, in resolution 1906 on the Democratic Republic of the Congo (DRC), the Council notably applied in a country-specific context many of the key thematic principles it had developed in resolution 1888. However, on 30 November 2009, when renewing the DRC sanctions regime in resolution 1896 (and in resolution 1906 itself), despite many reports of recent serious sexual violence in eastern DRC, the Council failed to request its Sanctions Committee to consider designating additional persons for targeted sanctions. (There are currently only three individuals listed for sanctions relating to sexual violence in the DRC and those date back many months.)

On 30 September 2009, at the adoption of resolution 1888, members of the Council expressed concern about the lack of progress on the issue of sexual violence in situations of armed conflict. Resolution 1888 called on the Secretary-General to:

- appoint a special representative to provide leadership, strengthen existing UN coordination mechanisms and advocate on ending sexual violence against women with governments;
- create a team of experts who will work with the UN on the ground and assist national authorities to strengthen the rule of law;
- report on measures taken by individual peacekeeping operations to protect women and children against sexual violence;
- provide technical support to troop and

- police-contributing countries;
- provide systematic data and information about the prevalence of sexual violence in all reports, including those on peace-keeping missions, to the Security Council; and
- report on the progress made on implementing resolutions 1820 and 1888.

The Secretary-General's September 2009 report on women, peace and security had acknowledged that limited progress had been achieved for the past nine years since the adoption of resolution 1325 in 2000, and that armed conflict continued to impact women and girls in particular. It also noted that the lack of regular reporting on women, peace and security, the limited cooperation by parties to conflict and the inadequate information on actions taken by parties to armed conflict to respond to violence against women were key reasons for the poor progress.

The Secretary-General's earlier report to the Council on resolution 1820 (originally issued in July and reissued on 20 August) had noted that greater efforts are needed to actively monitor, investigate and report on perpetrators of sexual violence. In this context, in addition to wider recommendations, he also urged the Council to address aspects of the problem within its own working methods, including:

- having a dialogue with all parties to armed conflict on their obligations under international law;
- that relevant working groups of the Council, in particular the Working Group on Children and Armed Conflict and the informal Expert Group on Protection of Civilians, should address sexual violence issues in the course of their work; and
- that sanctions committees should address sexual violence and receive information on those who perpetuate sexual violence.

Key Issues

A key issue for the Council is will be whether the Security Council is ready itself to assume greater involvement in actively monitoring real world situations and needs related to the protection of women and children. A related issue is the unimplemented elements in this regard in the

Secretary-General's July report, and in particular the steps the Council can take to engage the parties to conflict to comply with Council thematic resolutions and also the roles of its subsidiary bodies.

A second key issue will be the Council response to the Secretary-General's proposals.

Options

One option is for the Council to decide that its informal Expert Group on Protection of Civilians should have responsibility for monitoring and addressing sexual violence dimensions in its work of reviewing the situations of civilians in specific cases where peacekeeping operations are deployed.

Another option is for the Council to follow the precedent of its work on children and armed conflict and move towards a dedicated subsidiary body for monitoring compliance with its resolutions on women's issues and sexual violence in conflict situations.

A further option would be to expand the commitment in operational paragraph 10 of resolution 1888 and explicitly require all sanctions committees to review the question of adding sexual violence to the criteria for targeted sanctions and provide recommendations to the Council prior to the next date for review or renewal by the Council.

Council Dynamics

Council members seem to agree that a better response to the protection of women and girls in armed conflict is necessary.

Members also seem agreed that there is insufficient information related to sexual violence coming from the field and that it is desirable to strengthen monitoring and reporting.

There is less consensus on how to pressure parties to conflict to take measures to protect women and children from sexual violence. The Council already, in resolution 1820, specifically demanded that parties enforce appropriate military disciplinary measures and uphold the principle of command responsibility. Also, it demanded vetting armed and security forces to take into account past actions of rape and other

forms of sexual violence. However, some members note that it is apparent that many parties to conflict are ignoring these demands and that more focused Council attention is therefore required.

There is wide support for better training of peacekeepers and for national forces and police.

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

UN Documents

Selected Security Council Resolutions

- S/RES/1889 (5 October 2009) decided that women's protection and empowerment should be taken into account during post-conflict needs assessment and planning.
- S/RES/1888 (30 September 2009) strengthened UN structures to respond to sexual violence against women and children in conflict.
- 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/1807 (31 March 2008) imposed sanctions against individuals involved in sexual violence in the DRC.
- S/RES/1794 (21 December 2007) requested MONUC to pursue a mission-wide strategy to strengthen prevention, protection and response to sexual violence.
- 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 on resolution 1325.
- S/2009/362 (originally issued on 15 July 2009 and reissued on 20 August 2009) was on resolution 1820.
- S/2009/304 (11 June 2009) was

on peacebuilding in the aftermath of conflict.

- S/2008/622 (25 September 2008) was on women, peace and security.

Selected Presidential Statements

- S/PRST/2009/8 (21 April 2009) stressed the need for more participation of women in mediators' teams.
- S/PRST/2009/1 (14 January 2009) was on protection of civilians including the revised aide-memoire.
- S/PRST/2008/39 (29 October 2008) requested the Secretary-General to provide more information on the impact of armed conflict on women and girls in conflict situations.

Other

- SG/SM/12454 (15 September 2009) was the Secretary-General's press statement welcoming the General Assembly resolution on System-wide coherence.
- A/63/L.103 (11 September 2009) was GA resolution on system-wide UN coherence.

West Africa (UNOWA)

Expected Council Action

In January the Council is expected to consider the report of the Secretary-General on the UN Office for West Africa (UNOWA). The mandate of UNOWA expires on 31 December 2010.

A briefing by the Special Representative of the Secretary-General and head of UNOWA, Said Djinnit is likely, to be followed by consultations.

Key Recent Developments

On 7 July 2009 Djinnit briefed the Council on the Secretary-General's report on the situation in West Africa and the activities of UNOWA. Djinnit said that the determination of countries in West Africa to address crises in their region decisively, with the support of the UN and the wider international community, coupled with their efforts to strengthen institutions, governance and the rule of law and to enhance the role of civil society, had led to significant reduction in the level of violence across the subregion.

Djinnit emphasised that despite the significant progress achieved, the subregion remained fragile. The root causes of conflict and instability persisted. Progress was reversible in some cases (e.g. the democratic setback in Mauritania and the crisis in the Niger). Emerging challenges, including terrorist activities in the Sahel band, piracy in the Gulf of Guinea, governance problems, drug trafficking and organised crime also jeopardised ongoing peace efforts in the subregion.

Speaking during the meeting, the Executive Director of the UN Office on Drugs and Crime (UNODC), Antonio Maria Costa, indicated that the volume of drug trafficking throughout the subregion appeared to be reducing significantly, with about a 35 percent drop over a few months. Costa, however, noted that the situation remained quite volatile, with about twenty tons of cocaine still transiting through the region annually. Consequently, the downward trend in drug trafficking could not be guaranteed.

On 8 July 2009, UNOWA, UNODC, the Economic Community of West African States (ECOWAS), the Department of Political Affairs, the Department of Peacekeeping Operations and the International Criminal Police Organization launched the West Africa Coast Initiative in New York. (The objective of this initiative is to build the capacity of police and law enforcement agencies in four pilot countries—Côte d'Ivoire, Liberia, Sierra Leone and Guinea-Bissau—to enable them to more effectively prevent and combat organised crime and drug trafficking. The strategy builds on the ECOWAS Plan of Action which aims at strengthening national capacities and cross-border cooperation to tackle the organised crime and drug trafficking undermining peace and development in the subregion.)

On 10 July, the Council adopted a presidential statement:

- noting with satisfaction continued progress in the overall peace and security situation in West Africa;
- expressing concern about the resurgence of unconstitutional changes of government, undemocratic seizures of power and also stressed the need for



restoring constitutional order, including through open and transparent elections;

- expressing concern about the fragile nature of progress in the subregion, particularly with regards to the emerging threats to security in West Africa;
- reaffirming the importance of addressing illicit drug trafficking and criminal activities by an approach of shared responsibility, and welcoming West African states' continued leadership in implementing the ECOWAS Plan of Action (to combat illegal drug trafficking and organised crime) and UNOWA's role in support of the implementation of this plan; and
- expressing concern about the impact of the global economic crisis on West African economies, against the backdrop of already existing development challenges.

On 8 December the Council held an open debate on the topic Peace and Security in Africa: Drug Trafficking as a Threat to International Security. Many participants (including some Council members and the head of UNODC) highlighted the challenges posed by drug trafficking, as well as production and consumption of drugs in West Africa and across the African continent. The Council subsequently issued a presidential statement at the close of the meeting expressing concern about the threats posed by drug trafficking and related transnational organised crime in different regions of the world, including Africa.

Key Issues

A key issue for Council members is whether the regional approach (through UNOWA's activities) really adds value to peace and security in West Africa. A related issue is the fact that cross-border challenges continue to pose possible risks to peace and security in the region.

Options

Options for the Council include:

- considering the Secretary-General's report but not taking any action;

- adopting a statement highlighting key issues raised in the Secretary-General's report and possibly reiterating the Council's support for the work of UNOWA; and
- making use of the opportunity presented by the report to raise the profile of Council engagement on fragile situations not on the Council's agenda but subsumed under the regional mandate of UNOWA (e.g. Mauritania and Niger, in line with the Council's presidential statement of 5 May), along with issues that may not be immediately due for consideration on its programme (e.g. Guinea).

Council Dynamics

While most Council members welcome the overarching view of the situation in the sub-region that comes from UNOWA, different members give different levels of priority to particular situations of interest to them. Some are interested in discussion of all the security challenges posed by unconstitutional rule in the area. Others are more focused on the situation in Guinea and its potential to disrupt the fragile peace in the Manu River area. Some countries continue to show interest in the prominence of drug trafficking and organised crime problems.

New members like Brazil, Gabon and Nigeria seem likely to want to express support to the mandate of UNOWA. Others note that, in the wake of the Council's July and December presidential statements, a specific outcome document is not necessary at this stage given that there are still 12 months of the Office's current three-year mandate to run. Council members are likely to be influenced by the Secretary-General's report.

Underlying Issues

Developmental challenges in the West African subregion, rising food insecurity, youth unemployment and climate change, with the threats to security (e.g. unconstitutional changes of government, drug trafficking and international organised crime) continue to contribute to a potential for setbacks to peace consolidation in the area.

UN Documents

Selected Presidential Statements

- S/PRST/2009/32 (8 December 2009) was on threats posed by drug trafficking.

- S/PRST/2009/20 (10 July 2009) was on the situation in West Africa.
- S/PRST/2009/11 (5 May 2009) expressed concern about the resurgence of unconstitutional changes of government in Africa.

Selected Letters

- S/2008/128 (26 February 2008) and S/2008/127 (21 February 2008) was an exchange of letters regarding the appointment of Said Djinnit as Special Representative for West Africa and Head of UNOWA.
- S/2007/754 (21 December 2007) and S/2007/753 (28 November 2007) was an exchange of letters regarding the extension UNOWA until 31 December 2010 and more frequent reporting.
- S/2005/16 (14 December 2004) conveyed the Secretary-General's intended mandate functions and activities of UNOWA from 1 January 2005 to 31 December 2007.
- S/2004/858 (25 October 2004) and S/2004/797 (4 October 2004) was an exchange of letters regarding the extension UNOWA for three years.
- S/2001/1129 (29 November 2001) welcomed the intention of the Secretary-General to establish UNOWA.

Selected Secretary-General's Reports

- S/2009/332 (19 June 2009) was the last report on UNOWA.
- S/2008/426 (30 June 2008) was the first semi-annual report on UNOWA.
- S/2007/294 (18 May 2007) was a mid-term review of UNOWA initially envisaged for July 2006.
- S/2007/143 (13 March 2007) was on cross-border issues in West Africa.
- S/2004/797 (4 October 2004) was a review of activities and performance of UNOWA spanning the January 2003 to July 2004 period.

Selected UNOWA Studies and Concept Papers

Available at <http://www.un.org/unowa/unowa/studies/studies-cp.htm>

- Working Document on Sanctions in Africa (June 2007)
- Security Landscape and Peace Consolidation in West Africa (March 2007)
- Youth Unemployment and Regional Insecurity in West Africa – A UNOWA Issue Paper, 2nd edition (August 2006)

- Life after State House: Addressing Unconstitutional Changes in West Africa – A UNOWA Issue Paper (March 2006)
- Youth Unemployment and Regional Insecurity in West Africa – A UNOWA Issue Paper, 1st edition (December 2005)
- Elections scheduled between April 2005 and December 2007 in West Africa (June 2005)
- Security Sector Reform and Conflict Prevention in West Africa: Challenges and Opportunities – Dakar Workshop (November 2004)
- The Regional Impact of the Crisis in Côte d'Ivoire (April 2004)

Other Relevant Facts

Special Representative of the Secretary-General

Said Djinnit (Algeria)

UNOWA: Size and Composition

Staff Strength (as of 31 October 2009): 13 international civilians; ten local civilians; four military advisers

UNOWA: Duration

29 November 2001 to present; mandate expires on 31 December 2010

Counter-Terrorism

Expected Council Action

The 1540 Committee on non-proliferation of weapons of mass destruction and terrorism is due to submit its comprehensive review to the Council before the end of January, as well as its new programme of work. No formal Council outcome is expected.

Resolution 1540

The Council adopted resolution 1540 in 2004 to address the risk of terrorists acquiring nuclear, chemical or biological weapons. It requires that all states take action to prevent non-state actors obtaining access to weapons of mass destruction. It specifically requires states to adopt laws prohibiting such access, and establish domestic controls to prevent proliferation of such weapons and their delivery systems. The resolution also established a Committee (consisting of all members of the Council) to monitor implementation of the resolution.

Key Recent Developments

The 1540 Committee has focused in 2009 on a comprehensive review of its activities. A significant element of this review was a meeting opened to UN member states at large, which the Committee held from 30 September to 2 October 2009. International, regional and subregional organisations and other entities were also invited. Participants were asked to provide input on the impact of the resolution, regional analysis of implementation, the Committee's assistance efforts and comments on methods to address gaps in implementation. Background papers, statements made by member states, and discussions with NGOs were gathered and have been incorporated into the review process.

On 14 December 2009, Ambassador Jorge Urbina of Costa Rica, the outgoing chair of the 1540 Committee, briefed the Council. He stated that while the Committee's comprehensive review had not accomplished all he had hoped, it had demonstrated that regional and subregional organisations could play an important role in supporting the full implementation of the 1540 regime. He suggested that the Council:

- instruct the Committee to focus on building a "cooperation network" among regional, subregional and civil society organisations as well as the private sector and academia;
- instruct the Committee to strengthen cooperation with regional and subregional bodies to jointly develop differentiated implementation strategies;
- increase the number of the Committee's experts from eight to ten, and have them selected by the Secretariat and appointed through established UN procedures through the Office of Disarmament Affairs;
- implement additional mechanisms for the voluntary financing of its activities; and
- itself assess and monitor evolving risks and threats concerning WMD and non-state actors.

Key Issues

The Committee's comprehensive review has been an important issue leading into the final report on compliance with resolution 1540, which is due to the Council before

the expiration of the Committee's mandate in April 2011. In the years since the adoption of resolution 1540, the initial criticism of the regime has waned. This is due in part to the Committee working on active engagement with states and facilitating the pairing of willing donors with states requiring assistance.

A major issue for 2010 will be the need for significant progress in order to achieve full implementation of the resolution. Lack of capacity in many states continues to delay implementation and hinders the ability to respond adequately to UN reporting requirements.

Council and Wider Dynamics

Many Council members appreciate the Committee's work under Costa Rica's leadership and the open meeting from 30 September to 2 October 2009 has been welcomed. Many participants expressed significant support for the 1540 regime and the inclusive nature of the meeting enabled Council members to counter criticisms that the Committee is lacking in transparency.

Committee members seem confident that the comprehensive review will be complete by mid-January and that, while some aspects are still awaiting final agreement, the changeover in chairmanship of the Committee in January is unlikely to delay reaching agreement. Approximately twenty recommendations are expected.

There is general agreement that the Committee's four working groups have allowed members to divide the Committee's workload and function more efficiently. Some members would still like to see measures for improved communication between the four working groups (on assistance, cooperation, outreach and implementation). Most Council members seem to support institutionalising the groups.

Some members, including the US, support the creation of a voluntary UN fund to facilitate the assistance activities of the 1540 regime. It is hoped that such a fund would expedite the distribution of assistance, and be useful in circumstances where states may prefer to receive assistance through a UN source rather than directly from a donor country.



Selected UN Documents

Selected Council Resolutions

- S/RES/1887 (24 September 2009) on nuclear non-proliferation and disarmament stressed the value and necessity of fully implementing resolution 1540.
- S/RES/1810 (25 April 2008) extended the mandate of the 1540 Committee on weapons of mass destruction until 25 April 2011, requested the Committee to consider a comprehensive review, encouraged states to prepare action plans and called on organisations and member states to provide the Committee with a contact for assistance.
- S/RES/1673 (27 April 2006) extended the mandate of the 1540 Committee for two years, and broadened its scope to include outreach, dialogue, assistance and cooperation.
- S/RES/1540 (28 April 2004) established the 1540 Committee for up to two years and created its mandate to report on implementation of the resolution.

Selected Meeting Record

- S/PV.6238 (14 December 2009) was a briefing by chairs of subsidiary bodies of the Council.

Selected Letter

- S/2009/124 (2 March 2009) transmitted the Committee's programme of work for the period 1 February 2009 to 31 January 2010.

Useful Additional Resource

Implementing UNSCR 1540: Next Steps toward Preventing WMD Terrorism, Stanley Foundation, December 2009

Notable Dates for January

Reports for consideration in January	Document Requesting Report
29 December	<i>Afghanistan (UNAMA)</i> S/RES/1868
31 December	<i>West Africa (UNOWA)</i> S/2007/754
31 December	<i>Kosovo (UNMIK)</i> S/RES/1244
31 December	<i>Somalia</i> S/PRST/2001/30
8 January	<i>Côte d'Ivoire (UNOCI)</i> S/RES/1872
11 January	<i>Nepal (UNMIN)</i> S/RES/1880
mid January	<i>Sudan (UNMIS)</i> S/RES/1879
January 2010	Mandates Expire Relevant Document
23 January	<i>Nepal (UNMIN)</i> S/RES/1879
31 January	<i>Côte d'Ivoire (UNOCI)</i> S/RES/1880
31 January	<i>Somalia (AMISOM)</i> S/RES/1872
January 2010	Other Important Dates
1 January	<i>The UN Integrated Peacebuilding Office in Guinea-Bissau will succeed UNOGBIS and the UN Integrated Peacebuilding Office in the Central African Republic will succeed BONUCA.</i>
28 January	<i>A conference on Afghanistan in London is expected.</i>

Also expected in January:

- The Secretary-General is expected to advise the Council regarding his proposals for monitoring and reporting within the existing UN system on the protection of women and children from rape and other sexual violence in armed conflict and post-conflict situations, as requested by resolution 1888.
- The 1540 Committee on non-proliferation of weapons of mass destruction and terrorism is due to submit its comprehensive review to the Council, as well as its new programme of work.
- Under-Secretary-General for Peacekeeping Operations Alain Le Roy is expected to brief on Sudan.
- The Secretary-General's Representative in Nepal, Karin Landgren, is expected to brief.

The Council is expected to be briefed by the Secretary-General's Special Representatives:

- Kai Eide on Afghanistan;
- Lamberto Zannier on Kosovo;
- Ahmedou Ould-Abdallah on Somalia;
- Choi Young-jin on Côte d'Ivoire; and
- Said Djinnit on West Africa.

Important Dates over the Horizon

- The Human Rights Council will conduct its Universal Periodic Review of Bosnia and Herzegovina, Fiji, Iran and Iraq in February 2010.
- Presidential elections are expected in Côte d'Ivoire in late February/early March 2010.
- General elections in Iraq are scheduled for 7 March.
- 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.
- Elections are scheduled for April 2010 in Northern Cyprus.
- National elections are expected in the Central African Republic before the end of April 2010.
- The ICJ advisory opinion on the legality of Kosovo's unilateral declaration of independence is expected before July 2010.
- Presidential and legislative elections are expected in Burundi on 28 June and in late July 2010, respectively.
- Parliamentary elections in Afghanistan are slated for 2010.
- Legislative elections in Chad are slated for 2010.
- General elections in Myanmar are slated for 2010.

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