



SECURITY COUNCIL REPORT

MONTHLY FORECAST

MAY 2010



29 April 2010

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

OVERVIEW FOR MAY

Lebanon will preside over the Council in May, in what promises to be a very busy month, with mandates of four operations up for renewal, a Council trip to the DRC (postponed from April), and a large number of briefings and consultations.

The semi-annual briefing by the three chairs of the Council **counter-terrorism** committees will be an occasion for an open debate.

Debates are expected on **Kosovo** and the periodic report on the operation there, UNMIK; on Somalia, on the occasion of the consolidated report by the Secretary-General and the AU operation in **Somalia**, AMISOM; and on **Bosnia and Herzegovina**, following the semi-annual report by the High Representative.

The **Africa trip** prior to the renewal of MONUC, the operation in the **DRC**, originally planned for April and scheduled to include three countries (Rwanda and Uganda, in addition to the host country) was postponed due to travel restrictions caused by the volcanic ash cloud over

Europe and will now be much shorter and only involve Kinshasa. The mission is currently scheduled to leave towards the middle of the month.

The Council will likely be receiving several briefings on:

- **EU-UN cooperation** from the EU's High Representative for Foreign Affairs and Security Policy, Catherine Ashton;
- the mission in **Nepal**, probably by UNMIN's head Karin Landgren;
- the UN-AU hybrid operation in **Darfur**, UNAMID;
- the Middle East;
- the peacekeeping operation in **Côte d'Ivoire**, UNOCI;
- the ninety-day report on the operation in **Iraq**, UNAMI; and
- the Council trip to the **DRC**.

The **DRC Sanctions Committee** is expected to receive a briefing from its Group of Experts.

Consultations are likely to be held on:

- the operation in **Chad/CAR**, MINURCAT, probably including a briefing by the

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Department of Peacekeeping Operations;

- the electoral process in **Burundi**, with a likely briefing by Charles Petrie, the head of the UN Integrated Office, BINUB;
- the possible extension of the mission in

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Aide-Memoire

Important matters pending include:

- A biennial report by the Secretary-General on **small arms** requested on 29 June 2007 in a presidential statement (S/PRST/2007/24) is yet to be produced for 2010. The last report on small arms was published in April 2008.
- A quarterly report on ISAF in **Afghanistan** was circulated on 19 January 2010. This report covered the period 1 August to 31

October 2009. The previous report had been released in June 2009, covering August 2008 to January 2009. However, there does not appear to be any report covering the period from February through July 2009.

- 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.

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- **Nepal**, UNMIN;
- the **DPRK (North Korea)** including on the work of the sanctions committee (the 1718 Committee);
- the **Middle East**, following the monthly briefing;
- the operation in the **DRC**, MONUC;
- UNAMID in **Darfur**;
- UNAMI in **Iraq**; and
- **UN peacekeeping operations** as part of

a newly established practice to hold regular interactive consultations with the Secretariat on this matter.

Over the course of the month informal meetings involving some or all Council members are likely to be held on **Iran**.

Formal sessions are expected to adopt resolutions on:

- the renewal of the rolled over mandate

of **MINURCAT** in Chad and the Central African Republic;

- the renewal of the peacekeeping operation in Côte d'Ivoire, **UNOCI**;
- the renewal of **MONUC** in the DRC; and
- the likely extension of the mission in Nepal, **UNMIN**.

Aide-Memoire (continued)

- The Secretary-General has failed to reenergise his Advisory Committee on the Prevention of Genocide (it has not met since 2008).
- In a presidential statement on **Darfur** in July 2008 (S/PRST/2008/27) the Council noted the UN investigation underway into the 8 July 2008 attack against UNAMID peacekeepers. The Council has not followed up this investigation.
- 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).

- 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.
- 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 Indepen-**

dent Border Assessment Team, issued on 25 August 2008, still awaits Council consideration (S/2008/582).

- 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 2005 World Summit requested that the Security Council consider reforms for the **Military Staff Committee**. This has yet to be addressed.

Status Update since our April Forecast

- **Guinea-Bissau**: On 1 April the Council issued a press statement expressing concern about military incidents which took place that day in Guinea-Bissau (i.e. the temporary detention of the prime minister and removal of the head of the armed forces from his post by his deputy). Council members urged all parties to avoid acts of violence, uphold constitutional order and respect the rule of law in the country. On 6 April the Council was briefed in informal consultations by the Secretariat on the situation in the country.
- **Western Sahara**: On 9 April the Council held a meeting with countries contributing troops and police to the UN Mission for the Referendum in Western Sahara (MINURSO) (S/PV.6295). On 6 April, the Secretary-General's report (S/2010/175) noted that the presence of MINURSO remains indispensable for the maintenance of ceasefire in

Western Sahara. He also urged both parties to the dispute, Morocco and *Frente Polisario*, to continue to negotiate in good faith and without any preconditions under the auspices of the Secretary-General's personal envoy Christopher Ross. At press time, the Security Council was scheduled to extend MINURSO's mandate until 30 April 2011 at a meeting on 29 April.

- **Support for AU Peacekeeping**: Council members were briefed by Under-Secretary-General Susana Malcorra, the head of the Department of Field Support, on the current status of cooperation with the AU in the area of peacekeeping operations during informal consultations on 12 April. It seems that members were encouraged by the efforts being made by the joint task force of the UN and AU secretariats but urged that the task force establish priorities and develop further strategic thinking on the

role of regional organisations in peacekeeping. Members seemed to be waiting for the report, due no later than 26 October under as per S/PRST/2009/26, before taking any specific action.

- **Middle East**: On 14 April the Security Council held an open debate on the Middle East and was briefed by Under-Secretary-General for Political Affairs B. Lynn Pascoe who said that a crisis of confidence between the parties had prevented a resumption of peace talks (S/PV.6298 and resumption 1). Pascoe reiterated the UN's call for a settlement freeze as per Roadmap obligations, described the Israeli approval of a military order giving the IDF power to evict a broad category of Palestinians from the West Bank as a worrisome development, expressed concern about the volatile security situation in Gaza where there were exchanges of Palestinian rocket fire and Israeli airstrikes,

Status Update since our April Forecast (continued)

and reported that some materials were being allowed into Gaza for UN reconstruction projects but that it fell far short of what Gaza requires (SC/9906).

- **Pakistan:** The report of the UN Commission of Inquiry into the facts and circumstances of the assassination of former Pakistani Prime Minister Benazir Bhutto was transmitted to the Security Council on 15 April 2010 in an unpublished letter. Among its conclusions were that the security arrangements made by Pakistan's authorities to protect Bhutto were "fatally insufficient and ineffective" and that her death could have been prevented if adequate security measures had been taken. It also said that subsequent investigations into her death were prejudiced and involved a whitewash. Among the recommendations were that the Pakistan government consider undertaking police reform measures and conduct a review of its intelligence agencies and security arrangements.
- **Peacebuilding:** On 16 April the Council held an open debate on peacebuilding (S/PV.6299 and resumption 1). The meeting was chaired by Katsuya Okada, the foreign minister of Japan. The Council adopted a presidential statement on the issue during the meeting (S/PRST/2010/7).
- **Working Methods:** On 22 April the Council held an open debate on Council working methods. The debate was guided by a concept paper (S/2010/165) prepared by Japan, the chair of the Informal Working Group on Documentation and Other Procedural Questions, and was broadly focused on the implementation of and follow-up to the 2006 presidential note that compiled Council's practices and understandings relating to working methods. The debate showed a growing interest of member states at large in the issue of Council working methods with 38 non-Council members participating in the all day debate (in the 2008 debate, 29 such members had participated). Most speakers focused on issues related to transparency and Council interaction with the rest of the UN membership. Among several specific recommendations put forward by participating delegations was a suggestion that an open debate on this topic should be held annually or biannually. (S/PV.6300 and resumption 1; SC/9910)
- **Women, Peace and Security:** On 27 April, the Special Adviser on Gender Issues, Rachel Mayanja, presented the Secretary-General's latest report on women, peace and security (S/2010/173) outlining measures intended to track the implementation

of resolution 1325. In addition, the new Special Representative on Sexual Violence in Conflict, Margot Wallström, also briefed the Council on her recent visit to the DRC and urged the Council to make the prevention of sexual violence a top priority, while stressing the need to end impunity for sexual violence (S/PV.6302). On 5 March, the Secretary-General appointed a civil society expert group to assess the impact of resolution 1325 on women in the context of armed conflict over the past decade. The group is co-chaired by the former Irish president and former UN High Commissioner for Human Rights Mary Robinson and the Executive Director of Femmes Africa Solidarité, Bineta Diop.

- **Haiti:** At press time the Council was expected to hold a debate on 28 April after receiving the Secretary-General's latest report of 22 April on MINUSTAH (S/2010/200).

- **Lebanon:** At press time it was expected that on 29 April Council members would be briefed in informal consultations by Special Envoy Terje Rød-Larsen on the Secretary-General's latest 1559 Report (S/2010/193). The annual report of the Special Tribunal for Lebanon was also transmitted to the Security Council (S/2010/159).

Iran

Expected Council Action

The P5 plus Germany are still working on elements for a draft resolution to impose additional sanctions on Iran in response to the country's non-compliance with IAEA and Council decisions. It seems likely that the Council as a whole will consider the Iran nuclear issue in May.

Key Recent Developments

Discussion of a new sanctions resolution appears to have gained momentum in recent weeks, but it is hard to estimate how quickly agreement can be reached. China, France, Germany, Russia, the UK and the US met on 8 April and have continued to meet on a frequent basis. A draft resolution which would impose further restrictions on

Iran's banking sector and on Iranian shipping, a full arms embargo, measures against members of the Islamic Revolutionary Guard Corps and a ban on new investments in the country's energy sector seems to be quite far advanced.

Foreign Minister Manouchehr Mottaki of Iran met with International Atomic Energy Agency (IAEA) chief Yukiya Amano in Vienna on 25 April, as well as Austrian Foreign Minister Michael Spindelegger. An IAEA statement released after the meeting with Amano gave no indication of progress. Spindelegger said that it was up to Iran to restore international trust. Iranian President Mahmoud Ahmedinejad visited Uganda on 23 April to discuss assistance and investment in Uganda, as well as Iran's nuclear programme. The visits by

Mottaki and Ahmedinejad appeared to be part of an Iranian diplomatic offensive to head off a sanctions resolution by reverting to the possibility of reviving the Tehran Research Reactor (TRR) uranium swap deal. (Under an IAEA proposal made last October, Iran would send its low-enriched uranium abroad in return for 20 percent enriched fuel rods to be used in the TRR for medical purposes.)

US Vice President Joseph Biden said on 22 April that he thought a new resolution on Iran would be passed by late April or early May.

A spokesperson for China's foreign ministry said on 20 April that a negotiated solution to Iran's disputed nuclear program was still possible but China also continued to

participate actively in intensive talks among the P5 on possible new sanctions.

Foreign Minister Ahmet Davutoglu of Turkey met with his Iranian counterpart on 20 April as part of Turkey's efforts to mediate the standoff regarding Iran's nuclear programme.

Iran announced on 19 April it was ready to proceed with the construction of a new uranium enrichment plant.

On 17-18 April, Iran hosted a nuclear conference in Tehran, attended by representatives from about sixty countries, focused in part on the nuclear rights of Nuclear Non-Proliferation Treaty (NPT) signatories.

Iran wrote to the president of the Council on 13 April asserting that the recently announced US nuclear posture review constituted a threat to Iran. (This followed another letter sent to the Secretary-General in late March that asserted Iran's commitment to the NPT and cooperation with the IAEA.)

On 12 April, US President Barack Obama and Chinese President Hu Jintao met bilaterally at the margins of a US-sponsored summit on global nuclear security in Washington. US officials stated afterward that China had agreed to increase its engagement on a possible new resolution, but a statement by China made no mention of new sanctions.

Human Rights-Related Developments

The report of the Working Group of the Human Rights Council (HRC) that conducted the Universal Periodic Review of Iran was adopted on 17 February. Of the 168 recommendations adopted by the Group, Iran indicated that it supported over 100 of them and had already implemented or was in the process of implementing a further twenty. Iran is examining further several recommendations to which it will provide its responses by the HRC's fourteenth session, to be held in June 2010. This latter batch of recommendations urges Iran to ratify

human rights conventions against torture, bring its legislation into line with those human rights instruments that Iran has already ratified, and take steps to reform discriminatory provisions of penal and civil laws, including with regard to women's equal rights in marriage and access to justice. Iran withdrew its candidacy for the HRC on 23 April.

Key Issues

A key issue, now that it seems the P5 may be close to agreement on additional sanctions, is the position of the elected members of the Council on the underlying policy issue.

A related issue is the extent to which the full Council is satisfied with the level of consultation offered by the P5 as their discussions have proceeded.

Options

Options for the Council include:

- adopting a draft resolution imposing new sanctions on Iran in the terms proposed by the P5;
- establishing a sanctions monitoring group (bearing in mind incidents indicating possible violations of past resolutions); and
- considering possible amendments to the proposed new sanctions measures that may be proposed by elected members (as occurred in March 2008).

Council and Broader Dynamics

Permanent members appear to be focused on the importance of consulting with the full Council in a more meaningful way than in the past once preliminary agreement is reached among the P5. At press time it seemed as though the P5 were beginning to reach out to some elected members. However, it is less clear how this process will accommodate any drafting changes sought by elected members (E10) and how this will be balanced against the desire of some permanent members for speedy action on a resolution.

Some elected members are concerned that they may only be consulted in a limited fashion once agreement on a draft text has been reached among the P5.

There are also substantive disagreements on the part of several E10 members. Some, including Brazil, Lebanon and Turkey, remain sceptical about the desirability and utility of imposing additional sanctions on Iran. Gabon also seems to have a preference for a negotiated settlement rather than additional sanctions, if possible.

Members are also aware of a number of incongruities in timing. The president of Brazil plans to travel to Iran in mid-May. Some feel this interaction might provide an opportunity to influence Iran, others are sceptical. Timing is also a problem for Lebanon. Many would prefer if possible to avoid placing Lebanon in the position of presiding over a vote on Iran during its May Council presidency, due to the unique domestic issues for Lebanon involving Iran.

Selected UN Documents

Selected Council Resolutions

- S/RES/1887 (24 September 2009) reaffirmed previous resolutions related to Iran's nuclear activities.
- S/RES/1835 (27 September 2008) reaffirmed commitment to a negotiated solution within the E3+3 dual-track framework, and called upon Iran to comply with previous Council resolutions.
- S/RES/1803 (3 March 2008) established a travel ban on some individuals already subject to sanctions, added new names to the list of individuals and entities subject to assets freeze, and expanded the embargo on proliferation-sensitive items.
- S/RES/1747 (24 March 2007) established a ban on Iran's arms exports and added names to the list of people and entities subject to assets freeze.
- S/RES/1737 (23 December 2006) banned trade with Iran of certain items related to nuclear activities and weapon-delivery systems, imposed an asset freeze on certain persons and entities and established a sanctions committee.
- S/RES/1696 (31 July 2006) demanded that Iran suspend all enrichment-related and reprocessing activities, including research and development, to be verified by the IAEA.

that in response to President Kabila's request for the complete drawdown of MONUC by August 2011, the Secretary-General recommended an initial drawdown by 30 June 2010, followed by a review of the security situation to trigger the planning for further reductions in MONUC troop levels. These reviews would focus on progress on military operations against armed groups, deployment of security forces to assume MONUC protection tasks and establishment of state authority in areas freed of armed groups. Doss warned that endemic poverty, lack of employment for demobilised combatants, the competition for economic resources and the return of internally displaced persons (IDPs) and refugees remained potential sources of tension and violence. He said MONUC should progressively shift its focus and structure towards post-conflict stabilisation and consolidation, based on an expanded partnership with the UN country team. He said the Integrated Strategic Framework (ISF), which was still under discussion with the government, was intended to serve as a road map to help the UN move in that direction. The ISF identifies four key UN strategic goals: addressing ongoing conflicts; stabilising the conflict-affected areas; consolidating peace across the DRC; and making development viable. Closed consultations followed the debate. Earlier, Doss had briefed MONUC troop and police-contributing countries in a meeting of Security Council experts on 7 April.

According to the Secretary-General's 30 March report, much of western DRC is relatively stable, with conditions allowing post-conflict recovery and peacebuilding. In the east, however, significant challenges remain. Potential triggers of instability in the Kivus and Orientale provinces include the continuing humanitarian crisis, the continued presence of the FDLR, LRA and residual Congolese armed groups, the absence of effective government authority, the security vacuum that may be created if

Selected Meeting Record

- S/PV.6280 (4 March 2010) was the last briefing by the chair of the 1737 Committee.

Selected Letters

- S/2010/188 (13 April 2010) was a letter from Iran which argued that the US nuclear posture with regard to Iran constituted a threat to international peace and security.
- S/2010/172 (26 March 2010) asserted Iran's commitment to the NPT and cooperation with the IAEA.

Latest IAEA Report

- GOV/2010/10 (18 February 2010)

Other Relevant Facts

1737 Sanctions Committee Chairman

Yukio Takasu (Japan)

Useful Additional Source

- James Nixey, "Russian Policy on Iran: Balancing is Best", *The World Today*, volume 66, no 5, May 2010

Democratic Republic of the Congo

Expected Council Action

The mandate of the UN peacekeeping mission in the DRC expires on 31 May. Reaching an agreement with the government on MONUC's eventual withdrawal and its role in security sector reform are key unresolved issues.

The planned Council mission to the DRC (postponed from April to mid-May due to the volcanic cloud) will enable members to hold two days of meetings with President Joseph Kabila, Prime Minister Adolphe Muzito and other ministers, parliamentarians, UN agencies and civil society. Agreement on renewal of MONUC for a further 12 months and continuation of its protection of civilians mandate seems likely. But refocusing the mission over the medium-term may be necessary.

An interim report from the sanctions group of experts is anticipated by 21 May and a briefing to the DRC sanctions committee is also expected. Expanded committee guidelines are due 30 May.

The Council visit will be preceded by an interagency assessment mission planned for 1-10 May to assess the implementation of MONUC's conditionality policy, as requested in paragraph 41 of resolution 1906.

Key Recent Developments

The security conditions in North and South Kivu provinces of the Democratic Republic of the Congo (DRC) remain highly volatile. House burnings, lootings, abductions and sexual assaults persist. The remnants of the Rwandan Hutu rebel *Forces démocratiques de libération du Rwanda* (FDLR) and the *Forces Armées de la République Démocratique du Congo* (FARDC) continue to be the main perpetrators of human rights abuses. Military operations continue to lead to displacement of the population.

A 4 April attack by Enyele insurgents in Mbandaka, the capital of Equateur province, reportedly led to the deaths of ten Congolese security force members, 21 rebels, two civilians and three MONUC officers. Inter-communal clashes involving the Enyele over the control of fishing points in Dongo has led to the internal and cross-border (to the Republic of Congo) displacement of nearly 200,000 people since late October 2009.

According to the Office for the Coordination of Humanitarian Affairs (OCHA), between December 2009 and March 2010, Ugandan Lord's Resistance Army (LRA) rebels killed 407 civilians and abducted 302, including 125 children, in Orientale province. This averages 102 killed per month, as compared to 64 killed per month from December 2007 to November 2009. MONUC estimates less than one hundred LRA members remain in the DRC, and some 300 to 350 continue to move in small groups between the DRC, Central African Republic, Sudan and possibly Chad. According to the Secretary-General, an enhanced military strategy, including greater air mobility and intelligence capabilities, and MONUC support for cross-border operations, are required to deter LRA attacks and to target the group's command structure more effectively.

On 13 April, Special Representative of the Secretary-General and head of MONUC Alan Doss briefed the Council. Doss said

local authorities do not fill MONUC's role as it draws down, the incomplete implementation of the 23 March agreements (between the government and armed groups in the Kivus which would see the conversion of movements from military to political ones in exchange for the integration of rebels into the government), the possible resurgence of intercommunal conflicts, the cross-border movement of undocumented persons and the continuing illegal exploitation of natural resources. His recommendations include:

- extending MONUC's mandate for a further 12 months;
- withdrawing MONUC troops from eight of the country's 11 provinces by 30 June 2010, involving up to 2,000 troops (the focus of international assistance in these eight provinces should be on peace consolidation, protection of human rights, reconstruction and making sustainable development viable);
- drawing down troops in North and South Kivu and Orientale provinces in phases driven by a joint review process, the first of which is scheduled to take place in September 2010; and
- continuing to make MONUC's priority the protection of civilians.

His specific recommendations for MONUC include:

- contributing in the next mandate period to the training and development of three police battalions, with 550 personnel in each;
- providing some of the military justice institutions with vehicles, communications and other equipment;
- developing with the Ministry of Defence a package for the training and equipping of three military police battalions; and
- continuing to deploy additional capabilities approved under resolution 1843 (2008).

The Secretary-General's Special Representative on Sexual Violence in Conflict Margot Wallström visited the DRC from 12-18 April and briefed the Council on 28 April. John Holmes, OCHA head, is expected to conduct a six-day visit to the DRC starting on 29 April to advocate for humanitarian action, the protection of civilians and the security of humanitarian workers.

Human Rights-Related Developments

On 26 March the Human Rights Council (HRC) adopted a text without a vote on the situation of human rights in the DRC. The HRC requested the DRC to prevent sexual violence and, within the framework of a policy of zero tolerance, to prosecute all cases of serious human rights violations in the army and the national police force. The HRC also asked the government, with the assistance of the High Commissioner for Human Rights and the relevant UN Special Procedures, to develop a plan for prioritisation and implementation of recommendations made to date, particularly regarding the protection of women and children, the administration of justice and combating impunity. The High Commissioner was asked to report to the HRC in early 2011 on developments in the DRC.

Sanctions Developments

The Sanctions Committee circulated note verbales to all member states in late March drawing their attention to the conclusions made in the Group of Experts final report in 2009 (S/2009/603). The Committee has rejected some recommendations including that the Committee approve training by member states to the DRC security forces and that the government be requested to remove military units from mining sites. Discussions are continuing on the language to be used in additional letters to member states specifically highlighted in the report. Three sanctions experts commenced their work in the DRC in March (the logistical and regional expert were appointed in April). Holds have been placed on listing requests pending further information on the individuals. (On 15 May 2008 Rwanda submitted a list of 19 individuals, of which four have been listed.) On 12 February Rwanda provided additional information on five of the individuals raised in the Group of Experts' final report (S/2010/93).

Key Issues

A key issue for the Council is to reach some common ground with the government on the withdrawal of MONUC based on the realities on the ground rather than a fixed timeline.

A second issue for the Council is better understanding the role the DRC would like to see the UN playing in the future, given the government's dislike of the proposed ISF for the UN's engagement in the DRC over the next three years and developing an agreed Council response to this.

A related issue is whether there is now a need to give higher priority to a common peacebuilding strategy led by the UN to coordinate among international partners and the DRC government on the most important peacebuilding issues. The future role of MONUC in security sector reform (SSR) remains unclear but is a key priority for Council members. There also seems to be a concern from some as to whether the Secretary-General's recommendations in this area are feasible, such as calling for 75 police trainers to train three police battalions over the next mandate period when this expertise is not currently available in MONUC.

A broader issue for the Council is the seemingly growing trend of the unexpected challenges of host country consent to the presence of UN missions and how to better manage operations to avoid these developments in the future.

Options

Options for the Council include:

- extending MONUC's mandate for a further 12 months, making some adjustments to its SSR role to reflect the government's and Secretary-General's recommendations;
- authorising an immediate reduction in MONUC troops and future reductions based on an agreed review process;
- requesting MONUC to prepare a plan with international partners for a phased transition to a DRC security lead in eastern provinces, including the conditions on which the transition would be based;

- shifting MONUC's focus more towards post-conflict stabilisation consolidation and peacebuilding in order to respond to potential sources of tension and violence, including poverty, lack of employment for demobilised combatants, competition for land and minerals and the return of IDPs and refugees;
- calling for a donor conference to bring greater attention to the DRC's development needs and to promote greater coordination;
- rolling over MONUC's mandate for a limited period to allow time to develop a new approach to the integrated strategic framework and adjust MONUC's mandate to more accurately reflect a role as part of a greater UN effort to support government priorities;
- authorising MONUC to provide logistical support to Ugandan People's Defence Force operations in the DRC against the LRA; and
- requesting a detailed report on the review mechanism as proposed by the Secretary-General.

Council Dynamics

Most Council members still consider that a withdrawal of MONUC by August 2011 would be problematic. The Secretary-General's recommendation for up to 2,000 troops to be withdrawn by 30 June is acceptable to most. Some members, including the US and Austria, want a more thorough assessment before commencing any drawdown. More information on the Secretary-General's proposed review mechanism is required before it receives full Council support. There seems to be a shared view that successive withdrawal phases should be based on a realistic assessment of the situation on the ground rather than on a predetermined timetable.

Most members seem confident a compromise can be found with the government on a more flexible timeline for withdrawal. China and Nigeria seem hesitant about opposing the DRC government's position too bluntly but, like other Council members, do want to engage in a dialogue with the

government on a compromise for MONUC going forward.

Protection of civilians remains a priority for most Council members. Given the government's reluctance for MONUC to assume a lead role in SSR, it seems unlikely there will be a repeat of the December 2009 discussion on prioritising SSR over protection of civilians. Many Council members would like to see a strong coordination role for MONUC in SSR.

Given the cross-border dimension of the LRA issue, Uganda would like to see whether UN missions in the region could do more.

Some members would like to see a distinct shift in MONUC's priorities towards peace stabilisation and consolidation. However, given the backdrop of the current review of the peacebuilding architecture, there is uncertainty in how far the Council can go in this regard at this stage.

France is the lead country.

UN Documents

Selected Security Council Resolutions

- S/RES/1906 (23 December 2009) extended the mandate of MONUC until 31 May 2010.
- S/RES/1896 (30 November 2009) extended the DRC sanctions and the mandate of the Group of Experts to 30 November 2010.
- S/RES/1843 (20 November 2008) authorised the temporary deployment of an additional 3,085 troops to reinforce MONUC's capacity.

Latest Presidential Statements

- S/PRST/2009/24 (5 August 2009) was on UN peacekeeping operations.
- S/PRST/2008/48 (22 December 2008) welcomed regional efforts to address the security threat posed by the LRA.

Latest Secretary-General's Report

- S/2010/164 (30 March 2010)

Other

- S/2010/187 (14 April 2010) was the agreed terms of reference for the Council mission to the DRC.



- S/2010/93 (12 February 2010) was letter from Charge d'Affaires of Permanent Mission of Rwanda conveying additional information on the FDLR, RUD-Uranana and other individuals referred to in S/2009/603.
- S/2009/603 (23 November 2009) was the latest report of the Group of Experts on the DRC.
- SC/9791 (17 November 2009) was the Council's press statement on the LRA.

Other Relevant Facts

Special Representative of the Secretary-General and Head of Mission

Alan Doss (UK)

MONUC Force Commander

Lieutenant General Babacar Gaye (Senegal)

Size, Composition and Cost of Mission

- *Strength as of 28 February 2010:* 18,645 troops, 712 military observers, 1,216 police, 1,001 international civilian personnel, 2,690 local civilian staff and 648 UN volunteers.
- *Approved budget* (1 July 2009-30 June 2010): \$1,350 million

Duration

30 November 1999 to present; mandate expires on 31 May 2010.

Useful Additional Sources

- Congo: A Stalled Democratic Agenda, International Crisis Group, 8 April 2010.
- Now, the world is without me, Oxfam International, 15 April 2010.
- *Who Belongs Where? Conflict, Displacement, Land and Identity in North Kivu, DRC*, International Refugee Rights Initiative and Social Science Research Council, March 2010

Expected Council Action

The Council is likely to renew but modify the mandate of MINURCAT, the peacekeeping operation in Chad and CAR which was rolled over until 15 May. A report from the Secretary-General on MINURCAT is due. A briefing by the head of UN peacekeeping, Alain Le Roy, is likely.

Informal consultations on the mandate of MINURCAT are likely to focus on the length of the new mandate and the number of troops that will remain in place.

Key Recent Developments

On 23 April, Under-Secretary-General for Peacekeeping Operations Alain Le Roy briefed the Council on negotiations with Chadian authorities on the future of the UN Mission in the Central African Republic and Chad (MINURCAT). Le Roy told the Council the Chadian authorities' proposal was to reduce UN troops to 1,900 and that it is ready to assume the responsibility of protection of civilians.

On 10 April, the Irish government said the lack of certainty about the continuation of the UN mandate in addition to the approach of the rainy season were factors in its decision to withdraw its 400 peacekeepers from Chad.

On 8 April, during a personal visit to Paris, Chadian President Idriss Deby met with French President Nicolas Sarkozy and discussed the future of MINURCAT. Although Deby maintains that the number of UN peacekeeping troops should be reduced, it was reported that he agreed to the renewal of the mandate until October.

In resolution 1861, the Council requested MINURCAT to focus on three main areas:

- security and protection of civilians;
- human rights and the rule of law; and
- regional peace support.

Since its initial deployment in 2009, MINURCAT struggled to achieve full operational capability.

Humanitarian actors are concerned about the uncertain security situation in the

eastern part of Chad and worry that a reduced number of MINURCAT troops will heighten risks for organisations delivering humanitarian aid into some areas. In the past year, the offices of humanitarian workers have been attacked and their vehicles have been looted, forcing some of the groups to suspend operations.

On 15 April, the border between Chad and Sudan reopened after seven years. It had been closed since the beginning of the Darfur conflict. Currently, Sudan and Chad military personnel monitor the border. The two countries agreed on 5 February to deploy some 3,000 troops along the border to end cross-border rebel attacks from the both sides.

In the Central African Republic (CAR), unpredictable security conditions continue. On 21 December 2009, the Council urged the government in a presidential statement to strengthen security sector reform while also completing disarmament and demobilisation before the national elections in 2010. On 24 March, the Lord's Resistance Army killed and injured several people in the village of Boka. The rebel group also abducted an estimated fifty villagers.

The Secretary-General's May report will likely update developments on the ground, including:

- the Chadian government's efforts to enhance national capacity to protect civilians and resolve the armed conflict in the east;
- humanitarian operations to support sustainable voluntary return and resettlement of internally displaced persons (IDPs) and refugees;
- relations between Sudan and Chad and their impact on security in the eastern part of Chad; and
- security sector reform by the CAR government, especially in the northeastern part of the country.

On 31 March, the Secretary-General named Youssef Mahmoud of Tunisia as his Acting Special Representative for MINURCAT, succeeding Victor da Silva Angelo of Portugal, who retired on 31 March.

Key Issues

The key issue for the Council is finding common ground on a resolution which accommodates, to some extent, the Chadian government's wishes while also responding to the realities of the challenges on the ground.

A related issue is whether the Chadian government is committed and willing to enhance its capacity to protect civilians and deal with security risks in the eastern part of the country.

Another issue is whether and how a mission with fewer troops can support the humanitarian actors on the ground in their efforts to assist IDPs and refugees.

Underlying Problems

A key underlying problem is finding a comprehensive solution to the conflict in eastern Chad, which would allow a sustained return of IDPs and refugees. Such a solution depends on the management of local conflicts between ethnic groups, improved relations between Sudan and Chad and improved security in Darfur, but without a political mandate, MINURCAT has not been able to pursue concrete solutions to the underlying causes of the crisis in eastern Chad.

Options

As the discussion of MINURCAT's mandate continues, options might include:

- extending the mandate until October 2010 with modifications which would include a smaller number of troops;
- supporting the Chadian government's efforts in strengthening the rule of law through training; and
- requesting the AU and regional actors to actively support efforts by Sudan, Chad and CAR to improve their relations so as to contribute to long-term peace and stability in the region.

Council Dynamics

While Council members support the efforts of the UN Secretariat, they are cautious about changing the mandate knowing that humanitarian and security challenges on the ground remain the same, including the presence of large numbers of IDPs and

refugees in the east who cannot permanently return home until there is sustained security in their areas of return.

The decision of the Irish government to withdraw its peacekeeping troops from Chad is seen by some Council members as untimely, especially while negotiations with the Chadian authorities on the future of MINURCAT were continuing.

Most Council members are closely monitoring the efforts of the governments of Sudan and Chad to improve their relations, as this might lead to peace and stability in the region.

France has the lead in the Council on Chad-related issues; it has been conducting bilateral discussions, both in New York and at capital-level, with the Chadian authorities on the future of MINURCAT.

UN Documents

Selected Security Council Resolutions

- S/RES/1913 (12 March 2010) rolled over MINURCAT's mandate to 15 May 2010.
- S/RES/1861 (14 January 2009) renewed MINURCAT's mandate until 15 March 2010 and authorised the deployment of a military component to replace EUFOR.
- S/RES/1778 (25 September 2007) established MINURCAT and authorised EUFOR.

Selected Security Council Presidential Statements

- S/PRST/2009/35 (21 December 2009) welcomed on-going national reconciliation efforts in CAR.
- S/PRST/2009/13 (8 May 2009) condemned renewed military incursions in eastern Chad by "Chadian armed groups, coming from outside."
- S/PRST/2008/22 (16 June 2008) was a statement on the June rebel offensive in Chad.

Latest Secretary-General's Reports

- S/2009/535 (14 October 2009) was a report on MINURCAT.
- S/2009/277 (29 May 2009) was a report on the protection of civilians in armed conflict.
- S/2009/214 (21 April 2009) was the

letter transmitting the report on the activities of the EU military operation in Chad and CAR.

Other

- S/PV.6204 (22 October 2009) was the verbatim record of the latest meeting of the Council on the situation in Chad and Central African Republic and the subregion.
- SG/SM/12373 (20 July 2009) was the statement of the Secretary-General condemning violence in West Darfur, Chad and the Sudan border.
- S/PV.6121 and S/PV.6122 (8 May 2009) were verbatim records of the Council meetings to discuss renewed cross-border rebel activity in Chad.
- S/2009/232 (6 May 2009) was a letter from Chad requesting a Council meeting on the situation between Chad and Sudan.
- S/2009/231 (5 May 2009) was the note verbale from the Chadian government accusing Sudan of facilitating the renewed cross-border rebel activity.

Other Relevant Facts

Acting Special Representative of the Secretary-General

Youssef Mahmoud (Tunisia)

MINURCAT

- *Authorised strength as of 14 January 2009*: 300 police, 25 military liaison officers, 5,200 military personnel and an appropriate number of civilian personnel.
- *Strength as of 28 February 2010*: 3,812 total uniformed personnel, including 3,351 troops, 24 military observers, and 259 police officers, as well as 428 international civilian personnel, 504 local civilian staff, and 143 UN volunteers.
- *Main police contributors*: Côte d'Ivoire, Senegal, Burkina Faso, Benin and France.
- *Main military contributors*: France and Ireland.
- *Cost*: approved budget 1 July 2009–30 June 2010: \$690.75 million
- *Duration*: September 2007 to present; mandate expires 15 May 2010



Côte d'Ivoire

Expected Council Action

In May the Council is expected to consider the Secretary-General's report on UNOCI and to renew the mandate of the mission, which expires on 31 May. At press time it was not certain whether the head of UNOCI, Choi Young-jin, would brief the Council.

Key Recent Developments

The situation in Côte d'Ivoire remains largely unchanged. Key parties are making little progress in coming up with a new electoral timetable following a series of postponements. On 11 April, Ivorian President Laurent Gbagbo and former rebel *Forces nouvelles* leader, Prime Minister Guillaume Soro, held discussions over the future of the political process.

On 14 April Ambassador Ilahiri Djédjé of Côte d'Ivoire sent a note verbale to Council members asserting that there had been systematic exploitation of natural resources in the rebel-held (northern) part of the country and claiming that some neighbouring countries had been delivering arms to rebels and complaining that the UN appeared indifferent to those developments. The note stressed that reunification (restoration of complete state control) of the country was needed before elections could be held.

On 15 April the chair of the Côte d'Ivoire Sanctions Committee, Ambassador Maria Luiza Viotti of Brazil, briefed Council members in informal consultations on the work of the Committee and the Group of Experts. Lapses in compliance with the sanctions regime (i.e. arms embargo, travel bans, assets freeze and diamond sanctions) and challenges posed to the work of the Group of Experts were identified. (For more details, please see our April 2010 *Monthly Forecast*). Some Council members reportedly expressed concern about the efforts by both the Ivorian government and former rebels to rearm and the implications for the security situation.

Key Issues

A key issue for the Council is how best to use the opportunity of its meeting to respond to the ongoing challenges in the political process. The lack of agreement on a new electoral timetable since the last (sixth) postponement of the presidential elections that had been scheduled for late February or early March and ongoing security concerns underscore the fragility of the situation ahead.

A related issue is the apparent level of comfort of key parties with the status-quo and whether the Council needs to reassess its past strategy about holding elections as soon as possible.

Another key issue for the Council is how much weight to give to the 14 April demarche from the Côte d'Ivoire mission. A related question is whether to adjust the mission's mandate. (The delay in the submission of the Secretary-General's upcoming report complicates the Council's options since it limits the time to consider the recommendations.)

Underlying Problems

The continued inability of Côte d'Ivoire to return to legitimate governance through presidential elections prolongs instability and risk. The possibility of relapse into conflict has particular risks given the previous history of violence based on ethnic lines.

Options

Options for the Council include:

- agreeing on a short rollover of the mandate of the UN Operations in Côte d'Ivoire (UNOCI) to allow sufficient time for the Council to undertake a strategic review of options in light of the Secretary-General's report; or
- renewing the mandate of UNOCI in May for the standard six months and taking up the question of modifications later in the year, if and when there is greater clarity from the Ivorian parties on the electoral process.

Other options include:

- taking a position now on the unacceptability of the current stalemate in the electoral process;
- increasing pressure on individuals who are obstructing the peace process by imposing additional targeted sanctions;
- sending a small Council mission to visit Côte d'Ivoire; and
- encouraging the Secretary-General to send his Special Adviser on the Prevention of Genocide to the country, individually or as a part of a high-level team, in view of the fact that the issue of national identity lies at the core of the unrest in Côte d'Ivoire and the reports that former belligerent parties are rearming.

Council Dynamics

Council members are frustrated by the cycle of delays in holding elections with its attendant threat to peace and security. They are currently awaiting the report of the Secretary-General with recommendations on UNOCI to inform their decisions regarding the future of the operation. Council members have not ruled out the possibility of a technical rollover of the mandate, in view of their need to consider in detail the options regarding UNOCI's future following the submission of the Secretary-General's report in mid-May. If Ivorian parties were to agree on a new electoral timetable soon, that could be an additional factor that would influence the Council's decision on UNOCI.

Consensus has yet to emerge among Council members on carrying through their decision to "react as appropriate...towards those who would block the progress of the electoral process" as indicated in its 8 December 2009 presidential statement and reaffirmed in its 28 January resolution. Some Council members reportedly suggested during the 15 April consultations that consideration should be given to adding individuals found to be obstructing the electoral process to the sanctions list.

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

UN Documents

Selected Council Resolutions

- S/RES/1911 (28 January 2010) extended the mandate of UNOCI until 31 May 2010.
- S/RES/1893 (29 October 2009) renewed the Côte d'Ivoire sanctions regime and the mandate of the Group of Experts until 31 October 2010.

Selected Presidential Statements

- S/PRST/2009/33 (8 December 2009) noted with concern the postponement 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 the Council's intention to review the situation by 15 October 2009.
- S/PRST/2008/42 (7 November 2008) expressed the Council's determination to fully support the electoral process on the understanding that elections would be organised before the end of spring 2009.
- S/PRST/2008/11 (29 April 2008) welcomed the approval by the Ivorian authorities 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/2010/15 (7 January 2010)

Latest Group of Experts' Report

- S/2010/179 (9 April 2010)

Selected Letters

- S/2009/446 (4 September 2009) was 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 the Côte d'Ivoire Sanction Committee's Group of Experts.
- S/2008/834 (30 December 2008) contained the fourth supplementary agreement to the Ouagadougou Agreement.

Other

- SC/9882 (17 March 2010) was the latest press statement by the Council on the situation in Côte d'Ivoire.
- S/PV.6284 (17 March 2010) was the verbatim record of the last briefing to the Council on the situation in Côte d'Ivoire.
- S/2009/626 (7 December 2009) contained the press statement of the sixth meeting of the Permanent Consultative Framework (Cadre permanent de concertation, or CPC) of the Ouagadougou Agreement.
- S/2007/144 (13 March 2007) contained the Ouagadougou Agreement.

Other Relevant Facts

Special Representative of the Secretary-General and Head of Mission

Choi Young-jin (Republic of Korea)

Force Commander

Major-General Abdul Hafiz (Bangladesh)

Police Commissioner

Major-General Jean Marie Bourry (France)

Chair of the Sanctions Committee

Maria Luiza Ribeiro Viotti (Brazil)

Size and Composition of UNOCI

Strength as of 28 February 2010: 8,544 total uniformed personnel, including 7,194 troops, 196 military observers, 1,154 police; supported by 400 international civilian personnel, 695 local staff and 289 UN Volunteers.

Approved Budget

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

Somalia

Expected Council Action

In May the Council is expected to discuss the Secretary-General's Somalia report, due at the beginning of the month, and review progress in Somalia in light of the "three-phased approach" endorsed by the Council in May 2009. Special Representative Ahmedou Ould-Abdallah is likely to brief the Council.

Many Council members will also participate in an international reconstruction and development conference, as called for by the August 2008 Djibouti Peace Agreement, hosted by Turkey on 22 May in Istanbul.

The Contact Group on piracy off the coast of Somalia is scheduled to meet in New York on 25 May.

Key Recent Developments

On 27 April the Council, in resolution 1918, requested the Secretary-General within three months to report on options to ensure prosecution and imprisonment of pirates captured off the coast of Somalia. (Please see our 20 April *Update Report* for more details.)

On 12 April the Sanctions Committee for Somalia and Eritrea announced its first designations for targeted sanctions under resolution 1844 adopted in November 2008. The list includes the Islamist rebel group Al-Shabaab (designated for acts threatening the peace, security and stability of Somalia as well as for obstruction of humanitarian assistance), Hassan Dahir Aweys, the leader of Hizbul Islam, the other main Islamist insurgent group in Somalia, and seven other individuals.

In March the Council discussed conclusions from the Somalia Monitoring Group, which advised that violations of the arms embargo were continuing. Yemen and Ethiopia are now the main weapons suppliers, whereas Eritrea appeared to have reduced its military assistance, possibly in response to international pressure. Its political and other support for insurgents has continued.

The Group also accused certain Somali officials of visa fraud and claimed that a large share of World Food Programme (WFP) aid to Somalia had been diverted to contractors and insurgents. While the UN humanitarian coordinator for Somalia, Mark Bowden, criticised the latter allegations and said they were not based on credible evidence, the WFP on 11 March said it was ready to "provide full assistance" to any investigation into its Somalia operations and would cease cooperation with the three contractors named by the Monitoring Group.

The chair of the Somalia/Eritrea Sanctions Committee, Mexican Ambassador Claude Heller, briefed Council members in informal consultations on 16 March. Following the consultations, he said there was general consensus in support of the Monitoring Group's proposal of an independent investigation of the allegations against the WFP.

On 19 March the Council adopted resolution 1916 extending the mandate of the Monitoring Group for another 12 months with the addition of three new members. It also decided that the assets freeze provisions of resolution 1844 would not apply to funds "necessary to ensure the timely delivery of urgently needed humanitarian assistance in Somalia" and requested the UN humanitarian coordinator for Somalia to report to the Council every 120 days. The exemption was apparently added to ensure that humanitarian agencies operating in insurgent-controlled territory and frequently forced to pay insurgents would not be seen thereby as violating the sanctions regime.

Overall the security situation in Somalia has continued to be serious. However, there have been some positive developments. On 15 March the Transitional Federal Government (TFG) and *Ahlu Suna Wal Jamma* (ASWJ), the pro-government Islamist group that controls parts of central Somalia, formally signed a cooperation framework agreement in Addis Ababa. According to the agreement, ASWJ will be given five ministerial posts and its forces will be integrated into the government's security structures. This development was widely welcomed by the international community.

On 12 April the TFG signed a memorandum of understanding with Puntland on counter-piracy cooperation.

In April, Uganda deployed an additional battalion to the AU Mission in Somalia (AMISOM), bringing the total AU troop strength to 6,100 (its authorised troop level is 8,000).

The EU launched a training mission for Somali security forces on 7 April with actual training scheduled to begin in May. The mission, based in Uganda, is expected to train 2,000 personnel.

On the negative side, the office of the UN High Commissioner for Refugees announced in April that the first three months of 2010 had seen some of the highest displacement rates since January 2009. An estimated 169,000 people had been forced to leave their homes, particularly in Mogadishu.

The National Union of Somali Journalists expressed concern at the increasing harassment and intimidation of Somali journalists. Nine journalists were killed in Somalia in 2009 and a growing number are in exile. Al-Shabaab has taken over or closed radio stations under its control and arrested journalists. It recently banned transmissions of BBC broadcasts. On 3 April Hizbul Islam ordered all radio stations in Mogadishu to stop broadcasting music and said they would be closed if they did not comply within ten days. On 18 April, however, the TFG issued a counter-order, announcing it would sanction any station complying with the ban.

On 7 April Hizbul Islam reportedly claimed loyalty to Al-Qaida for the first time (Al-Shabaab made a similar announcement in January) and invited Usama bin Laden to Somalia.

The International Contact Group on Somalia held a meeting hosted by the Arab League on 21-22 April in Cairo.

Developments in the Sanctions Committee

The Monitoring Group presented its report to the Sanctions Committee on 10 March. The Committee then met on 24 March with representatives of WFP and the TFG to discuss the report's allegations. It was agreed that the most appropriate way forward would be for the WFP itself, rather than the Secretary-General as proposed by the Monitoring Group, to initiate an independent investigation and then inform the Committee of its findings. The TFG,

although highly critical of the report, said it would establish an independent panel to investigate the visa fraud claims. The Committee also met on 30 March when it endorsed the recommendations of the report.

On 15 April the Committee chair, accompanied by Council experts from Turkey, Uganda and the US, left on a 13-day mission to the region to raise awareness about the sanctions regime and discuss some of the recommendations of the report. It included stops in Djibouti, Ethiopia, Eritrea, Kenya, Yemen and the United Arab Emirates.

Human Rights-Related Developments

On 24 March the Human Rights Council received a report from its independent expert on the situation of human rights in Somalia, Shamsul Bari. Bari told the Council that as part of his primary concern for the protection and welfare of the Somali people, he would insist that efforts to end the war be made more inclusive, closely involving the governments of Somaliland and Puntland, and reaching out even to Al-Shabaab and its allies. He argued that as long as the latter were willing to denounce terrorism, they should be considered stakeholders in the future of Somalia. Somalia, speaking in the ensuing debate, said that while a political solution to the crisis was in the making, the protection of the people from further human rights violations depended on implementation of much needed technical assistance, especially for institutional capacity-building.

Key Issues

A key issue for the Council is whether the current "three-phased" strategy is making any difference in Somalia.

Related issues include whether the recent agreement between the TFG and ASWJ and the strengthening of AMISOM will improve security and lead to an expansion of government control and whether more can be done to encourage reconciliation.

A further issue is how to improve relations with Somaliland and Puntland.

A practical issue is whether the TFG and AMISOM are receiving the right kinds of assistance from the international community. The Istanbul conference will be important in this regard.

An important humanitarian issue is whether the Council can do more to address 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.

Another issue is whether the long delayed sanctions designations recently issued will have any practical impact and whether additional designations should be considered in the near future, in particular relating to piracy and obstruction of humanitarian assistance. (The first designations did not target any pirates.)

A final issue is how the Council should respond to the restrictions on freedom of expression.

Options

Options for the Council include:

- simply hearing Ould Abdallah's briefing and taking no further action;
- holding an open debate allowing the wider UN membership to express views on the situation in Somalia in advance of the Istanbul conference;
- adopting a statement expressing concern for the humanitarian situation and condemning violations of international human rights and humanitarian law, including those relating to journalists, in line with its thematic resolution 1738, which condemns attacks against, and calls for respect for, the professional independence and rights of journalists and media professionals;
- delaying issuing a statement until after the Istanbul conference to include in it a call for support for the outcome of the conference;
- continuing implementing the recommendations of the Monitoring Group; and
- considering additional designations in the Sanctions Committee, including of pirate leaders.

Council Dynamics

The initial draft list of designations for targeted sanctions was prepared by the US and apparently contained three names in addition to those adopted that were blocked by other Council members. (One permanent member put a hold on two of these names, whereas six members put a hold on the remaining name.)

The Council designations also coincided with a 12 April executive order by US President Barack Obama relating to the situation in Somalia which imposed an assets freeze on Al-Shabaab and a list of eleven individuals. This list contains three names that are not on the Council's list: Yemane Ghebream, an adviser to Eritrean President Isaias Afwerki; Abshir Abdillahi, described in the media as a "notorious Somali pirate boss"; and Mohamed Abdi Garaad, referred to by some as "the pirate king of Somalia."

On the wider issues relating to Somalia, Council positions have not changed. Members are generally supportive of the TFG and see few alternatives to pursuing the current UN strategy. There seems, however, to be some disillusionment with the TFG and the general lack of progress.

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

Selected UN Documents

Selected Council Resolutions

- S/RES/1918 (27 April 2010) requested a report from the Secretary-General within three months on options to ensure prosecution and imprisonment of persons responsible for piracy off the coast of Somalia.
- S/RES/1916 (19 March 2010) extended the mandate of the Somalia/Eritrea Monitoring Group and requested the Secretary-General to reestablish it for a period of 12 months with the addition of three experts.
- S/RES/1910 (28 January 2010) renewed authorisation of AMISOM until 31 January 2011 and requested the Secretary-General to report on all aspects of the resolution every four months starting from 1 January.

- S/RES/1907 (23 December 2009) imposed an arms embargo and targeted sanctions against Eritrea.
- 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 and engage in dialogue to resolve the dispute.
- S/RES/1844 (20 November 2008) imposed targeted sanctions relating to the situation in Somalia.

Latest Secretary-General's Report

- S/2009/684 (31 December 2009) included an assessment of progress in implementing the three-phased approach to Somalia endorsed by the Council in May 2009.

Selected Meeting Record

- S/PV.6259 (14 January 2010) was the latest briefing by the Secretary-General's Special Representative.

Other

- SC/9904 (12 April 2010) was the press release from the Sanctions Committee announcing designations of individuals and entities for targeted sanctions.
- S/2010/91 (10 March 2010) was the letter from the Chair of the Sanctions Committee transmitting the Somalia Monitoring Group's latest report.
- S/2010/116 (8 March 2010) was a letter from Eritrea transmitting a copy of a letter to the Secretary-General from a campaign organised by the Organisation of Eritrean Americans calling for the annulment of sanctions against it.
- A/HRC/13/65 (8 March 2010) was a report by the independent expert on the situation of human rights in Somalia, Shamsul Bari.

Other Relevant Facts

Special Representative of the Secretary-General

Ahmedou Ould-Abdallah (Mauritania)

Chairman of the Somalia Sanctions Committee

Claude Heller (Mexico)



Useful Additional Sources

- Communiqué of the International Contact Group on Somalia, 22 April 2010
- *Harsh War, Harsh Peace – Abuses by Al-Shabaab, the Transitional Federal Government and AMISOM in Somalia*, Human Rights Watch, April 2010
- *Somalia – A New Approach*, Council on Foreign Relations, Special Report, March 2010
- *Whose peace is it anyway? Connecting Somali and international peacemaking*, Conciliation Resources, March 2010

Kosovo

Expected Council Action

In May the Secretary-General's Special Representative and head of UNMIK, Lamberto Zannier, is scheduled to brief the Council. (This was expected in April when the Secretary-General's latest report was issued but it was postponed.) The format of the meeting is likely to be the same as for Zannier's most recent briefings, with statements by Serbia (most likely President Boris Tadić) and Kosovo, as well as Council members. No Council decision is expected.

Key Recent Developments

In his 6 April report on the UN Interim Administration Mission in Kosovo (UNMIK), the Secretary-General reported that the overall security situation in Kosovo remained "relatively calm but fragile." While there had not been much progress on practical issues relating to the functioning of courts and full customs control in northern Kosovo, the report noted as a positive development the EU appointment of the head of the Greek liaison office in Pristina, Dimitris Moschopoulos, as facilitator for the protection of the Serbian Orthodox Church's religious and cultural heritage in Kosovo.

Another positive development was the number of returns of displaced persons, with 1,153 individuals returning to their homes from inside and outside Kosovo in 2009, compared with 679 in 2008. But the overall number of returns still remained “disappointingly low.”

The report also raised questions about the strategy for integration of northern Kosovo, drafted by EU Special Representative Pieter Feith in consultation with Kosovo authorities and announced in January. The Secretary-General noted that UNMIK “was neither consulted in the drafting of the strategy nor included in its planned implementation.” He also expressed concern about possible increased tensions in northern Kosovo if the strategy was not implemented “in conditions of transparency and dialogue with local communities and all relevant stakeholders.”

On 27 April, in the Serbian enclave of Gracanica, thousands of Kosovo Serbs protested against the dismantling by Kosovo authorities of two Serbian mobile phone networks deemed to be operating illegally in central Kosovo. Belgrade expressed support for the protesters and promised to do everything possible to restore the networks’ service.

On 8 April, US Deputy Secretary of State James Steinberg visited Kosovo and met with the president and the prime minister. He said the most important issues for Kosovo and all of the western Balkans were the fight against corruption and organised crime and creating economic opportunities. He also stressed that Kosovo and Serbia should make progress on discussing practical issues despite political differences.

On 19 April, NATO announced that it would transfer responsibility for controlling the border with Albania to the Kosovo police. It also said that transfer of control of the other border areas would follow, but without a fixed timeline.

On 20 April the foreign ministers of Serbia, Spain and Turkey—Vuk Jeremić, Miguel Angel Moratinos and Ahmet Davutoglu—met in Belgrade to discuss the EU/Balkan summit planned for June in Sarajevo under the Spanish EU presidency, including the

modalities for Kosovo’s participation at the summit. Kosovo has said it will only participate as a state. Serbia maintains that Kosovo can only be represented under the UNMIK banner.

In April, Swaziland was reported to have recognised Kosovo’s independence, bringing the total number of recognitions to 66.

Human Rights-Related Developments

The UN Special Rapporteur on freedom of religion or belief, Asma Jahangir, reported to the Human Rights Council (HRC) in March on her mission to Serbia and Kosovo, from 30 April to 8 May 2009. Jahangir concluded that the reconstruction of cultural and religious heritage sites damaged or destroyed during the violence of March 2004 remained of utmost importance. She recommended that UNMIK continue efforts to ensure safe conditions for the sustainable return of displaced persons in Kosovo, especially those belonging to religious minorities.

In a statement to HRC on 2 March, Jeremić said the human rights situation in Kosovo stood in “stark contrast to the rest of Serbia” and that Kosovo was in that respect “without a doubt the darkest corner of Europe.”

Key Issues

A key issue is whether Council members wish to adopt a passive approach or try more actively to encourage progress on the underlying issues.

A related issue is the approach outlined by the Secretary-General in 2008 based on the six-point dialogue and whether this needs to be updated.

Another key issue is the proposed strategy for northern Kosovo and whether this may have a destabilising impact. (Belgrade-organised elections are expected to take place in northern Mitrovica on 30 May.)

The external representation of Kosovo is increasingly becoming an issue complicating cooperation in regional and international forums. A related question is the possible

impact of the proceedings in the International Court of Justice (ICJ) on the legality of Kosovo’s unilateral declaration of independence. (It seems that the Court’s advisory opinion in this case is now expected to be issued later than previously expected, possibly towards the end of the year instead of this summer.)

A longer-term issue is the future of UNMIK. While there are currently no discussions to further downsize the mission, its presence remains an issue that will have to be addressed at some point. A related question is the risk of Kosovo becoming a “frozen conflict” if there is no progress towards resolving its status.

A practical issue for the Council is whether to continue with quarterly UNMIK reports and briefings by the Secretary-General’s Special Representative followed by a debate or whether to reduce the frequency or change the format of the meetings.

Issues also include the continuing high number of internally displaced persons and the pervasiveness of corruption and organised crime.

Options

One option, following recent practice, is for the Council to simply receive the briefing and for members to express their national positions on the issues. An alternative option would be to seek to develop a collective statement on some of the key issues.

Council and Wider Dynamics

Serbia hopes that the ICJ advisory opinion will be in its favour and pave the way for new negotiations on the status of Kosovo. (Another resolution in the General Assembly in the fall could be a possibility depending on the Court’s decision.)

Kosovo, on the other hand, is also hoping the ICJ will vindicate its status and seems to be actively pursuing a strategy on actions to be taken following the Court’s ruling.

Council dynamics remain unchanged. The Council is still divided between those who support Kosovo’s independence and those who see it as a violation of international law. Six Council members (Austria, France, Japan, Turkey, the UK and the US) have

formally recognised Kosovo's independence. It appears that some of these members were unhappy with the Secretary-General's latest report and saw it as unhelpful to Pristina, in particular in the way it highlighted certain recent developments.

Russia continues to prefer the status quo under resolution 1244 and emphasises the importance of a leading UNMIK role in Kosovo, although it accepts that the EU Rule of Law Mission has taken the lead on several issues. It believes that it is still necessary for the Council to monitor the situation closely and opposes the new strategy for northern Kosovo.

The US and the Europeans are also focused on the future Euro-Atlantic integration of both Serbia and Kosovo. Although the EU is divided over Kosovo's status, there is consensus on the inclusion of both Serbia and Kosovo in EU integration plans. (Serbia applied for EU membership in December 2009.)

Many Council members would seem to prefer less frequent meetings on Kosovo and a different format. However, there is little appetite for pushing this issue given that Russia is opposed to any changes.

UN Documents

Security Council Resolution

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

Selected Presidential Statement

- S/PRST/2008/44 (26 November 2008) 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/2010/197 (20 April 2010) transmitted the report on the operations of KFOR from 1 October to 31 December 2009.
- 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/2010/169 (6 April 2010) was the latest report.
- S/2008/692 (24 November 2008) provided details on the six-point dialogue.

Other

- S/PV.6264 (22 January 2010) was the last 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: 9,923 troops (as of 26 February 2010)

Bosnia and Herzegovina

Expected Council Action

In May the Council expects a report from the High Representative for Bosnia and Herzegovina, Valentin Inzko of Austria, on implementation of the 1995 Dayton Peace Agreement. The Council is scheduled to hold a debate with a briefing by Inzko. No decisions are expected. EUFOR's mandate expires on 18 November.

Since the Council's last discussion of Bosnia and Herzegovina in November 2009, there has been little or no progress on constitutional reform or on outstanding issues related to the five objectives and two conditions set by the Peace Implementation Council Steering Board in February 2008 for the transition of the Office of the High Representative (created under the Dayton Peace Agreement) into an office of the EU Special Representative.



The next meeting of the Steering Board is scheduled for 29-30 June.

Key Recent Developments

On 18 November 2009 the Council reauthorised the EU Military Mission in Bosnia and Herzegovina (EUFOR) for another 12 months. In a briefing on 23 November 2009, Inzko noted that there had been persistent political problems and lack of progress, even regression, on key issues. The objective relating to completion of the Brcko Final Award had been met only partially. (The other two remaining objectives relate to distribution of state and defence property. The one outstanding condition is positive assessment of the situation by the Peace Implementation Council (PIC) Steering Board based on full compliance with the Dayton Peace Agreement.)

The political directors of the PIC Steering Board (its members are Canada, France, Germany, Italy, Japan, Russia, the UK, the US, the EU presidency, the European Commission and the Organisation of the Islamic Conference represented by Turkey) met in November and February. In the November communiqué, they expressed "serious concern with the insufficient progress" towards the objectives and conditions for the closure of the Office of the High Representative (OHR). They reiterated this concern in the February communiqué. On both occasions they called on the Bosnian parties to conclude agreements relating to apportionment of state and defence property and on Republika Srpska (RS) to bring its electricity law into compliance with conditions necessary for completion of the Brcko Final Award. They stressed the importance of constitutional changes and freedom of expression with regard to the forthcoming October elections.

Meanwhile, Republika Srpska continued to challenge the authority of the High Representative. On 28 December 2009 the RS

National Assembly voted to reject Inzko's 14 December decision to extend the mandates of the international judges and prosecutors of the war crimes department of the Bosnia and Herzegovina Court. In January the RS government submitted a draft referendum law to the assembly for approval; Milorad Dodik, the RS prime minister, had suggested he would use the law to organise a referendum to ask voters whether they support the Dayton Agreement. Despite widespread objections from the international community, including a statement from the High Representative that a referendum would violate the Dayton Agreement, the assembly adopted the law on 10 February.

In March, Dodik reportedly said that Bosnia and Herzegovina was "unsustainable" and only survived because of international intervention, and that time had come for a "peaceful divorce." On 26 March the ambassadors of the PIC Steering Board condemned "escalation in irresponsible and inflammatory rhetoric."

On 30 March the Serbian parliament adopted a resolution condemning the Srebrenica massacre of July 1995. (The resolution followed a January 2009 European Parliament resolution on Srebrenica condemning the massacre as an act of genocide and similar actions by other parliaments in the region.) Bosnian Serbs criticised the resolution. Others expressed disappointment that it omitted the term "genocide." It was, nevertheless, the first time that Serbia had condemned this Serb-perpetrated crime.

On 19 April, Republika Srpska requested a new report on the Srebrenica massacre from the Centre for War Crimes Investigation in Banja Luka, reportedly claiming that a 2004 report (which had established that the Republika Srpska had participated in the massacre) had been completed under pressure and therefore needed to be reviewed.

In April, Croatian President Ivo Josipovic, on his first official visit to Bosnia and Herzegovina after his election in January, apologised for his country's role in the war in Bosnia.

On 6 and 7 April, Spanish Foreign Minister Miguel Ángel Moratinos, representing the EU Presidency, and US Deputy Secretary of State Jim Steinberg visited Sarajevo in an effort to push for constitutional reform and strengthen Bosnian leaders' commitment towards Euro-Atlantic integration. While there was no concrete outcome, Moratinos said they had discussed a document (referred to in Bosnian media as the "Madrid declaration") that outlined necessary steps for Bosnia and Herzegovina's entry into the EU and NATO. He also confirmed that an EU/Balkan summit would be held in Sarajevo in June.

On 22 April, NATO foreign ministers agreed to extend to Bosnia and Herzegovina a membership action plan (a programme of support for countries wishing to join the organisation) with certain conditions linked to the unresolved defence property issue.

Human Rights-Related Developments

On 22 December 2009 the European Court of Human Rights ruled that the Bosnia and Herzegovina constitution, with its provisions that only members of the country's three main ethnic groups can hold the highest political offices, violates the right to free and fair elections and freedom from discrimination under the European Convention on Human Rights.

On 19 February the Working Group of the Human Rights Council (HRC) that conducted the Universal Periodic Review of Bosnia and Herzegovina adopted its report. The group made 125 recommendations, all of which Bosnia and Herzegovina undertook to examine and respond to by the HRC's fourteenth session in June 2010. A number of the recommendations related to becoming a party to the Convention on the Rights of Persons with Disabilities, to extending standing invitations to UN mandate holders of special procedures, and to ensuring that all assaults on human rights defenders and journalists were investigated and offenders brought to justice.

Key Issues

A key issue is the continued lack of progress in meeting the remaining objectives and requirements of the PIC Steering Board. A related underlying issue is the impact of the difficult political situation.

Another issue is the growing challenges to the authority of the High Representative and the Dayton Agreement.

Underlying issues include the failure of all recent initiatives for constitutional reform that could lead to better functioning of Bosnian state structures and the divisive political climate, which is only expected to deteriorate in the campaigning for the October general elections.

Options

One option is for the Council to simply receive Inzko's briefing and for members to use the debate to put on record their national positions.

Another more substantive and proactive option is to seek to adopt a substantive statement expressing concern about the challenges to the Dayton Agreement and the failure of recent initiatives and perhaps condemning divisive rhetoric.

Council Dynamics

There seems to be a sense among Council members that further progress is unlikely before the October elections. While there are concerns about divisive rhetoric, few believe that Dodik would carry through with his threat to seek independence for Bosnian Serbs.

Russia appears critical of recent initiatives pushing for constitutional reform, especially if they are seen as new conditions for the OHR closure. It believes the OHR should be closed as soon as the remaining property issues are resolved.

The discussion in May will be the first in which Bosnia and Herzegovina participates as a Council member, but there does not seem to be any expectations that this will change the dynamics. At press time it seemed likely that Nikola Špirić, Chairman of the Council of Ministers of Bosnia and Herzegovina, would attend, as has been the case for recent Council meetings on this issue.

UN Documents

Selected Security Council Resolutions

- S/RES/1895 (18 November 2009) reauthorised EUFOR until 18 November 2010.
- S/RES/1869 (25 March 2009) welcomed and agreed to the designation of Valentin Inzko as High Representative for Bosnia and Herzegovina by the PIC Steering Board.
- S/RES/1575 (22 November 2004) established EUFOR.

Selected Council Meeting Record

- S/PV.6222 (23 November 2009) was the meeting record of the last High Representative's briefing to the Council.

Selected Letters

- S/2010/113 (23 February 2010) was the letter from the Secretary-General conveying the latest report on the activities of EUFOR from 1 September to 30 November 2009.
- S/2009/588 (12 November 2009) was the letter from the Secretary-General transmitting the most recent report of the High Representative on the implementation of the Peace Agreement.

Other

- S/2010/51 (28 January 2010) was a letter from Turkey transmitting "Conclusions on developments in Bosnia and Herzegovina" of the second meeting of the Political Directors of the South-East European Cooperation Process.
- S/1995/999 and annexes (21 November 1995) was the General Framework Agreement for Peace in Bosnia and Herzegovina and Annexes, signed in Dayton.

Useful Additional Sources

- Communiqué of the PIC Steering Board meeting on 24 and 25 February 2010.
- Communiqué of the PIC Steering Board meeting on 18 and 19 November 2009.
- Declaration by the PIC Steering Board, 27 February 2008, on the five objectives and two conditions for the closure of the OHR.

Nepal

Expected Council Action

In May the Council is expected to discuss the Secretary-General's report on resolution 1909 that renewed the mandate of UNMIN until 15 May. In it the Council called for UNMIN to make the "necessary arrangements...for its withdrawal, including handing over any residual monitoring responsibilities". The head of UNMIN, Karin Landgren is likely to brief the Council.

At the time of writing, it was unclear whether UNMIN's mandate would be extended further. The Nepalese government has not formally asked for an extension although indications are that it is likely to do so. Observations contained in the Secretary-General's report are expected to guide the Council as it considers the future of UNMIN.

Key Recent Developments

The political situation is fragile. Different actors have been resorting to strikes as pressure tools. On 12 April, Nepal's opposition Maoist party called off a nationwide general strike after the prime minister scrapped a deal with India to print Nepalese passports. (The Maoists claimed that printing Nepalese passports in India was a severe security lapse.) But the Maoists also announced demonstrations against the government on 1 May followed by a new series of strikes beginning 2 May.

On 22 February, a strike called by Nepal's Rastriya Prajatantra Party-Nepal, a party supporting Nepal's deposed king, took place. The party is demanding a referendum on whether the monarchy should be reinstated and whether Nepal should again become a Hindu nation. On 24 March the ex-king, Gyanendra, said he did not believe the monarchy was at an end, prompting speculation that he had hopes of returning to power and restoring Nepal's Hindu monarchy, nearly two years after being dethroned.

Under-Secretary-General for Political Affairs B. Lynn Pascoe visited Nepal from 10 to 12 March. He met with senior government officials, as well as key figures in the opposition parties. Pascoe also visited a Maoist cantonment in Chitwan, central Nepal. During

his visit he urged Nepal's leaders to move the stalled peace process forward and advised political parties not to get bogged down in political manoeuvring. He also said that political parties should stop criticising the UN Mission in Nepal (UNMIN) in order to hide their failure to manage the peace process. Pascoe also refuted allegations that UNMIN was not cooperating with the government because it had refused to provide the details of the cantoned Maoist combatants and made it clear that UNMIN had no authority to supply information exclusively to the government.

Upon his return, he briefed Council members during the Secretary-General's lunch on 16 March.

On 15 January Landgren briefed the Council about the fragility of the peace process. However, she noted the parties had shown a "renewed urgency" on core issues. She stressed the importance of following up these developments and resolving the main tasks in the peace process. Nepal's permanent representative, Gyan Chandra Acharya, provided information on the government's plans. Following the briefing, Council members held informal consultations.

On 20 March former Nepalese Prime Minister Girija Prasad Koirala, the president of the Nepali Congress Party, passed away. He had played a pivotal role in the peace deal with the Maoists, which led to the 2006 Comprehensive Peace Agreement. Some observers believe that Koirala's passing may be another blow to the already fragile peace process.

The discharge of almost 3,000 former Maoist combatants who had been verified as children in 2007 began on 7 January. The agreement to discharge the minors was a key component of the action plan signed by the government, the Maoists and the UN in December 2009. The process was completed by 9 February.

The representatives in Kathmandu of Denmark, Switzerland, Finland, the UK, Norway, Germany and the US met with the prime minister on 30 March to discuss UNMIN's future and the extension of the tenure of the Office of the Commissioner for Human Rights (OHCHR) in Nepal.

On 8 April press reports indicated that the International Relations and Human Rights Committee of the parliament had asked the government to seek an extension of the mandate of UNMIN. Prime Minister Madhav Kumar Nepal indicated that he would consult with the political parties before making a decision.

Key Issues

The key issue for the Council, if UNMIN is asked to stay, is deciding whether a short rollover mandate or a longer extension would be best at this stage.

Another issue is what, if anything, the Council can do to put pressure on the government to follow up on previous commitments.

A closely connected issue is whether UNMIN's mandate should be expanded to go beyond arms monitoring to include assisting with the political dimensions. A related issue is the Nepal government's growing distrust of UNMIN. Some in the government have suggested that UNMIN is biased towards the Maoists.

Also an issue is the increasing disconnect between UNMIN's mandate and the current challenges facing Nepal. The very limited mandate impinges on UNMIN's ability to be of assistance if the security situation in Nepal deteriorates further.

A key security issue is the possibility of a political crisis if the drafting of the constitution is not completed by the 28 May deadline. A related problem is that there has been little progress on the integration and rehabilitation of former Maoist combatants.

An issue that could affect the UN's presence in Nepal is whether the Nepal government will renew OHCHR's role when it expires on 9 June.

Human Rights-Related Developments

In a report to the March session of the Human Rights Council, the High Commissioner for Human Rights noted positive developments in Nepal, including a campaign against sexual and gender-based violence. However, she expressed concerns over the widespread inequality and discrimination that gave rise to the conflict. The report also stressed preventing and addressing ongoing human rights violations as a top priority as militant groups continued to threaten public security. On 18 April, the High Commissioner's representative in Nepal issued a statement about the death of Nepalese human rights defender Jay Kishore Labh (whose son disappeared in a 2003 case involving five students) and called on the authorities to disclose the fate of the disappeared students and bring to justice those responsible.

Options

Possible options for UNMIN's renewal include:

- rolling over the mandate with no change for one or two months;
- extending UNMIN's mandate for six months with no change;
- extending UNMIN's mission for six months but with an expanded mandate allowing it to play a more active but neutral political role; and
- choosing not to renew UNMIN (this is only likely if the Nepalese government indicates it wants UNMIN to leave).

Further options include:

- signalling the Council's concerns about the persistent standoff between the Maoists and the Nepalese government, urging them to resolve their differences and make progress in completing the constitution and integrating and rehabilitating the former Maoist combatants;
- requesting the Secretary-General to provide a report analysing the possible

parameters of an expanded role for UNMIN and the funding and staffing implications;

- deciding to set a time-table for UNMIN's exit strategy, including alternatives to UN arms monitoring;
- welcoming the successful release of the former Maoist child soldiers and urging their swift reintegration; and
- opening a discussion on including Nepal in the UN peacebuilding architecture.

Council Dynamics

At the time of writing most Council members were waiting both for the position of the Nepalese government and the Secretary-General's report before firming up their positions on UNMIN's future.

There is an increasing level of frustration at the lack of progress in the areas that would allow UNMIN to withdraw from Nepal. However, given the political situation, there is still a sense that it would be difficult to refuse to stay in Nepal if the Nepalese government makes a request for UNMIN to continue. Few members expect major changes to the mandate in May.

Still, some members are beginning to question if such a limited mandate in Nepal is a good or prudent use of UN resources. Any indication that the Nepalese government is reluctant for UNMIN to stay may allow these members to push for UNMIN's exit in the near future.

Some members see a possible expansion of UNMIN's mandate in the next period as a necessary element in a strategy leading towards its exit. They see a balanced political role for UNMIN as helping to accelerate the peace process, thus allowing the mission to complete its mandate more quickly. However, some Council members, such as China, are reluctant.

Others, while supportive of UNMIN are less convinced that UNMIN can play an effective political role, given the Nepalese government's mistrustful attitude towards the UN.

Human Rights-Related Developments

During its March session, the Human Rights Council adopted resolution A/HRC/13/L.13 on the situation of human rights in the DPRK by a vote of 28 for, five against and 13 abstentions. The resolution expressed concern at ongoing grave, widespread and systematic human rights violations in the country. It also extended the mandate of the UN Special Rapporteur on the human rights situation in DPRK for a period of one year and urged full cooperation with him.

Key Issues

A key issue is the continued lack of clarity about whether or when the DPRK will return to the six-party nuclear disarmament talks, and whether the Council can facilitate such negotiations.

Another issue is whether the Council should continue to limit its role to monitoring the implementation of the sanctions currently in place.

Options

Options for the Council include:

- taking no public action at present;
- deciding in May to formally renew the mandate of the Panel of Experts rather than waiting till June (which would provide an opportunity for Council members in their national statements to reinforce that the sanctions do not apply to supplies to diplomatic missions); and
- a presidential or press statement calling for recommencement of the six-party talks without preconditions.

Council Dynamics

Council members expect the briefing by the chair of the DPRK committee to be routine. Members are not actively considering the question of whether sanctions should be modified at this stage.

UN Documents

Security Council Resolutions

- S/RES/1909 (21 January 2010) extended UNMIN until 15 May 2010.
- S/RES/1740 (23 January 2007) was the resolution establishing UNMIN.

Secretary-General's Report

- S/2010/17 (7 January 2010) concerned the implementation of resolution 1879.

Other

- S/PV.6260 (15 January 2010) was a briefing from the Secretary-General's Special Representative, Karen Landgren.

Other Relevant Facts

Special Representative of the Secretary-General and Head of Mission

Karin Landgren (Sweden)

Size and Composition

261, including about 70 arms monitors as of 7 January

Duration

23 January 2007 to 15 May 2010

DPRK (North Korea)

Expected Council Action

In May the chair of the DPRK Sanctions Committee is expected to brief the Council and the final report of the Panel of Experts which assists the Committee is due in early May. No substantive Council decision is expected, however, the mandate of the panel expires on 12 June.

Key Recent Developments

On 11 February the chair of the Democratic People's Republic of Korea's (DPRK) Sanctions Committee briefed Council members in informal consultations. He advised that the Panel had prepared ideas for the Committee on a comprehensive review of the reports received from member states on the implementation of resolutions 1718 and 1874. He also briefed members on the Committee's decision on procedural

guidelines for the organisation of country visits by the Panel. The question of possible unintended effects of Council sanctions on the work of diplomatic missions in the DPRK was also mentioned. (Many commercial and financial institutions have been reluctant to provide services to diplomatic missions in Pyongyang out of fear of violating the sanctions.)

Under-Secretary-General for Political Affairs B. Lynn Pascoe visited the DPRK from 9 to 12 February with the stated objective of discussing "all issues of mutual interest and concern in a comprehensive manner." Pascoe held talks with Kim Yong-Nam, the DPRK's official number two leader. He subsequently told the press that he had conveyed the Secretary-General's view that negotiations within the framework of the six-party nuclear disarmament talks should start as soon as possible and without preconditions. Pascoe was the highest-ranking UN official to visit the country since 2004.

On 26 March a Republic of Korea (ROK) navy ship sank as a result of an explosion near a disputed maritime border between the DPRK and ROK, killing dozens of sailors. Investigations are continuing but initial results suggest a high possibility that an external explosion had led to the disaster. The event has significantly raised tensions on the peninsula. On 17 April, the DPRK denied involvement in the sinking of the vessel. On 18 April the ROK indicated that it might request the Security Council to take up the issue.

On 29 March the DPRK announced its intention to construct a light water reactor. Analysts have noted this might suggest that the DPRK plans to hasten the rate of its uranium-enrichment activities. However, the country is thought not to possess yet the technology to build such a facility.

During the week of 19 April media reports suggested that the DPRK had been preparing to carry out another nuclear test, possibly in May or June, seeking recognition as an official nuclear weapons state.

Many Council members sense that this prevailing Council dynamic could change, however, if the ROK were to refer to the Council any findings that implicated the DPRK in the sinking of its naval ship. The US has indicated that it will support the Council in such an event.

Council dynamics would similarly be affected if the DPRK were to carry out another nuclear test.

Council members continue to view the Panel of Experts as useful in allowing the Sanctions Committee to be more effective. The anticipated submission of the Panel's report is therefore expected to feed into the ongoing work of the Committee. The early submission of the report—one month ahead of the renewal of the Panel's mandate in June—allows time for its consideration well before the mandate expires.

UN Documents

Selected Council Resolutions

- S/RES/1887 (24 September 2009) reaffirmed that nuclear proliferation is a threat to international peace and security.
- S/RES/1874 (12 June 2009) condemned the DPRK's underground nuclear test and expanded sanctions on the country.
- S/RES/1718 (14 October 2006) expressed grave concern over the DPRK's nuclear test, imposed sanctions and set up a sanctions committee.
- S/RES/1695 (15 July 2006) condemned the DPRK's launch of ballistic missiles.
- S/RES/825 (11 May 1993) called on the DPRK to reconsider withdrawing from the Nuclear Non-proliferation Treaty and to honour its non-proliferation obligations under the NPT.

Selected Presidential Statement

- S/PRST/2009/7 (13 April 2009) condemned the 5 April launch of a rocket by the DPRK, saying it was in contravention of resolution 1718.

Latest Sanction Committee Annual Report

- S/2010/28 (14 January 2010)

Selected Letters

- S/2009/416 (12 August 2009) was from the Secretary-General informing the Council of the appointment of the Panel of Experts.
- S/2009/364 (16 July 2009) was from the Sanctions Committee designating additional entities and materials, as well as individuals subject to sanctions.
- S/2009/222 (24 April 2009) was from the Sanctions Committee designating new entities and materials subject to sanctions.
- S/2009/205 (14 April 2009) was from the Sanctions Committee updating items, equipment, goods and technology prohibited from being imported or exported by the DPRK.

Other Relevant Facts

Chair of the 1718 Sanctions Committee

Ertugrul Apakan (Turkey)

Useful Additional Source

- *North Korea under Tightening Sanctions*, International Crisis Group, Asia Briefing No. 101, 15 March 2010

Sudan

Expected Council Action

In May, the Council is expecting the Secretary-General's report on Darfur. It is likely to receive a briefing by the head of UN peacekeeping, Alain Le Roy, and discuss the report in consultations.

The Council will also be following closely wider events in Sudan including the aftermath of the April elections and the issues between North and South Sudan.

The mandates of the peacekeeping operations in Sudan, UNAMID in Darfur and UNMIS in South Sudan, expire on 31 July and 30 April 2010 respectively.

Key Recent Developments

On 11-15 April, Sudanese voters voted for the first time in 24 years to elect a national president and to cast votes for a South Sudan presidency, state governors and members of national and local assemblies.

However, many opposition parties withdrew from the elections prior to the ballot claiming that the processes were rigged.

On 15 April, the Secretary-General issued a statement congratulating all who participated in the elections and urging political leaders to address any concerns about the outcome of the elections peacefully in the spirit of dialogue.

According to the results released by the National Elections Commission, Sudan's President Omar al-Bashir won the national presidential poll with 68 percent of the vote. In addition, Salva Kiir, leader of the Sudan People's Liberation Movement has been confirmed to have won 93 percent of the southern vote to remain president of the semiautonomous region. A referendum is due in January 2011 on whether the south should secede from the north.

Concerns have been raised about the electoral process, in particular in Darfur, due to the continuing state of emergency, suppression of civil liberties and ongoing conflict. Only limited numbers of internally displaced persons (IDPs) were able to participate in the census and voter registration, with much of the population being left out of the process.

In the lead-up to the elections, Human Rights Watch (HRW) had stated that both the Government of National Unity and the Government of South Sudan were violating rights and restricting freedoms critical to a fair poll, including those related to freedom of expression, assembly and equal access to the media. HRW expressed concern that these authorities were failing to uphold standards agreed in March with the AU, based on the AU Declaration on the Principles Governing Democratic Elections in Africa and the African Charter on Democracy, Elections and Governance.

About 750 international and 18,000 domestic observers monitored the elections including representatives of the Intergovernmental Authority on Development (IGAD), the EU and the Carter Center. On 7 April, the EU decided to withdraw its election observers from Darfur, stating that lack of security and access impacted their ability

to observe election process properly in Darfur. The EU and the Carter Center each said on 17 April that the elections were faulty, with irregularities including late arrival of election material and harassment of voters. IGAD pointed out numerous challenges but considered the elections credible.

Regarding Darfur, on 23 March, the AU-UN Hybrid Operation in Darfur (UNAMID) and the League of Arab States agreed to coordinate projects intended to provide services to residents in the region with the aim of promoting peace and stability and facilitating the return of IDPs to their villages. Both parties also noted the recent two framework agreements signed between the Sudanese government and two rebel groups, which they hope would lead to stability in the region.

The security situation in some areas of Darfur remains a serious concern. The 29 January Secretary-General's report on UNAMID noted increased intercommunal violence, resulting in civilian casualties in north and south Darfur.

On 26 April, four peacekeepers serving with UNAMID, held for more than two weeks by kidnapers, were released. The peacekeepers (all police advisors from South Africa) went missing after they departed their team site close to Nyala, south Darfur. On 27 April, the Secretary-General issued a statement thanking the Government of Sudan for securing their safe release. He also urged all parties to ensure the safety of all UN and other personnel who are on the ground to help the people of Darfur.

The Secretary-General's 5 April report on UNMIS noted the framework agreements signed between the Government of Sudan and Justice and Equality Movement in February and March, but cautioned that the agreements did not address a ceasefire or a final agreement because of disputes about participation by other movements in the peace talks.

The Secretary-General welcomed the 15 January Accord on Normalization of Relations between Sudan and Chad. He urged the two countries to translate their efforts into increased security on the ground, particularly along the common border area.

The Secretary-General's upcoming report on UNAMID will likely include updates on:

- the framework agreements signed between the Government of Sudan and rebels;
- the efforts of UNAMID in supporting a sustainable solution to the humanitarian situation in Darfur;
- humanitarian efforts to support conditions conducive to the voluntary return of displaced persons;
- humanitarian organisations' access to remote rural areas; and
- deployment and operational capabilities of UNAMID.

Key Issues

The key issue for the Council regarding Darfur is progress in achieving the benchmarks for UNAMID's priorities, including:

- movement towards a comprehensive political solution ensuring that Darfur is represented in the national political process;
- a secure and stable environment throughout Darfur, in which civilians and vulnerable groups are protected and displaced populations may choose to return to their places of origin without fear of violence;
- effective state institutions that maintain the rule of law, good governance and uphold international human rights standards;
- humanitarian access to populations in need of assistance; and
- helping IDPs to fully integrate into communities of their choice.

Several important issues for the Council are emerging with respect to the north-south relationship and the implementation of the Comprehensive Peace Agreement (CPA) following the elections. Based on the findings by a Secretariat March assessment mission, Council members are aware of some key issues for the UNMIS role in coming months, including:

- how best to assist the parties to negotiate referendum-related issues after elections;
- whether to increase UNMIS presence in the south in the coming months and intensify contingency planning for post-referendum arrangements;



- how to produce effective support to the Government of South Sudan in its efforts on protection of civilians and improving the rule of law; and
- how to develop coordination with humanitarian actors and to develop contingency planning in the event that insecurity continues in South Sudan.

Underlying Problems

Even though the political process continues in Darfur, there has not yet been real engagement of some parties in the peace process allowing sustainable peace.

The prospect of possible independence for South Sudan after the referendum is likely to intensify already complex and dangerous trends in the region.

Options

Options on Darfur include a statement:

- noting progress with benchmarks;
- encouraging the AU-UN Joint Chief Mediator, Djibril Bassolé, to accelerate getting all parties to fully engage in the negotiations; and
- in light of the improved relations between Sudan and Chad, emphasising the importance of both countries using this opportunity to enhance safety and security for refugees and IDPs and create conditions for political solution of the causes of the conflict on each side of the border.

Options on wider issues in Sudan include:

- a statement expressing appreciation to UNMIS and UNAMID for their efforts in supporting elections by providing logistical support, training and distributing registration materials in collaboration with the National Elections Commission;
- requesting UNMIS to intensify its engagement with the parties to the CPA in the past election period to optimise conditions for peaceful referendum and post-referendum environment; and
- urging the international and regional communities to work with the parties to

the CPA to help move beyond obstacles peacefully.

Council Dynamics

Council members see value in Bassolé's efforts to bring the parties together to comprehensively engage in the peace process.

Most members are concerned that security challenges remain and that UNAMID needs to focus on the critical tasks of protecting civilians and facilitating the delivery of humanitarian aid. Restrictions on freedom of movement, which seriously impede the ability of UNAMID and humanitarian actors to gain access to populations affected by violence, also concern members.

Many Council members believe that it is not enough for UNAMID to simply support the peace process. There is also a need for effective state institutions maintaining rule of law, good governance and international human rights standards.

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

UN Documents

Selected Security Council Resolutions

- S/RES/1891 (13 October 2009) renewed the mandate of the Darfur Sanctions Panel of Experts for another year.
- S/RES/1881 (30 July 2009) 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/2010/68 (5 April 2010) was on UNMIS.
- S/2010/50 (29 January 2010) was on UNAMID.
- S/2009/562 (27 October 2009) was a report of the Sanctions Panel of Experts.

- S/2009/391 (28 July 2009) was on possible UN support to 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.6227 (30 November 2009) was the briefing by Assistant Secretary-General for Peacekeeping Operations Edmond Mulet on the Secretary-General's report in November on UNAMID.

Selected Letters

- S/2010/57 (29 January 2010) was a letter from the Secretary-General informing the Council of his intention to appoint Haile Menkerios as his Special Representative for the Sudan.
- S/2009/639 (14 December 2009) was a letter from the Secretary-General informing the Council about the appointment of the Panel of Experts.
- S/2009/599 (17 November 2009) was the letter transmitting the report of the AU High-Level Panel on Darfur.

Other

- SC/9805 (7 December 2009) was a Security Council press statement condemning attacks on UNAMID peacekeepers.

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)

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 28 February 2010:* 17,125 military personnel
- *Police Strength as of 28 February 2010:* 4,675 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

Haile Menkerios (South Africa)

UNMIS: Force Commander

Major-General Paban Jung Thapa (Nepal)

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 28 February:* 9,867 military personnel
- *Police Strength as of 28 February:* 674 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)

Burundi

Expected Council Action

In May, the head of BINUB, Charles Petrie, will brief the Council. Municipal elections are scheduled for 21 May, presidential elections for 28 June, legislative elections for 23 July, senatorial elections for 28 July and *collines* (Burundi's smallest administrative units) on 7 September. No formal Council action is expected. The mandate of BINUB expires on 31 December.

Key Recent Developments

On 10 December 2009 the then-head of the UN Integrated Office in Burundi (BINUB), Youssef Mahmoud, briefed the Council on

the Secretary-General's latest report on the country. Mahmoud noted that, given some improvements on the ground, the AU Special Task Force responsible for protecting some leaders of the National Liberation Forces (or FNL, a former rebel-group-turned political party) would be leaving. He said an immediate challenge was funding for the Burundi electoral process leading up to polls planned for 2010. At the government's request, BINUB was exploring with regional organisations within and outside Africa the possibility of sending observers to Burundi to monitor the electoral process.

Burundi's foreign minister, Augustin Nsanze, welcomed the report's recognition of progress but expressed displeasure with some aspects of the report, including assertions of lapses regarding the rule of law, violent activities by the youth wing of the ruling party, hinting also at its growing problems with Mahmoud.

On 17 December the Council adopted a resolution extending the mandate of BINUB until 31 December 2010. The Council also:

- requested BINUB to provide support to the Independent National Electoral Commission at crucial phases of the electoral process as appropriate;
- encouraged the Burundian government, the Peacebuilding Commission (PBC), and its national and international partners to honour the commitments they had made under the country's Strategic Framework for Peacebuilding;
- called on the government to pursue its efforts to broaden respect for and protection of human rights by, among other things, establishing a credible national independent human rights commission; and
- encouraged the Burundian government, in collaboration with all international partners to complete the disarmament and demobilisation process and the strategy for the sustainable socioeconomic reintegration of demobilised soldiers, former combatants, returning refugees, the displaced and other vulnerable groups affected by the conflict.

On 24 December 2009 the Government of Burundi asked the Secretary-General to recall Mahmoud.

On 15 January, following unsuccessful attempts by the Secretary-General to convince the government to reconsider its request, the Secretariat briefed Council members in consultations. Many Council members (including the US and the UK) reportedly expressed concern about the request and the pattern of similar removals of the Secretary-General's two previous representatives in that country. Most Council members seemed unconvinced by the government's stated reason for the request.

In subsequent remarks to the press, the president of the Council:

- commended the outgoing representative of the Secretary-General;
- noted the important work of BINUB in support of the electoral process; and
- stressed "the importance of the need for cooperation between Burundi and the new Executive Representative of the Secretary-General to be appointed."

On 25 March Charles Petrie was appointed as the Executive Representative of the Secretary-General and Head of BINUB.

In April a number of violent clashes occurred between mainly youth groups belonging to various Burundian political parties including the ruling party, National Council for the Defense of Democracy-Forces for the Defense of Democracy (CNDD-FDD) and the opposition FNL. A particularly serious outbreak took place on 14 April in the Kinama neighbourhood of Bujumbura. International human rights groups like Human Rights Watch have pointed out that in most cases the security forces did not carry out thorough investigations and no one has been held accountable.

Developments in the PBC

The chair of the PBC country-specific configuration on Burundi, Ambassador Peter Maurer of Switzerland, addressed the Council during the 10 December 2009 meeting saying that the parties in Burundi were determined to complete the peace process, despite the challenges. Because the elections would be a test of the sustainability of the peace process, he said it was crucial to create an environment conducive to free, fair



and peaceful elections. He indicated that the international community could assist by providing adequate funding for the elections, supporting long-term electoral observation and investing in economic development.

Ambassador Maurer led a delegation of the PBC's country-specific configuration to Burundi from 24 to 28 February to follow up on preparations for elections with key stakeholders and the implementation of the national socioeconomic reintegration strategy, and to explore opportunities for the long-term engagement of the PBC in the country. The delegation also participated in the fourth national review of the strategic framework for peacebuilding in Burundi.

On 24 March the Burundi configuration of the PBC adopted its conclusions on the fourth semi-annual review of the implementation of the strategic framework for peacebuilding in Burundi.

Key Issue

The key issue for the Council is how best to ensure that the security situation does not unravel during the series of elections scheduled for this year. There are 44 parties, including ten main parties. The acceptance of the results at each stage of the five different elections seems crucial. The 21 May municipal elections could prove quite pivotal, especially since they are expected to give an indication of the support for the key political parties.

Underlying Problems

Major problems stem from lack of real progress in security sector reform, reintegration of former combatants and delays in human rights and judicial reform. Economic factors (including a high youth unemployment rate) and a lack of basic social services and resettlement of refugees provide a fertile atmosphere for a return to ethnic tensions of the past.

Options

Possible options for the Council include:

- a statement identifying the watershed situation facing Burundi over the coming months and the serious risks of divisive rhetoric and violence and urging all stakeholders to keep the elections process on track; and
- a decision to enhance engagement with the peacebuilding machinery over the next six months inviting PBC representatives to participate in monthly informal interactive dialogues convened for the purpose of seeking the PBC's input on the situation in the country.

Council Dynamics

Council members agree that a successful election process to ensure peace is essential to stability. They consider BINUB's role to be vital in the lead-up to the elections, hence their request in the Council's recent resolution, in line with the Secretary-General's recommendation in his last report, for "BINUB to be prepared to provide, within its existing resources and if required, logistical support to the Independent National Electoral Commission at crucial phases of the electoral process."

Most Council members seem to have thought that Burundi's demand to replace Mahmoud was inappropriate. However, the appointment of a new head of BINUB has enabled the mission's continued engagement in the peace process at this vital time.

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

UN Documents

Selected Security Council Resolutions

- S/RES/1902 (17 December 2009) extended the mandate of BINUB until 31 December 2010.
- S/RES/1719 (25 October 2006) established BINUB.

Selected Security Council Presidential Statement

- S/PRST/2008/10 (24 April 2008) was the latest statement of the Council on the situation in Burundi.

Latest Secretary-General's Report

- S/2009/611 (30 November 2009)

Other Selected Documents

- PBC/4/BDI/L.1 (24 March 2010) were the conclusions of the fourth semi-annual review of the implementation of the Strategic Framework for Peacebuilding in Burundi.
- S/2010/156 (23 March 2010) and S/2010/157 (25 March 2010) was the exchange of letters between the Secretary-General and the Council regarding the appointment of Charles Petrie as the Executive Representative of the Secretary-General and Head of BINUB.
- S/PV.6236 (10 December 2009) was a briefing by the Executive Representative of the Secretary-General and head of BINUB on the sixth report of the Secretary-General on BINUB.
- S/2009/445 (3 September 2009) was a letter from the Secretary-General to the president of the Council on the findings of the electoral needs assessment mission that visited Burundi.

Other Relevant Facts

Executive Representative of the Secretary-General and Head of BINUB

Charles Petrie (UK/France)

Size and Composition of Mission

Strength as of March 2010: 424 personnel (including 119 international civilians, 243 local civilians, five military observers, 10 police and 47 UN volunteers)

Duration

January 2007 to present: mandate expires 31 December 2010

Iraq

Expected Council Action

The Council is expecting the Secretary-General's regular ninety-day report on UNAMI in May. A briefing by Special Representative Ad Melkert is likely. At time of writing it seemed unlikely that there would be any Council action. UNAMI's mandate expires 6 August.

Key Recent Developments

A series of bombings in Baghdad on 23 April, apparently targeting Shiite areas of the capital, killed at least 56 people and wounded over a hundred more. The attacks appeared to be in response to the deaths of two prominent insurgent leaders. Iraqi Prime Minister Nuri al-Maliki announced on 19 April that the two had been killed in a joint Iraq-US military operation.

The Independent High Election Commission (IHEC) on 19 April ordered a recount of votes cast in the Baghdad area in the national election after an Iraqi court upheld a challenge by Maliki's State of Law coalition, which claimed that hundreds of thousands of votes may have been affected by fraud. (As Baghdad accounts for about 20 percent of the seats in the Iraqi parliament, this could alter the extremely close preliminary election which gave the Iraqiya list of candidates led by Ayad Allawi 91 seats in parliament, the State of Law list led by Maliki 89 seats and the Iraqi National Alliance list, which includes followers of Moktada al-Sadr, seventy seats.)

Manoeuvres by the parties to assemble a national ruling coalition to form a new government have continued since the election. On 15 April, Iraqi President Jalal Talabani said that two prominent Kurdish parties were prepared to back a possible alliance between the State of Law and Iraqi National Alliance coalitions. Maliki said on 16 April that the Iraqiya coalition needed to be included in the formation of a new government, as Iraqiya includes the most Sunni representatives.

On 6 April, UN Controller Jun Yamazaki briefed the Council on the Development Fund for Iraq (DFI) and the International Advisory and Monitoring Board (IAMB, the DFI auditing entity). The head of Iraq's Committee of Financial Experts, Abdul Basit Turkey Saed, also briefed the Council on Iraq's plans for a transition to a post-DFI mechanism scheduled to be completed by the end of 2010. Yamazaki reported that the Iraqi government's action plan and timeline for establishing a successor mechanism were realistic. He stressed,

however, Iraq's obligation under such a mechanism to continue making payments of 5 percent of the DFI to the Compensation Fund. (The Compensation Fund was set up by resolution 1483 to settle claims against the previous regime.) He also noted that international immunities granted in conjunction with the DFI could not continue under the national arrangement for a successor mechanism unless otherwise decided by the Security Council. Turkey Saed expressed concern over the end of international immunities for Iraq's overseas funds and suggested that the Council should encourage relevant parties to reconsider the amount of compensation that Iraq is obligated to pay. Similarly, Iraq's permanent representative to the UN told reporters that Iraq was seeking to reduce the 5 percent of its oil revenue that is currently paid into the Compensation Fund (reparations distributed from the fund are paid almost entirely to Kuwait).

On 6 April a series of bombings occurred in predominantly Shiite areas of Baghdad, killing at least 42 people. Another series of bombings in Baghdad on 4 April apparently targeted foreign embassies, killing more than forty people and wounding as many as two hundred more.

In a press statement on 31 March, the members of the Council welcomed the provisional results of the Iraqi election and looked forward to the final certification of the results by the country's supreme court. They expressed support for the work of IHEC and commended the UN Assistance Mission for Iraq (UNAMI) in providing technical assistance and support for the elections. The members of the Council also noted that both international and domestic Iraqi observers had affirmed the overall integrity of the elections, called on political entities in Iraq to respect the certified election results and urged the country's political leaders to avoid inflammatory rhetoric and actions.

On 22 March the Secretary-General informed the Council that the IAEA had verified it was receiving excellent cooperation from Iraq when conducting its safeguards activities.

Key Issues

An issue Council members will be watching closely is the risk of protracted delays in forming a new government, and the related question of whether the final composition of the government will be broadly accepted by the Iraqi people.

Other related issues include the impact on the overall security situation in Iraq and Iraq's capacity to move forward with the creation of institutions needed for the normalisation of Iraq's international standing and removal of restrictions imposed in Saddam-era Council resolutions.

Underlying Problems

An underlying problem is that Iraq is a new and relatively fragile democracy, in which a protracted political conflict centred on the formation of a new government could stimulate ongoing violence in the country.

Options

Options for the Council include:

- refraining from any collective action at this stage but using the meeting to state their national position on current issues in Iraq; and
- adopting a statement to emphasise again the importance of the timely formation of a new government and encouraging Iraq to continue its efforts in this regard.

Council and Wider Dynamics

Some Council members feel that the uncertainty surrounding the formation of a new government in Iraq and the recent decision to recount ballots cast in the Baghdad area, which is likely to slow the process further, are beginning to overshadow important wider issues.

With regard to the overarching issue of normalising Iraq's international standing through the removal of restrictions imposed in Saddam-era resolutions, most Council members have taken a positive view of Iraq's efforts so far to comply with requirements toward the creation of a DFI successor mechanism. Likewise, members appear to feel that Iraq has taken constructive moves to meet its disarmament responsibilities.



However, there is a sense that additional work is still required on these issues, as well as on more contentious aspects of historical resolutions on Iraq, such as the demarcation of borders and relations with Kuwait. Most members are currently disinclined to act on Iraq's suggestion that the compensation it is obligated to pay should be reduced, either in terms of overall amount or annual percentage.

There is recognition among members that the makeup of the new Iraqi government will likely have some impact on Kuwait-related issues. If such engagement is slowed or stalled for an extended period, some feel that it will be more difficult for the Council to come to agreement on removing the restrictions imposed in historical resolutions.

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

Selected UN Documents

Selected Security Council Resolutions

- S/RES/1905 (21 December 2009) extended the arrangements for the DFI and the IAMB until 31 December 2010 and requested the Secretary-General to report on strengthening oversight of the DFI, legal issues and options for a post-DFI mechanism, and Iraq's progress in preparing for such a mechanism.
- S/RES/1883 (7 August 2009) extended the UNAMI mandate for another year.
- S/RES/1859 (22 December 2008) requested the Secretary-General to report on all Council resolutions concerning Iraq since 1990; a letter from Iraq requesting the lifting of Saddam-era resolutions is included as an annex to the resolution.
- S/RES/1483 (22 May 2003) established sanctions against the previous Iraqi government, created the DFI,

provided immunity to Iraqi petroleum products and envisaged the termination of the oil-for-food programme.

- S/RES/1284 (17 December 1999) appointed a High-Level Coordinator for Iraq/Kuwait missing persons and property.

Selected Presidential Statement

- S/PRST/2010/5 (26 February 2010) underlined the importance of Iraq's ratifying the Additional Protocol to the Comprehensive Safeguards Agreement with the IAEA and expressed willingness to review disarmament-related restrictions on Iraq.

Selected Press Statement

- SC/9897 (31 March 2010) welcomed the provisional results of the Iraqi election.

Selected Meeting Records

- S/PV.6293 (6 April 2010) was the most recent meeting on DFI and IAMB.
- S/PV.6271 (16 February 2010) was the latest briefing on UNAMI.

Selected Secretary-General's Reports

- S/2010/166 (1 April 2010) was the Secretary-General's last report on the DFI and the IAMB.
- S/2010/76 (8 February 2010) was the previous UNAMI report.
- S/2009/385 (27 July 2009) was the Secretary-General's report on the review of Iraq resolutions.

Selected Letters

- S/2010/150 (22 March 2010) included the IAEA assessment of Iraq's cooperation with its safeguards activities.
- S/2010/153 (18 March 2010) included Iraq's first quarterly report on the action plan and timeline for the transition to a post-DFI mechanism by 31 December 2010.

Other Relevant Facts

Special Representative of the Secretary-General in Iraq

Ad Melkert (Netherlands)

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

Gennady Tarasov (Russia)

Counter-Terrorism

Expected Council Action

The chairs of the three counter-terrorism-related committees (the 1267 Committee, the CTC and the 1540 Committee) are due to brief the Council in May. The briefing will likely be followed by an open debate. The chairs of the three committees brief the Council jointly twice each year. The last briefing was in November 2009. No Council decision is expected.

Key Recent Developments

The 1267 Committee (Al-Qaida and Taliban sanctions) has been reviewing the consolidated list of individuals and entities subject to the sanctions measures of the regime. Resolution 1904, which was unanimously adopted on 17 December 2009, requested that all states respond to information requests from the Committee related to the review by 1 March and directed the review to be completed by 30 June. The Committee appears to be striving to adhere to this deadline. However, late and incomplete reporting by states has continued to affect the speed with which it has been able to continue the review process. By mid-April, 136 out of 488 entries on the list had been reviewed. Of those 136 entries, 89 had been confirmed and 19 delisted (including five members of the Taliban removed from the list in January and two deceased persons) with the remainder pending. The Committee has also been updating its working guidelines to take into account new procedures established by resolution 1904 which are designed to improve due process and to ensure that delisting requests are addressed by the Committee in a more timely fashion. Notably, the resolution included the creation of an ombudsperson. The ombudsperson will serve as a point of contact for individuals and entities requesting that they be delisted, compile information on individual delisting requests from various sources including Committee members and the individual or entity involved, and facilitate engagement and possible dialogue with the petitioner. The ombudsperson is yet to be appointed by the Secretary-General. The appointment

process appears to have gained momentum over the last several weeks, and a number of candidates have been identified by the Secretariat which is required under resolution 1904 to proceed in close consultation with Council members.

The Council Working Group established by resolution 1566 to consider measures against terrorists not covered by resolution 1267 met on 24 March for the first time in four years. This development is not expected to feature in the joint briefing. (It seems that the group remains reluctant to pursue the creation of a new terrorism list or a fund for victims.) There are currently no plans for the Working Group to meet again.

The Counter-Terrorism Committee (CTC, or the 1373 Committee) is conducting a continuing stocktaking exercise, which is meant to assess progress by member states in implementing the provisions of resolution 1373. The committee also continues to facilitate technical assistance, conduct visits to member states and maintain or increase dialogue and cooperation with international and regional organisations. The CTC streamlined some of its working methods in January to reduce the time spent on preparations for country visits and the adoption of preliminary implementation assessments which provide a review of member states' implementation of resolution 1373. Part of the focus of these changes to the Committee's working methods has been to improve the value of its thematic discussions by following them up with informal briefings to member states. (An informal briefing on international legal cooperation took place on 17 February, and another, on maritime security, on 8 April.) These formats are meant to enhance the transparency of the Committee's work. The Committee also plans to host a seminar in July on the prosecution of individuals who carry out acts of terrorism.

The 1540 Committee (weapons of mass destruction and terrorism) submitted its comprehensive review to the Council on 29 January. It is now begun preparing a report on compliance with the 1540 regime that is due to be presented to the Council by 24 April 2011. It has identified five areas to concentrate on:

- moving forward with recommendations made in the comprehensive review;
- continuing examination of the implementation of the 1540 regime;
- outreach, dialogue, assistance and cooperation to promote implementation of the 1540 regime;
- enhancing cooperation among the counter-terrorism committees and between other international organisations; and
- encouraging voluntary financial contributions and making more effective use of existing funding mechanisms to assist states in addressing implementation needs.

Key Issues

Timely reporting by states of information required by the Committees to carry out their work continues to be a key issue.

Cooperation and coordination between the Committees is also an ongoing issue.

With regard to the 1267 Committee, maintaining momentum gained last December in addressing due process and human-rights concerns, with the passage of resolution 1904, remains a key issue, especially concerning the timely appointment of an individual to the ombudsperson position.

Options

Possible options include:

- a press statement indicating that the Council welcomes the evolving practice of the Committees, as evidenced by the informal briefings organised by the CTC, to adjust the working methods to include wider participation by all UN member states and has encouraged the Committees to continue providing more frequent informal briefings to member states to improve understanding of their work; and
- a letter to the Secretary-General requesting co-location of the work space of the expert groups in order to improve communication.

Council and Wider Dynamics

Most Council members continue to support the joint briefings, which are often followed by an open debate. A significant number of states have requested to participate in the debate following past joint briefings, and it

appears likely that this interest will continue. Several states not on the Council seem likely to emphasise the need to follow through quickly on the appointment of the 1267 Committee ombudsperson.

Council members continue to view the work done by the CTC and its Executive Directorate (CTED) as needed and valuable. Turkey, as chair of CTC, is taking an active role in seeking to improve the transparency of the Committee. Mexico, chair of the 1540 Committee, is likewise taking a proactive role in establishing regular and frequent meetings of that Committee. Some members continue to advocate the possible establishment of a voluntary UN fund to facilitate the 1540 Committee's assistance activities.

Most Council members remain sensitive to the need for good coordination between all three Committees, but there is still no consensus on possible practical options for achieving this.

UN Documents

Selected Council Resolutions

- S/RES/1904 (17 December 2009) renewed the mandate of the 1267 Committee Monitoring Team for 18 months. The resolution also included significant changes to the administration of the 1267 regime, including the creation for an initial period of 18 months an ombudsperson, intended to serve as a point of contact for individuals and entities requesting that they be delisted.
- S/RES/1810 (25 April 2008) extended the mandate of the 1540 Committee and expert body until 25 April 2011.
- S/RES/1805 (20 March 2008) extended the CTED mandate until 31 December 2010.
- S/RES/1566 (8 October 2004) established a working group to consider measures against non-Al-Qaida and Taliban entities involved in terrorist activities and the establishment of a fund for victims of terrorism.
- S/RES/1540 (28 April 2004) established the 1540 Committee and its mandate.



- S/RES/1373 (28 September 2001) established the CTC and its mandate.
- S/RES/1267 (15 October 1999) established the Al-Qaida and Taliban Committee and its mandate.

Selected Meeting Record

- S/PV.6217 and resumption 1 (13 November 2009) was the last briefing by the chairs of the 1267, 1540 and CTC Committees.

Other

- S/2010/125 (5 March 2010) was the letter to the Council transmitting the 1267 Committee's position on the recommendations contained in the tenth report of its Monitoring Team (S/2009/502).
- S/2010/112 (26 February 2010) transmitted the 1540 Committee's programme of work for 1 February 2010 to 31 January 2011.
- S/2010/89 (17 February 2010) was a letter from CTC to the Council transmitting the Committee's current work programme for January to June 2010.
- S/2010/52 (29 January 2010) was the 1540 Committee's final document on its comprehensive review.

Other Relevant Facts

Committee Chairs

- Ambassador Ertuğrul Apakan (Turkey): CTC
- Ambassador Claude Heller (Mexico): 1540 Committee
- Ambassador Thomas Mayr-Harting (Austria): 1267 Committee

Useful Additional Source

- The 1540 Hub (<http://1540.collaborationtools.org>) was created by the Stanley Foundation and the Stimson Center as an online clearinghouse for 1540-related resources.

Notable Dates for May

Reports for consideration in May	Document Requesting Report
6 April	SG report on Kosovo (UNMIK) S/2010/169
30 April	SG report on Chad/CAR (MINURCAT)
	S/RES/1244
	S/RES/1861
	S/RES/1913
30 April	SG report on Sudan (UNAMID)
early May	Panel of Experts report on DPRK (North Korea)
1 May	SG report on Somalia (AMISOM)
1 May	SG report on Nepal (UNMIN)
12 May	SG report on Iraq (UNAMI)
mid May	Semi-annual report of the High Representative for Bosnia and Herzegovina
21 May	DRC Group of Experts report
late May	SG report on Côte d'Ivoire (UNOCI)
	S/RES/1881
	S/RES/1874
	S/RES/1910
	S/RES/1909
	S/RES/1883
	S/RES/1895
	S/RES/1896
	S/RES/1911

May 2010	Mandates Expire	Relevant Document
15 May	Chad/CAR (MINURCAT)	S/RES/1913
15 May	Nepal (UNMIN)	S/RES/1909
31 May	Côte d'Ivoire (UNOCI)	S/RES/1911
31 May	DRC (MONUC)	S/RES/1906

May 2010	Other Important Dates
1 to 10 May	An interagency assessment mission to the DRC is expected.
3 to 28 May	The NPT Review Conference will be held in New York.
13 to 16 May	The Council is expected to visit the DRC.
18 to 20 May	Organisation of the Islamic Conference Summit will be held in Tajikistan.
21 May	Municipal elections are scheduled for Burundi.
22 May	An international reconstruction and development conference for Somalia, hosted by Turkey, will be held in Istanbul.
25 May	The Contact Group on piracy off the coast of Somalia is scheduled to meet in New York.
28 May	The promulgation of Nepal's new constitution is due.

Also expected in May:

- An Afghan-led peace jirga will take place.
- The Human Rights Council is expected to conduct its Universal Periodic Review of Guinea-Bissau and Kenya.

The Council is expected to be briefed by the:

- chairs of the three counterterrorism-related committees (1267 Committee, the CTC and the 1540 Committee)
- chair of the DPRK Sanctions Committee
- head of UNMIN Karin Landgren
- head of BINUB Charles Petrie
- head of UN peacekeeping Alain Le Roy on Chad/CAR and Sudan
- Special Representative Ahmedou Ould-Abdallah on Somalia
- Special Representative Ad Melkert on Iraq
- Special Representative and head of UNMIK Lamberto Zannier
- High Representative for Bosnia and Herzegovina Valentin Inzko

Important Dates over the Horizon

- The ICC Rome Statute Review will be held from 31 May to 11 June in Kampala, Uganda.
- Shanghai Cooperation Organisation Summit will be held in June.
- The Human Rights Council will hold its fourteenth session in June.
- Burundi presidential elections are expected for 28 June, legislative elections for 23 July and senatorial elections for 28 July.
- The UN Fourth Biennial Meeting of States (BMS) regarding small arms is to be held in June.
- Presidential elections are expected in Guinea on 27 June.
- The Palestinian Authority has scheduled local elections for 17 July.
- The General Assembly's annual general debate will start on 14 September.
- Parliamentary elections in Afghanistan are expected on 18 September.
- The IAEA Summit will be held from 20 to 24 September in Vienna, Austria.
- General Elections in Bosnia and Herzegovina are expected in October.
- Legislative elections in Chad are expected for November.
- The ICJ advisory opinion on the legality of Kosovo's unilateral declaration of independence is expected later in 2010.
- General elections in Myanmar are expected later in 2010.
- Legislative elections in the DRC are expected in July 2011 and presidential elections are expected in October 2011.
- Legislative and presidential elections in Liberia are expected in October 2011.

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