



# SECURITY COUNCIL REPORT

## MONTHLY FORECAST

### JULY 2010



1 July 2010

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

## OVERVIEW FOR JULY

Nigeria will hold the Council presidency in July. Two thematic open debates are expected: the periodic debate on **protection of civilians in armed conflict** and a debate on **conflict prevention and settlement of disputes**. (Security Council Report will publish an *Update Report* on the latter prior to the debate.) Furthermore, the monthly **Middle East** briefing will likely be followed by an open debate.

As it has been the practice for nearly a decade, Nigeria, as the July presidency, will be in charge of drafting the **annual report** of the Council to the General Assembly (covering the period from 1 August 2009 through 31 July 2010).

The annual meeting with the **AU's Peace and Security Council** is also expected in July.

In addition to the monthly briefing on the Middle East, several other **briefings** are expected on:

- **Darfur**, prior to the renewal of the mandate of the AU-UN Hybrid Operation (UNAMID);
- **Guinea-Bissau** and the quarterly report of the Secretary-General on UNIOGBIS,

most likely by its head, Joseph Mutaboba;

- the periodic report on the **UN Office for West Africa** (UNOWA), probably by its head, Said Djinnit;
- the Development Fund for **Iraq** and its periodic report, most likely by the UN Controller;
- a briefing on the report of the humanitarian aid coordinator for **Somalia** required by resolution 1916;
- the Secretary-General's report on **Eritrea's** compliance with resolution 1907 (that imposed targeted sanctions for its destabilising role in the region);
- the work of the Somalia/Eritrea Sanctions Committee by its chair, Ambassador Claude Heller; and
- **Lebanon** in consultations on the latest Secretary-General's report on the implementation of resolution 1701, most likely by the Special Coordinator for Lebanon Michael Williams.

Several other **consultations** are likely on:

- **UNOWA**;
- the situation in **Guinea-Bissau**;
- **Sudan**, both on UNAMID and the UN Mission in Sudan (UNMIS);
- the **Eritrea** sanctions;

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- the **Somalia** sanctions;
- the report of the **Liberia** sanctions committee's panel of experts; and
- the Development Fund for **Iraq** and on progress toward the establishment of an Iraqi successor mechanism.

A formal Council meeting is expected to adopt a resolution extending the mandate of **UNAMID**.

## Aide-Memoire

Important matters pending include:

- 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.
- Two matters related to **Children and Armed Conflict** remain to be addressed. The request in resolution 1882 to the Secretary-

General to provide administrative and substantive support for the Security Council Working Group on Children and Armed Conflict has yet to be complied with. The Council's 16 June presidential statement (S/PRST/2010/10) reiterated this request. And the request in resolution 1460 (2003) that all the Secretary-General's reports to the Council on country-specific situations include the protection of children is not fully

implemented. Protection of children has been incorporated into only half of the relevant country-specific reports.

- The Secretary-General has not yet reenergised his **Advisory Committee on the Prevention of Genocide** (it has not met since 2008).
- The Council has yet to address the Secretary-General's summary of the report of the UN

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## Aide-Memoire (continued)

Board of Inquiry into incidents involving UN facilities and personnel in **Gaza** between 27 December 2008 and 19 January 2009, submitted to it on 4 May 2009 (S/2009/250).

- 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 last quarter of 2009 and first quarter of 2010 (or the period from February through July 2009).

- 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.
- The Secretary-General is yet to report to the Council on **Kenya** as requested in February 2008 presidential statement

(S/PRST/2008/4).

- 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 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.

## Status Update since our June Forecast

- **International Court of Justice:** On 2 June the Council in resolution 1926 set 9 September as the date for the election to fill the vacancy at the ICJ following the resignation of Judge Thomas Buergenthal (US). On 29 June the Council elected Xue Hanqin (China) to replace Judge Shi Jiuyong who resigned from ICJ on 28 May 2010 (S/PV.6346 and resumption 1). (The General Assembly also independently elected Judge Xue in accordance with the ICJ statute.)
- **Côte d'Ivoire:** On 3 June the Council was briefed by the head of the UN Operation in Côte d'Ivoire, Choi Young-jin, on the latest Secretary-General's UNOCI report (S/2010/245). The Council extended the mandate of UNOCI until the end of 2010 on 30 June (S/RES/1933).
- **Haiti:** On 4 June the Council adopted resolution 1927 which authorised the deployment of 680 additional officers for the police component of MINUSTAH as a temporary surge with a particular focus on building the capacity of the Haitian national police. The resolution recognised in the post-earthquake context the need for MINUSTAH to assist the government in protecting internally displaced persons and women and children, including through additional joint community policing in camps and strengthened mechanisms to address sexual and gender-based violence, and to address the risk of resurgence in gang violence, organised crime and trafficking of children. The resolution encouraged the mission, within available means, to provide temporary logistical and technical support to the gov-

ernment of Haiti that will be phased out as Haiti's national capacity grows.

- **DPRK:** On 7 June the Council extended the mandate of the Panel of Experts that assists the DPRK Sanctions Committee until 12 June 2011 (S/RES/1928).
- **Iran:** On 9 June the Council in resolution 1929 approved enhanced sanctions against Iran. Brazil and Turkey voted against and Lebanon abstained. Before the voting both Brazil and Turkey explained their position in light of Iran's positive response to the fuel swap plan they brokered in May. The resolution requests the Secretary-General to establish a panel of experts for a period of one year to assist the Committee in carrying out its work. It also stresses the willingness of the sponsors (China, Germany, France, Russia, the UK and the US) to enhance diplomatic efforts and dialogue with Iran and affirms that sanctions measures will be suspended if Iran complies with existing resolutions but further measures will be adopted if the IAEA reports noncompliance on the part of Iran. (An IAEA report is requested within ninety days.)
- **Cyprus:** On 10 June Council members in informal consultations heard a briefing by the Secretary-General's Special Adviser on Cyprus, Alexander Downer. (The most recent UNFICYP report is S/2010/264 and the most recent good offices report is S/2010/238.) On 15 June in resolution 1930 the Council extended UNFICYP's mandate for six months. Turkey voted against (S/PV.6339). The resolution welcomed progress made in the negotiations, urged the

parties to "intensify the momentum of negotiations" and looked forward to decisive progress "consistent with the hope expressed by the two sides on 21 December 2009, that, if possible, 2010 would be the year of solution". In an explanation of vote following the adoption, Turkey reiterated its objections to the references in the text to the Greek Cypriot government as the government of the whole island, but said it welcomed the resolution's language relating to the Secretary-General's good offices mission and expectations for a solution in 2010. On 2 June the Secretary-General announced the appointment of Lisa Bittenheim (US) as his new Special Representative for Cyprus and head of UNFICYP.

- **Naval Incident in the Yellow Sea:** On 14 June the Council held an informal interactive dialogue with delegations from the ROK and the DPRK on the sinking of the Cheonan vessel (the two parties addressed the Council separately). In a statement made to the press after the informal interactive dialogue Council president Claude Heller (Mexico) said the Council was gravely concerned with the incident and its impact on peace and stability on the Korean peninsula, called on the parties to refrain from any act that could escalate tensions in the region and said the Council would continue its consultations on the incident.
- **Kyrgyzstan:** The Council had two briefings on Kyrgyzstan in June. The first one by Under-Secretary-General for Political Affairs B. Lynn Pascoe was on 14 June. Following the briefing in his remarks to the

## Status Update since our June Forecast (continued)

press the president of the Council said that members of the Council expressed support for the efforts of the Secretary-General and regional organisations, condemned the continued violence, supported the delivery of humanitarian aid and called for calm. On 24 June the Council received a briefing by Assistant Secretary-General for Political Affairs Oscar Fernandez-Taranco where it was told that ethnic tensions remained high in Kyrgyzstan. He also told the Council that aid deliveries were being disrupted by security concerns. Both briefings were held under the agenda item UN Regional Centre for Preventative Diplomacy for Central Asia.

- **Children and Armed Conflict:** The Council held an open debate (S/PV.6341 and res. 1) on children and armed conflict on 16 June. There were over sixty speakers including Secretary-General's Special Representative for Children and Armed Conflict Radhika Coomaraswamy, Assistant Secretary-General for Peacekeeping Operations Atul Khare, Deputy Executive Director of UNICEF Hilde Frafjord Johnson and a former Nepalese child soldier. In the presidential statement (S/PRST/2010/10) issued after the debate the Council reiterated its strong condemnation of violations of international law involving recruitment, killing and maiming, rape and sexual violence, abductions, attacks against schools or hospitals and denial of humanitarian access by parties to armed conflict. It also expressed concern about the growing number of attacks against schools and educational facilities. In addition, the Council expressed deep concern over persistent violators and expressed its readiness to adopt targeted and graduated measures against them. It also invited the Working Group to exchange pertinent information with relevant sanctions committees and for sanctions committees to regularly invite the Special Representative on Children and Armed Conflict. Other areas highlighted in the presidential statement included strengthening the monitoring and reporting mechanism and the need for parties that had not done so to prepare and implement action plans to halt recruitment,
- **International Criminal Tribunals:** On 18 June the presidents and prosecutors of the ICTY and ICTR briefed the Council on implementation of the Tribunals' completion strategies (S/PV.6342) based on their latest progress reports (S/2010/270 and S/2010/259). The president of ICTY, Patrick Robinson, reported that there had been a "significant slippage in the trial schedule". Both Robinson and the ICTR president, Dennis Byron, focused in particular on the difficult situation regarding staff retention and called on the Council to adopt a statement acknowledging the problem and calling on relevant UN bodies to address it. The ICTY Prosecutor Serge Brammertz said the arrest of the two remaining high-level fugitives, Ratko Mladić and Goran Hadžić, remained the highest priority for his office. While Brammertz said the cooperation of states in the region had been adequate, ICTR Prosecutor Hassan Bubacar Jallow expressed regret over Kenya's continued unwillingness to cooperate in the case of Felicien Kabuga. The Council adopted resolution 1931 on 29 June extending the mandates of the ICTY judges in response to a request by its president (S/2010/330) as well as resolution 1932 extending the mandates of the ICTR judges and amending the ICTR statute as requested by its president (S/2010/289).
- **Afghanistan:** Members of the Security Council visited Afghanistan from 21-24 June. The mission was led by Turkey, the lead country for Afghanistan in the Council. At the end of their visit members of the Council expressed their continued support for Afghanistan's efforts to build a lasting peace, stressed the need for free and fair elections, improved governance and the upholding of human rights. In Kabul members of the Council met with senior government officials, including Afghan president, Hamid Karzai, representatives of the Afghanistan Independent Human Rights Commission, the Independent Electoral Commission, and the Electoral Complaints Commission, as well as international stakeholders. The mission also

included a visit to Jalalabad in eastern Afghanistan. At press time, the Council was expected to hold a debate on 30 June and be briefed by the Secretary-General's Special Representative to Afghanistan, Staffan de Mistura on the Secretary-General's latest UNAMA report (S/2010/318). The Council was also expected to receive an oral report of the recent mission to Afghanistan from Turkey.

- **Burundi:** On 23 June the Council issued a press statement (SC/9959) urging all political stakeholders to participate fully in the electoral process and to work to ensure proper conduct of the 28 June presidential elections.

- **Security Council Retreat:** From 24 to 26 June, the Council held an informal ambassadorial-level retreat in Istanbul, continuing its discussion on the linkage between peacekeeping, peacemaking and peacebuilding.

- **Central African Republic (CAR):** On 28 June Special Representative Sahle-Work Zewde briefed the Council on the Secretary-General's first BINUCA report (S/2010/295). The Council issued a press statement noting the postponement of presidential and legislative elections stressing the importance of moving forward quickly to free, fair, transparent and credible elections; expressed concern regarding the slow pace of DDR implementation; and condemned the attacks by the LRA in the country (SC/9963).

- **Justice and Rule of Law:** On 29 June the Council held an open debate on rule of law chaired by Mexican Deputy Foreign Minister Juan Manuel Gómez Robledo. The Council approved a presidential statement (S/PRST/2010/11) which asked the Secretary-General to submit a report within a year on the promotion of the rule of law in conflict and post-conflict situations, assessing progress since the last report on this issue in 2004 (S/2004/616).

- **Golan Heights:** On 30 June, following consideration of the latest Secretary-General's report (S/2010/296), the Council adopted resolution 1934 which renewed the UNDOF mandate until 31 December.

## Sudan

### Expected Council Action

In July the Council is expected to renew the mandate of UNAMID which expires on 31 July. Prior to that, the Council expects to receive a report from the Secretary-General. Consultations on UNMIS are also likely.

### Key Recent Developments

Clashes between the Sudanese Armed Forces and the Justice and Equality Movement (JEM) continue, and the security situation in Darfur remains tense and volatile. According to the AU-UN Hybrid Operation in Darfur (UNAMID), May had the highest monthly overall death toll since peacekeepers were deployed in 2008. UNAMID reported that in May, 440 people were killed in fighting between rebels and government forces, 126 in intertribal violence and another 31 in other violence.

On 3 May JEM suspended its participation in the Doha peace talks. (Talks were earlier suspended in April due to the election. In the week of 14 June direct talks on wealth sharing resumed between the government and the rebel Liberation and Justice Movement or LJM.)

On 21 June three Rwandan UNAMID personnel were killed in West Darfur. These fatalities followed a 7 May deadly attack on two Egyptian peacekeepers in South Darfur. Since UNAMID's establishment in 2008, 27 peacekeepers have been killed in hostile actions in Darfur. In a 22 June statement to the press the Council encouraged the Sudanese government to ensure that the perpetrators are brought to justice, stressing that there must be an end to impunity for those who attack peacekeepers.

On 29 June Sudan announced that it is closing its border with Libya due to Darfur rebels operating there.

In June, intertribal violence outside of Zalingei, West Darfur, reportedly led to the deaths of more than 100 people. UNAMID has been unable to reach and investigate the clash sites.

Humanitarian access in Darfur continues to be restricted. Large areas of eastern Jebel Marra, in West Darfur, which is experiencing ongoing fighting between government forces and JEM, have been inaccessible to humanitarian workers since February.

On 13 June the Sudanese government lifted a ban on UNAMID helicopters that it

had imposed in May. The ban seriously affected UNAMID's ability to carry out medical and evacuation operations.

On 17 June, two suspects from the Darfur opposition movement charged with alleged war crimes appeared voluntarily before the pre-trial judges of the International Criminal Court (ICC) in The Hague. Former Chief of Staff of the Sudan Liberation Army (SLA-Unity) Saleh Mohammed Jerbo Jamus and Abdallah Banda Abakaer Nourain, described as the commander-in-chief of JEM, are accused of a September 2007 attack in Haskanita in South Darfur in which 12 AU peacekeepers were killed and eight severely wounded. Their hearing is scheduled to begin in November 2010.

The post-election period in Sudan has seen a crackdown on civil society. On 15 June Albaquir Al-Afif Mukhtar, the director of the Alkhatim Adlan Center for Enlightenment and Human Development and the Tamam network, a coalition of over 120 civil society groups who monitored the elections, was detained. Several other incidents including the arbitrary arrests and intimidation of activists and journalists have been reported.

On 14 June UN and AU officials briefed the Council on an integrated approach to Sudan that aims to enhance cooperation and coordination between UNAMID, the UN Mission in the Sudan (UNMIS), the work of Joint Chief Mediator Djibril Bassolé and the AU High-Level Implementation Panel for Sudan. In his briefing to the Council, Thabo Mbeki, Chairperson of the AU Panel, underlined the importance of meetings convened on 7 and 8 May in Addis Ababa by the AU and UN with governments and intergovernmental organisations involved in helping resolve the challenges in Sudan. Participants of the Addis Ababa meeting agreed that a final, inclusive and comprehensive agreement on Darfur should be concluded this year, ahead of the referenda planned for January 2011. The Sudanese government supported this proposal.

Joint AU-UN Special Representative for Darfur Ibrahim Gambari also briefed the Council. Gambari reported that UNAMID has intensified its military and police patrols, strengthened joint patrolling at selected internally displaced persons camps and continued to provide logistical support to the humanitarian community to expand access. UNAMID continues to negotiate with government authorities and armed

movements to ensure wider access. During an earlier briefing to the Council on UNAMID on 20 May, Gambari listed UNAMID's four priorities as enhancing security for the mission, humanitarian personnel and civilians; providing more proactive support for the peace process; facilitating the ongoing normalisation of Chad-Sudan relations; and enhancing support to reconstruction and development efforts.

Special Representative of the Secretary-General and head of UNMIS Haile Menkerios also addressed the Council on 14 June. He highlighted the tight time frame for the preparation and conduct of the referenda in southern Sudan and Abyei and outlined the tasks critical to the proper and timely implementation of the Comprehensive Peace Agreement (CPA). Menkerios said both the National Congress Party and the Sudan People's Liberation Movement had indicated they desired enhanced engagement by UNMIS for the referenda which would likely exceed UNMIS's current mandate. UNMIS was awaiting a formal joint request for support. He also said the government of southern Sudan, with the assistance of the UN country team and partners, was working on a capacity building strategy addressing security sector reform, institutional capacity building and development.

In remarks to the press following the meeting, Council President Claude Heller of Mexico underlined the importance of timely preparations for and holding of the referendum; completion of outstanding CPA tasks; and progress in negotiations on post-referendum issues. He noted the need for the UN to plan its presence in Sudan post-CPA. On Darfur, he said the Council called on all parties to respect the ceasefire. It also called for full access for UNAMID and humanitarian organisations. It urged all rebel groups to join the peace process and all parties to engage constructively in negotiations in Doha.

On 11 June the Council received its biannual briefing by ICC Prosecutor Luis Moreno-Ocampo, which was followed by closed consultations. On 25 May the Court's pre-trial chamber referred to the Council Sudan's failure to comply with its obligations to enforce the arrest warrants for Ahmad Harun and Ali Kushayb, in accordance with Council resolution 1593 (2005).

On 10 June the Chairman of the 1591 Committee presented his ninety-day report to

the Council on the work of the Sudan Sanctions Committee in closed consultations. The Council was reportedly told the Panel of Experts had concluded in their interim report that violations of the ban on offensive military overflights, of the arms embargo and of international humanitarian and human rights law continued to be committed by various actors in Darfur. The Council was also reportedly informed that UNAMID would soon be in a better position to monitor the arms embargo given that it was almost fully deployed.

On 3 June Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator John Holmes briefed Council members in closed consultations on his 22-30 May visit to Chad and Sudan. Holmes reported that fighting between government forces and JEM in South Darfur was constraining humanitarian access. Holmes said criminal attacks and intimidation of humanitarian personnel continued, as did impunity for those responsible. On southern Sudan he reported a steady increase in intertribal violence, partly caused by increased competition over natural resources and political uncertainties. He reported that raids by the Ugandan rebel group the Lord's Resistance Army had also recently resumed in Western Equatoria.

### Human Rights-Related Developments

The Human Rights Council (HRC) held an interactive debate on 7 June with the UN Independent Expert on the situation of human rights in the Sudan. Mohammed Chande Othman. Othman's report for the period from June 2009 to April 2010 were the focus of the debate. These include his assessment of the government's implementation of recommendations of the HRC's Group of Experts on Sudan. He acknowledged steps towards the implementation of some recommendations, including the passage of statutes on the child and the media, as well as programmes to disarm, demobilise and reintegrate former child combatants. Nevertheless, the independent expert noted that a significant number of the recommendations had not been implemented. He emphasised that the ultimate measure of the government's implementation of the experts' recommendations would be concrete improvement in the human rights situation in Darfur.

### Key Issues

On Darfur, the key issue is the renewed volatility in the security situation, the enforced need for protection of civilians and the need for a stable ceasefire, as well as the safety of UN and humanitarian personnel.

A related issue is the restriction on UNAMID and humanitarian agencies' movements. The government's interference in UNAMID's use of its air assets is a serious infringement of its agreement with the UN and is a major impediment to UNAMID carrying out its mandate. It also raises serious concerns about UNAMID's ability to transport personnel in medical emergencies.

Another issue is proactively supporting the ongoing peace process in Darfur in order to find a political resolution to the conflict before the January 2011 referenda. A key question for the Council is what role should UNAMID be playing in the Darfur peace process and whether Gambari's vision of injecting UNAMID further into the peace process should be highlighted in its upcoming mandate renewal.

On North/South issues, the key issue is to help create the conditions conducive to the holding of the referenda in southern Sudan and Abyei on time, peacefully and in a credible manner. A second issue is enhanced UNMIS support for the referenda and what changes to UNMIS's mandate may need to be considered. A related issue is the need to consider the UN's role in Sudan come the end of interim period of the CPA in July 2011.

### Underlying Problems

Core issues to the conflict in Darfur such as power and wealth sharing and national reconciliation require a comprehensive approach in the context of a democratic transformation of the whole of Sudan.

The lack of cohesion among armed movements, the refusal of Abdul Wahid (Sudan Liberation Army) to participate in the peace talks, and the limited progress made toward the establishment of durable ceasefire arrangements and a comprehensive agreement which is inclusive and which addresses the issues of peace and security, land issues, social and economic issues, justice and reconciliation continue to impede a political settlement to the Darfur conflict.

The issue of slow implementation of the remaining CPA provisions remains serious.



Instability in southern Sudan as a result of ongoing communal conflicts and weak security institutions continues to be a major problem.

### Options

Options for the Council with regards to UNAMID include:

- renewing its mandate for a further 12 months without significantly changing the mandate's substance;
- emphasising a role for UNAMID in assisting the political process and engaging more proactively with all parties in Darfur to reach a comprehensive peace agreement;
- requesting an urgent assessment on the impact of the restrictions placed on UNAMID's movement, particularly the government's interference with UNAMID's air mobility;
- addressing the need for enforced cooperation between UNAMID and the UN Country Team (UNCT), and encouraging the UNCT, along with international partners, to support the efforts of the Sudanese government on peace consolidation and development activities in Darfur; and
- taking up the ICC request to the Council about Sudan's lack of cooperation.

### Council Dynamics

Council members view Sudan as one of the most important issues facing the Security Council over the coming 12 months.

Negotiations on the UNAMID mandate renewal are unlikely to be as difficult as in 2009, which were conducted in the aftermath of the March 2009 ICC indictment of al-Bashir and the expulsion of 13 humanitarian organisations.

It seems unlikely that many Council members will want significant changes to the substance of UNAMID's mandate. However, most members do want UNAMID to fully implement its current mandate and for UNAMID not to be impeded in its activities.

There is consensus UNAMID's core mandate should remain protecting civilians and facilitating humanitarian assistance. It is possible some members of the Council, such as the Council's African members and Russia,

China, Brazil and Austria would support a greater role for UNAMID in early recovery activities. However, the general reluctance of some other Council members to discuss anything that might be seen as peacebuilding tasks makes it unlikely that such a role will be included in this mandate renewal.

Council members on the whole seem more open to UNAMID playing a greater role in facilitating the peace dialogue in Darfur.

Possible areas of contention in the UNAMID resolution may be how to reflect the increase in violence in Darfur and the restrictions of access on UNAMID and humanitarian organisations and whether to use the resolution to pressure those outside the peace process to join. Balancing language on the responsibilities of the government and rebels has historically produced divisions in the Council.

The Council was unable to reach consensus on remarks to the press following the 3 June Holmes briefing and the 11 June Moreno-Ocampo briefing (but was able to following the 14 June briefing).

## UN Documents

### Selected Security Council Resolutions

- S/RES/1919 (29 April 2010) renewed UNMIS.
- S/RES/1891 (13 October 2009) renewed the mandate of the Darfur Sanctions Panel of Experts for another year.
- S/RES/1881 (6 August 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/2010/213 (28 April 2010) was on UNAMID.
- S/2010/168/Add.1 (27 April 2010) and S/2010/168 (5 April 2010) were on UNMIS.

### Selected Security Council Meeting Records

- S/PV.6338 (14 June 2010) was the briefing by former South African

President Thabo Mbeki, Haile Menkerios, Ibrahim Gambari and Djibril Bassolé.

- S/PV.6336 (11 June 2010) was the briefing by ICC Prosecutor Luis Moreno-Ocampo.
- S/PV.6318 (20 May 2010) was the briefing by Joint AU-UN Special Representative for Darfur Ibrahim Gambari.

### Other

- SC/9958 (22 June 2010) was a Security Council press statement condemning recent 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 30 April 2010:* 16,883 military personnel
- *Police Strength as of 30 April 2010:* 4,797 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 Moses Bisong Obi (Nigeria)

### UNMIS: Size, Composition and Cost

- *Maximum authorised strength:* up to 10,000 military and 715 police personnel
- *Main troop contributors:* India, Pakistan and Bangladesh
- *Military Strength as of 30 April:* 9,428 military personnel

- *Police Strength as of 30 April:* 668 police personnel
- *Cost:* 1 July 2009 - 30 June 2010: \$958.35 million

### UNMIS: Duration

24 March 2005 to present; mandate expires 30 April 2011

### Sanctions Committee Chairman

Thomas Mayr-Harting (Austria)

## Guinea-Bissau

### Expected Council Action

The Council is expected to consider the Secretary-General's 24 June report on UNIOGBIS. The head of the office, Joseph Mutaboba, is expected to brief the Council. The mandate of UNIOGBIS expires on 31 December.

### Key Recent Developments

Attempts to return to political normalcy in Guinea-Bissau, where the situation had started to improve since the election that followed the assassination of former President João Bernardo Vieira in 2009, suffered a serious setback when a military insurrection took place on 1 April.

At time of writing the crisis was expected to be discussed by heads of states of the Economic Community of West African States on 1 July in Cape Verde and there were reports of a visit to the region by Brazilian President Luiz Lula da Silva.

The mutiny was orchestrated by the now Army Chief of Staff, Major General António Indjai, with the apparent support of the former navy chief, Rear Admiral José Américo Bubo Na Tchuto, who had returned to the country from exile in Gambia in December 2009. (He had sought refuge in Gambia after being implicated in a failed coup attempt in August 2008.) Since his return Bubo Na Tchuto had until 1 April been living under protective asylum within the premises of the headquarters of the UN Integrated Peacebuilding Office in Guinea-Bissau (UNIOGBIS).

Indjai initially detained Prime Minister Carlos Gomes Júnior together with the then Armed Forces Chief of Staff, Zamora Induta, with about a dozen of the latter's perceived (mostly military) allies.

Early statements by the insurrection leaders indicated that they intended to put Gomes Júnior and Induta on trial for “crimes committed against the people.” However, following a spontaneous gathering of hundreds of civilians on 1 April to express support for the prime minister, call for his release and oppose the mutiny, Gomes Júnior was released. Induta remained in detention.

On 1 April the Council issued a press statement expressing concern about the military incidents that had taken place that day in Guinea-Bissau. It urged all parties to avoid acts of violence, uphold constitutional order and respect the rule of law. Similar expressions of concern came from the Community of Portuguese Speaking Countries, the Secretary-General, the AU, the Economic Community of West African States and the EU, as well as Brazil, France and the US.

On 6 April, Assistant Secretary-General Oscar Fernandez-Taranco briefed the Council during private consultations on the developments in Guinea-Bissau.

On 9 April the US, acting under its Foreign Narcotics Kingpin Designation Act, accused Bubo Na Tchuto and the current Air Force Chief of Staff, Ibraima Papa Camara, of drug trafficking, froze their US assets and proscribed US citizens’ engagement in business with the two.

On 13 May, Guinea-Bissau’s Military Supreme Court summoned Bubo Na Tchuto to answer questions regarding accusations of having orchestrated an attempted coup d’état in August 2008. On 31 May the court announced that it was dropping the long standing treason charges against him, leading to speculations that the decision was compelled by the leaders of the 1 April mutiny. (Indjai retained his post as deputy chief of staff—in effect the default commander—of the armed forces, with the removal of Induta as the head.)

President Malam Bacai Sahná and Prime Minister Gomes have continued in their constitutional capacities with the president describing the insurrection as “confusion between soldiers”, but seem to be in enfeebled positions. De facto power now appears to reside with Indjai who is perceived to have the final say in all government decisions. The dropping of treason charges against Bubo Na Tchuto (pursued by the prime minister before 1 April) seemed to confirm reports his increasing influence in state affairs.

## Developments in the Peacebuilding Commission (PBC)

At a meeting in mid-April, the Department of Political Affairs briefed the PBC configuration on Guinea-Bissau on developments in the country.

On 6 May the chair of the Guinea-Bissau PBC configuration, Brazilian Ambassador Maria Luiza Ribeiro Viotti, sent a letter to the Government of Guinea-Bissau, conveying the PBC’s concern about the events that led to the detention of Induta and other military officers and indicated that it “would like to be reassured of the Government’s commitment to lead the national peacebuilding strategy.” It also made reference to the high-level event originally envisaged to take place on 9 June in New York (which was later postponed) to mobilise resources for the establishment of a pension fund for the military as part of the security sector reform (SSR) process and spelt out two preconditions before this could take place:

- the issue of leadership of the armed forces must be addressed as soon as possible, in accordance with constitutional provisions; and
- national authorities must clearly indicate their commitment to security sector reform.

Further, “in that context the release or legal prosecution of the Chief of Staff of the Armed Forces and of other detained officers arrested on 1 April 2010 are expected as a matter of priority, as are guarantees of fair prosecution of all those involved.”

On 26 May the Guinea-Bissau mission conveyed the Government’s response. The Government’s letter sought to reassure the PBC about its commitment to the peacebuilding process, especially by indicating actions that it had taken to address the concerns raised by the PBC about developments in the country.

At press time, the PBC was yet to decide whether to get a new date for the meeting to mobilise resources for the establishment of a pension fund for the military.

## Human Rights-Related Developments

The Human Rights Council (HRC) began its Universal Periodic Review of Guinea-Bissau on 7 May. The working group of the HRC made over 100 recommendations, of which Guinea-Bissau accepted



all but five. Recommendations that did not enjoy the support of Guinea-Bissau related mainly to bringing to justice members of the armed forces who had violated human rights, improving training in human rights for the armed forces and eliminating gender discrimination. The HRC will consider the working group’s report at its next session in September.

## Key Issues

The major issue for the Council is whether the events of 1 April—the latest in a pattern of destabilising military interventions in the country’s contemporary history—now pose substantial new risks to peace consolidation in the country (no president of the country has successfully completed the constitutionally mandated five-year term since multiparty democracy began in the country in 1994, and three chiefs of defence staff have been killed over the past nine years).

Questions have also been raised about how best the Council may assist in shoring up the authority of the current civilian government in Guinea-Bissau which seems to have very little power in deciding the most important matters of national interest.

A second issue is ensuring the success of peacebuilding efforts, especially keeping the SSR process on track.

Another critically important issue is the impact of drug trafficking and organised crime in Guinea-Bissau and, in light of recent revelations implicating key military and political actors in drug trafficking, whether and how the Council can address this issue.

Regional security implications are a related issue. There are concerns that further unrest in Guinea-Bissau could contribute to undermining the fragile security situation in the West African subregion, given the recent tensions in Guinea, Côte d’Ivoire and Niger.

## Underlying Problems

Perennially weak state institutions, caused in part by limited resources and political schisms and factionalism—giving rise to shifting alliances—within the politico-military ruling elite, have greatly undermined good governance in Guinea-Bissau.

## Options

Options for the Council include:

- issuing a statement (or perhaps adopting a resolution) designed to signal its increased concern that the peace consolidation process must remain on track, and ensuring that local actors must uphold constitutional order and respect the rule of law in the country, and keeping the SSR process on track;
- adopting a wait-and-see stance by following developments closely on the ground; and
- revisiting the Secretary-General's recommendation in his 29 September 2008 report on the UN Peacebuilding Support Office (UNOGBIS) to "take strong action and ... consider establishing a panel of experts to investigate the identity and activities of those involved in drug trafficking and organised crime in Guinea-Bissau with the possibility of taking measures, including punitive, targeted sanctions that would help reverse the current disturbing growth in the drug trafficking crisis in the country."

## Council Dynamics

Council members have been monitoring developments on the ground and expect that the Secretary-General's next report will contain recommendations for a more proactive Council role, including measures designed to address the issues in the country. Council members seem open to lending their support to any feasible initiative to achieve progress in the situation in the country.

However, many members are aware of the delicate task of bringing appropriate pressure to bear on key players who wield apparent de-facto powers and simultaneously empowering the legitimate but beleaguered civilian government to return Guinea-Bissau to normalcy.

It remains to be seen whether the recent sanctions imposed by the US against Buba Na Tchuto will galvanise the Council to give serious consideration to applying possible sanctions against individuals involved in the country's illicit drug trade.

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

## UN Documents

### Selected Security Council Resolutions

- S/RES/1876 (26 June 2009) renewed the mandate of UNOGBIS until 31 December 2009 and requested the Secretary-General to establish

UNIOGBIS beginning on 1 January 2010 for an initial period of 12 months.

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

### Selected Presidential Statements

- S/PRST/2009/29 (5 November 2009) welcomed the planning for the transition of UNOGBIS to UNIOGBIS.
- S/PRST/2009/6 (9 April 2009) welcomed the convening of the presidential election for 28 June 2009 and urged credible polls.
- S/PRST/2009/2 (3 March 2009) condemned the assassination of President Vieira and the chief of the armed forces of Guinea-Bissau, and urged continued adherence to stability, constitutional order, the rule of law and the democratic process.
- S/PRST/2007/38 (24 October 2007) called on the Guinean-Bissau government and the UN system to take further action on drug trafficking and organised crime.

### Selected Letters

- S/2009/56 (30 January 2009) and S/2009/55 (27 January 2009) was the exchange of letters between the Secretary-General and the president of the Council on the appointment of Joseph Mutaboba as the Secretary-General's Representative in Guinea-Bissau and head of UNOGBIS.
- S/2008/778 (22 December 2008) and S/2008/777 (10 December 2008) was the exchange of letters between the Secretary-General and the president of the Council that revised and extended the UNOGBIS mandate to 30 June 2009 and requested recommendations on establishment of an integrated UN Office in Guinea-Bissau by 15 June 2009.
- S/2008/208 (25 March 2008) was a letter from the chairperson of the PBC to the president of the Security Council providing advice on the peacebuilding priorities for Guinea-Bissau.
- S/2008/87 (28 December 2007) was the letter from the chair of the PBC informing the president of the Council about the placement of Guinea-Bissau on the PBC's agenda.
- S/1999/232 (26 February 1999) welcomed the Secretary-General's proposal to establish UNOGBIS.

### Selected Secretary-General's Reports

- S/2010/335 (24 June 2010) was the

latest report of the Secretary-General.

- S/2008/628 (29 September 2008) contained the Secretary-General's proposal that a panel be set up a panel of experts to investigate the identity and activities of those involved in drug trafficking and organised crime in Guinea-Bissau with the possibility of taking measures, including sanctions, to curb those activities.

### Other

- SC/9900 (1 April 2010) was a press statement issued by the Council expressing concern about the military developments in Guinea-Bissau.
- PBC/4/GNB/1 (16 December 2009) was the progress report on the implementation of the Peacebuilding Strategic Framework for Guinea-Bissau.

## Other Relevant Facts

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

Joseph Mutaboba (Rwanda)

### Duration

1 January 2010 to present; mandate expires on 31 December 2010.

## UN Office for West Africa

### Expected Council Action

In July the Council is expecting the report of the Secretary-General on UNOWA, which is due by 30 June. Head of UNOWA Said Djinnit is to brief the Council. The mandate of UNOWA expires on 31 December 2010.

### Key Recent Developments

On 12 January the Special Representative of the Secretary-General and head of the UN Office for West Africa (UNOWA), Said Djinnit, briefed the Council on the Secretary-General's 31 December 2009 report on UNOWA. Djinnit said the subregion presented a mixed picture of hope and concern, with notable improvements in conflict prevention, recovery and peacebuilding being threatened by weak national institutions in many countries.

On 13 May Djinnit told the press in New York that the UN was working to ensure that democratically elected administrations were established in Guinea and Niger. He said that UNOWA, in conjunction with the Economic Community of West African



States and the AU, had ensured that the necessary legislative measures and key documents needed to hold the presidential election on 27 June in Guinea were in place.

Regarding Niger, the UN was engaged in supporting the short-term transitional process that Niger's leadership had committed itself to. This was expected to result in the holding of the first round of elections by the end of 2010. (In February, a military junta in Niger dissolved the government, detained the president and suspended a contested constitution that would have allowed then-president Mamadou Tandja to remain in power beyond the stipulated term.)

Developments relating to West Africa's emergence as a major transit hub for trafficking Latin American drugs to markets in Europe continued over the past six months. The UN Office on Drugs and Crime indicated that while seizures of narcotics have decreased in the region over the past three years, the drug trade is on the increase, with traffickers resorting to more sophisticated methods, making the narcotics more difficult to intercept.

Between 28 May and 1 June, Liberia deported seven people to the US after they were arrested for allegedly trying to ship 4,000 kilograms of cocaine there. The suspects were accused of trying to bribe key Liberian officials to facilitate large shipments of cocaine over the past three years. (The deportees were subsequently charged by prosecutors in New York with conspiracy to import cocaine.)

On 8 April the US accused two military officials in Guinea-Bissau, former Navy Chief Rear Admiral José Américo Bubo Na Tchuto and Air Force Chief of Staff Ibraima Papa Camara, of drug running and imposed financial sanctions and proscribed US citizens doing business with them under the Foreign Narcotics Kingpin Designation Act, commonly known as the drug kingpin act. On 8 June, Gambian authorities intercepted about two tonnes of cocaine bound for Europe with a street value estimated at US\$1 billion, together with large quantities of cash, arms and numerous revealing computer records. Twelve suspected traffickers were arrested.

The Secretary-General visited three West African countries in June:

- Benin, where he held discussions with President Boni Yayi on the country's

upcoming presidential and parliamentary elections;

- Sierra Leone, where he highlighted the successes of the country in consolidating peace and visited the Special Court for Sierra Leone, the UN-supported war crimes tribunal set up to deal with the worst acts committed during that country's civil war which ended in 2002; and
- Cameroon, where he underlined the great potential of Africa to achieve the Millennium Development Goals, with international support. Ban also decried unconstitutional changes of government, corruption, nepotism and tyranny.

On 16 June the UN World Food Programme, which ran the UN Humanitarian Air Service (UNHAS), indicated that it was compelled to suspend flights to three West African countries — Guinea, Sierra Leone and Liberia — because it has been unable to raise the \$2.5 million required to continue operating until the end of this year. (The West African coastal service of UNHAS had been serving a number of humanitarian passengers, including employees of UN agencies, donor representatives and NGOs, benefiting an estimated 250,000 people in some of the inaccessible parts of the three countries.)

### Key Issues

The key issue for Council members is assessing whether and how UNOWA's regional approach to trends in (e.g. mediation, elections, etc.), and challenges to, peace and security in the West African subregion is adding value to peace consolidation in West Africa.

### Options

Options for the Council include:

- issuing a statement highlighting key issues raised in the Secretary-General's upcoming report and reiterating the Council's support for the work of UNOWA;
- considering the Secretary-General's report without making any statement;
- building on its collaboration with the Peacebuilding Commission (PBC) by emphasising that UNOWA should work closely with the PBC on consolidating peace in the West African subregion; and
- using discussion of the report to assess various fragile situations in countries on the Council's agenda that are not immediately due for consideration (e.g. Côte d'Ivoire), together with those



currently not on the Council's agenda but subsumed under the regional mandate of UNOWA (e.g. Guinea, Mauritania and Niger).

### Council Dynamics

Council members expect the Secretary-General's report to provide an updated overarching view of the subregional situation and the meeting to present an opportunity for taking stock of current security trends.

In the past some Council members have been critical of UNOWA's continued utility. However, the prevailing view among Council members now seems to be that the insights offered through the work of the office may be utilised in structuring the Council's responses to country-specific situations on its agenda and relevant thematic issues (e.g. drug trafficking) and monitoring pertinent developments in countries in the region that are not on formally on its agenda, as well as in helping it anticipate and shape future actions. Nevertheless, there seems to be some ongoing resistance to whether this remains the right long-term model.

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

### UN Documents

#### Selected Presidential Statements

- S/PRST/2009/32 (8 December 2009) was on threats posed by drug trafficking.
- S/PRST/2009/20 (10 July 2009) was on the situation in West Africa.
- S/PRST/2009/11 (5 May 2009) expressed concern about the resurgence of unconstitutional changes of government in Africa.

#### Selected Letters

- S/2008/128 (26 February 2008) and S/2008/127 (21 February 2008) was an exchange of letters between the Secretary-General and the Council regarding the appointment of Said Djinnit as Special Representative for West Africa and Head of UNOWA.

- S/2007/754 (21 December 2007) and S/2007/753 (28 November 2007) was an exchange of letters between the Secretary-General and the Council regarding the extension UNOWA until 31 December 2010 and more frequent reporting.
- S/2005/16 (14 December 2004) conveyed the Secretary-General's intended mandate functions and activities of UNOWA from 1 January 2005 to 31 December 2007.
- S/2004/858 (25 October 2004) and S/2004/797 (4 October 2004) was an exchange of letters between the Secretary-General and the Council regarding the extension UNOWA for three years.
- S/2001/1129 (29 November 2001) welcomed the intention of the Secretary-General to establish UNOWA.

#### Selected Secretary-General's Reports

- S/2009/682 (31 December 2009) was the last report on UNOWA.
- S/2008/426 (30 June 2008) was the first semi-annual report on UNOWA.
- S/2007/294 (18 May 2007) was a midterm review of UNOWA initially envisaged for July 2006.
- S/2007/143 (13 March 2007) was on cross-border issues in West Africa.
- S/2004/797 (4 October 2004) was a review of activities and performance of UNOWA spanning the January 2003 to July 2004 period.

#### Other

- S/PV.6256 (12 January 2010) was the verbatim record of the latest briefing by Said Djinnit to the Council.

#### Selected UNOWA Studies and Concept Papers

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

- *Working Document on Sanctions in Africa* (June 2007)
- *Security Landscape and Peace Consolidation in West Africa* (March 2007)
- *Youth Unemployment and Regional Insecurity in West Africa – A UNOWA Issue Paper*, 2nd edition (August 2006)
- *Life after State House: Addressing Unconstitutional Changes in West Africa – A UNOWA Issue Paper* (March 2006)
- *Youth Unemployment and Regional Insecurity in West Africa –*

*A UNOWA Issue Paper*, 1st edition (December 2005)

- *Elections scheduled between April 2005 and December 2007 in West Africa* (June 2005)
- *Security Sector Reform and Conflict Prevention in West Africa: Challenges and Opportunities – Dakar Workshop* (November 2004)
- *The Regional Impact of the Crisis in Côte d'Ivoire* (April 2004)

#### Other Relevant Facts

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

Said Djinnit (Algeria)

##### UNOWA: Size and Composition

Staff Strength (as of 30 April 2010): 13 international civilians; ten local civilians; four military advisers

##### UNOWA: Duration

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

### Meeting Between the Security Council and the AU Peace and Security Council

#### Expected Council Action

In July Council members will hold fourth annual consultations with the AU Peace and Security Council. All 15 members of the AU Council, as well as AU Commissioner of Peace and Security Ramtane Lamamra are expected to be invited to participate. Issues likely to be addressed include Darfur and Somalia (the two most active current areas of cooperation), as well as conflict prevention and peacekeeping. A joint communiqué is expected as an outcome.

The first meeting of the UN Secretariat-AU Commission joint task force, referred to in the Council's presidential statement of October 2009, is likely to take place on the margins of the meeting.

#### Key Facts and Recent Developments

The UN has developed various partnerships with regional and subregional organisations on peace and security issues. These include the Association of Southeast Asian Nations, the EU, the Economic Community of West African States, the League of Arab States, the Organisation for

Security and Cooperation in Europe, NATO, the Organisation of American States and the Commonwealth of Independent States. (Chapter VIII of the UN Charter establishes a framework for and the obligations of regional organisations when dealing with the settlement of disputes; for more details see our *Update Reports* of 18 September 2006 and 23 March 2007.)

Recently, the AU has been a key partner on peacekeeping and conflict management in Africa. Beginning in 2007, the Security Council and the Peace and Security Council started holding annual meetings, alternating between Addis Ababa and New York. The first such event took place in June 2007 in Addis Ababa as part of a Council trip to Africa. It was an informal meeting and it took place against the backdrop of intense negotiations that led to the establishment of the hybrid operation in Darfur, and Darfur was a central issue. In addition to several other situation-specific topics, another key issue at that time was the overall relationship between the two bodies. The 2008 meeting was at the UN headquarters in New York, and focused on developing a stronger working relationship through such means as taking steps to identify predictable and flexible resources for AU peacekeeping, information sharing or supporting AU capacities for mediation.

These themes continued in 2009 during the meeting in Addis Ababa. The African side was also eager to have a discussion on the report by an AU-UN panel on modalities for support to AU peacekeeping operations. The panel, whose report was published in December 2008 and has been referred to as the Prodi Report after the panel's chairman, had been established by the Secretary-General to examine how the UN and the AU could enhance the predictability and flexibility of financing for UN-mandated peace operations undertaken by the AU. It was discussed briefly in Addis Ababa, but the main discussion was postponed until after the publication in September 2009 of a Secretary-General's report on modalities for the implementation of the Prodi report. The 2009 event was also complicated by some differences related to the status of the event with some Security Council members insistent it was not a formal meeting of the two councils. Each of the three meetings held so far resulted in a communiqué, with two annexed to the reports from the respective Council missions to Africa and

one issued as an annex to a letter from the permanent representative of South Africa to the president of the Security Council.

The Council held an open debate on the Secretary-General's report on modalities for support to AU peacekeeping operations on 26 October and adopted a presidential statement reiterating the importance of a more effective strategic relationship between the UN and the AU, underlining the importance of expediting the implementation of the UN-AU Ten-Year Capacity-Building Programme. It noted the assessment of the options for financing AU peacekeeping operations and expressed the Council's intention to keep all options under consideration. It also underlined the need for a UN-AU study of lessons learnt from the AU Mission in Sudan (AMIS) and the AU Mission in Somalia (AMISOM), as well as collaboration under the AU-UN Hybrid operation in Darfur (UNAMID) and the UN Support Office for AMISOM. The Council requested that the Secretary-General provide an update by April and submit a progress report by 26 October. Under-Secretary-General Susana Malcorra, the head of the Department of Field Support, updated Council members on the current status of cooperation with the AU in the area of peacekeeping operations during informal consultations on 12 April. (For more details see our 27 May 2009 and 22 October 2009 *Update Reports*.)

### Key Issues

A key practical issue for both Councils is the effectiveness of the two existing operations where both organisations have been cooperating, UNAMID in Darfur and AMISOM in Somalia.

A related issue is how better and fuller effect can be given to Chapter VIII of the UN Charter in light of lessons drawn from these experiences in future endeavours.

UN financing and other such support for AU peacekeeping will continue to be a controversial issue.

A related question, relevant to all regional organisations, is better compliance with Chapter VIII.

On the working methods side, an issue will be improving procedural understandings that will permit a productive relationship between the Security Council and the Peace and Security Council. The format and nature of future meetings are key elements.

### Options

Any formal decision is unlikely as the meeting is expected to be informal.

One option is to repeat the established practice of issuing a communiqué after the meeting.

Another option is for the two Councils to agree on some specific modalities for any future such meetings.

An additional option could be to include specific steps to be taken to work out jointly or in parallel the above matters prior to the 2011 meeting.

An option is not issuing any written statement at the conclusion of the meeting.

### Council and Wider Dynamics

Most Council members are supportive of strengthening the strategic partnership between the AU and UN and a limited role for the UN in helping the AU with specific capacity-building initiatives. There is also general agreement about the value of more African ownership of African issues.

However, there are some significant differences among members over the issue of financing UN-authorized AU operations. Most members feel that in the present economic climate any decision involving a financial commitment would be difficult. But some would like to see an agreement at some point on the use of assessed contributions for AU peacekeeping missions authorised by the Council based on the conditions suggested by the Prodi report.

The nature of the relationship between the Council and its AU counterpart has been a source of some differences within the Council and a degree of tension between the two bodies. The Security Council has been insistent on its primary position in the issue of peace and security. Also it has been reluctant to go beyond informal meetings. The PSC would like to formalise the meetings and is seeking more parity in the relationship. During last year's meeting in Addis Ababa, a considerable portion of the overall time was spent on procedural issues because various differences had emerged between the two bodies. In the period leading up to the 2010 consultations, several members expressed their hope that such difficulties will be avoided and the entire meeting will be devoted to substantive issues.



### UN Documents

#### Selected Security Council Resolutions

- S/RES/1809 (16 April 2008) welcomed the Secretary-General's proposal to set up an AU-UN panel to consider the modalities of how to support AU peacekeeping operations established under a UN mandate.
- S/RES/1706 (31 August 2006) was on the situation in Sudan mandating UN assistance to AMIS.
- S/RES/1631 (17 October 2005) was the first resolution adopted by the Council on regional organisations.
- S/RES/1625 (14 September 2005) was a declaration on the effectiveness of the Council's role in conflict prevention, calling for the strengthening of cooperation and communication between the UN and regional and subregional organisations in accordance with Chapter VIII (on regional arrangements).

#### Selected Presidential Statements

- S/PRST/2010/1 (13 January 2010) followed a 13 January debate on cooperation between the UN and regional organisations and promised increased action to promote cooperation between the UN and regional organisations.
- S/PRST/2009/26 (26 October 2009) reiterated the importance of a more effective strategic relationship between the UN and the AU, underlining the importance of expediting the implementation of the UN-AU Ten-Year Capacity-Building Programme.
- S/PRST/2009/3 (18 March 2009) followed the meeting on the AU-UN Panel's report.
- S/PRST/2007/31 (28 August 2007) requested the Secretary-General to submit a report on the options for further implementation of resolution 1625.
- S/PRST/2007/7 (28 March 2007) was on relations between the UN and regional organisations, particularly the AU.
- S/PRST/2004/44 (19 November 2004)

recognised the importance of strengthening cooperation with the AU in order to help build its capacity to deal with collective security challenges.

#### Selected Secretary-General's Reports

- S/2009/470 (18 September 2009) was on support to AU peacekeeping operations authorised by the UN.
- S/2008/813 (24 December 2008) was the letter from the Secretary-General forwarding the Prodi Panel report.

#### Selected Security Council Meeting Records

- S/PV.6206 (26 October 2009) was the debate on the report of the Secretary-General on support to AU peacekeeping operations authorised by the UN.
- S/PV.6092 and resumption 1 (18 March 2009) was the debate on the AU-UN Panel's report on modalities for support to AU operations.

#### Other

- PSC/PR/BR.2 (CCVI) (15 October 2009) was the press statement by the AU PSC taking note of the report of the Secretary-General on support to AU peacekeeping operations authorised by the UN.
- S/2009/303 (11 June 2009) was the report of the Council mission to the AU, Rwanda, the DRC and Liberia, which contained the communiqué of 16 May 2009 from the consultative meeting between the members of the Security Council and the AU.
- S/2008/263 (21 April 2008) was a letter from the permanent representative of South Africa to the president of the Security Council containing the joint communiqué of the 17 April 2008 meeting between the two councils.
- S/2007/421 (11 July 2007) was the report of the Security Council visit to Addis Ababa, Accra, Abidjan, Khartoum and Kinshasa containing the joint communiqué from the 16 June 2007 meeting.

#### Other Relevant Facts

##### Current Members of the AU Peace and Security Council

- Benin
- Burundi
- Chad
- Cote d'Ivoire
- Djibouti

- Equatorial Guinea
- Kenya
- Libya
- Mali
- Mauritania
- Namibia
- Nigeria
- Rwanda
- South Africa
- Zimbabwe

## Israel/Palestine

### Expected Council Action

An open debate on the Middle East is expected in July. No outcome is expected. However, recent developments related to the Council's 1 June presidential statement on the Gaza flotilla incident—including Israeli policy towards Gaza and the Secretary-General's possible investigation—may add new elements to the discussion. Members are mindful of the impact for the ongoing proximity talks and the Secretary-General's expected July report to the General Assembly following up the Goldstone Report.

### Key Recent Developments

Early in the morning of 31 May Israeli naval forces boarded a six-ship flotilla in international waters. The flotilla's intent was to break the Israeli naval blockade and deliver humanitarian aid to Gaza. Prior to intercepting the convoy, Israel signalled publicly and through diplomatic channels that it would not allow the ships to proceed to a Gazan port. Israeli forces took control of all six ships. There was a confrontation on the Turkish-registered ship Mavi Marmara resulting in civilian deaths and injuries to both civilians and Israeli forces. The civilians killed were all Turkish nationals, including one dual US-Turkish national.

Turkey requested an emergency meeting of the Council on 31 May. After more than 12 hours of negotiations primarily between Turkey and the US, the Council agreed to a presidential statement which:

- condemned the loss of ten civilians and many wounded;
- noted the Secretary-General's statement on the need for an investigation;
- called for a prompt, impartial, credible and transparent investigation conforming to international standards;
- stressed that the situation in Gaza was unsustainable and reaffirmed the

need to fully implement resolutions 1850 and 1860 (including the flow of goods and people into Gaza and unimpeded humanitarian assistance); and

- reaffirmed the two-state solution and support for the proximity talks.

On 2 June the Secretary-General met with representatives from Turkey, Israel, the Arab Group and the P5 to exchange views on various options for an investigation, following up his comments on 31 May that "it is vital that there is a full investigation to determine exactly how this bloodshed took place." One such proposal was a possible panel that could be led by former New Zealand Prime Minister Geoffrey Palmer including Israeli, Turkish and US representatives. Turkey signalled support and called on Israel to accept an international investigation. On 21 June Israeli Defense Minister Ehud Barak met with the Secretary-General in New York and asked that the plan be shelved for the time being.

In early June, Turkey's relevant public prosecutor opened an inquiry into the deaths of its nine nationals (in-line with Turkish law and judicial procedures in the case of any overseas death). At press time, the inquiry was ongoing and when complete, the results will be presented to the Turkish Ministry of Justice which has the option of asking for judicial cooperation from the relevant country, in this case Israel.

On 14 June the Israeli cabinet approved a domestic commission of inquiry headed by former Supreme Court Justice Jacob Turkel that would include two foreign observers: William David Trimble of Northern Ireland and Ken Watkin of Canada. On the same day, a major Israeli peace organisation, Gush Shalom, announced its plans to petition the Israeli Supreme Court and challenge the validity of the Turkel Commission's independence from the government. The Israeli Supreme Court was expected to consider the petition on 11 July (postponed from 30 June).

The Israeli Commission's terms of reference allow it access to summaries of the military's operational investigation and for testimony by the IDF Chief of Staff but excludes other military personnel. On 29 June Netanyahu temporarily suspended the activities of the Commission pending consideration of Judge Turkel's request to broaden the powers of the Commission. (On 11 June, UN Special Rapporteur on

Extrajudicial Executions Philip Alston said that for a domestic commission of inquiry to meet international standards it must be independent of the government, the results should be made public and it should have direct access to all relevant evidence.)

On 20 June Israel announced an adjustment to the Gaza blockade after growing international pressure from the US, EU, and the UN in the weeks following the Gaza flotilla incident. (On 15 June UN Special Coordinator Robert Serry, in his briefing to the Security Council, urged a fundamentally different approach to Gaza. A 14 June ICRC news release said that Israel's blockade of Gaza "constitutes a collective punishment imposed in clear violation of Israel's obligations under international humanitarian law.")

The Israeli announcement outlined a shift from the current positive list (goods that are allowed) to a negative list (goods that are banned). According to a statement from Israeli Prime Minister Benjamin Netanyahu's office, the new list of banned goods is expected to include weapons and dual-use materials, including many building supplies. Any dual-use materials allowed will be for projects approved by the Palestinian Authority under international supervision. The new policy also seems to be applicable only to the land border; the maritime blockade remains in effect. It does not mention any change in the ban on exports from Gaza.

On 20 June, EU foreign affairs head Catherine Ashton welcomed Israel's easing of the Gaza blockade, echoing conclusions from a 17 June meeting of the EU Council, which also called for a full and impartial inquiry into the Gaza flotilla incident.

The Quartet (EU, UN, US and Russia) welcomed the shift in a 21 June statement, which also flagged that the Quartet would monitor the implementation of this new policy closely. It urged that all goods to be delivered through land crossings and emphasised that there is no need for unnecessary confrontations.

On 18 June Israel transmitted a letter to the Security Council with information that it appeared a small number of ships were ready to depart Lebanon bound for the Gaza Strip. On 28 June Iran's Red Crescent Society cancelled its aid shipment when denied passage through the Suez Canal by Egypt.

A 22 June joint letter from the Non-Aligned Movement (chaired by Egypt), the Arab Group (chaired by Libya) and the Organisation of the Islamic Conference Group (chaired by Syria) requested:

- a complete and unconditional lifting of the Gaza blockade; and
- an international investigation into the Gaza flotilla incident under the auspices of the Secretary-General.

Barak and US Secretary of State Hillary Clinton met in Washington DC on 23 June to discuss the possibility of progressing from proximity to direct talks, as well as Israel's revised Gaza policy and establishment of a domestic commission of inquiry. On 9 June US President Barack Obama met with Palestinian President Mahmoud Abbas; Obama characterised the situation in Gaza as unsustainable. At press time, Obama and Netanyahu were expected to meet during the week of 5 July in Washington DC. (The visit was previously cancelled after the Gaza flotilla incident.)

In mid-June Fatah announced that local elections scheduled for 17 July in the West Bank had been cancelled. No new date has been set.

### Human Rights-Related Developments

On 31 May the Human Rights Council held a debate on Israel's military action against an aid flotilla in international waters and adopted a resolution on 2 June condemning "in the strongest terms possible the outrageous attack by the Israeli forces against the humanitarian flotilla of ships which resulted in the killing and injuring of many innocent civilians from different countries." The vote was 32 in favour (including Security Council members Bosnia and Herzegovina, Brazil, China, Gabon, Mexico, Nigeria and Russia) and three against (including the US), with nine abstentions (including France, Japan and the UK). The resolution also called for an independent international fact-finding mission to investigate the incident, which is expected to report back to the Human Rights Council at its fifteenth session in September 2010.

The UN High Commissioner for Human Rights, Navi Pillay, addressed the Human Rights Council on 14 June on follow-up to the Goldstone Report. Pillay said that she was seeking guidance



from the UN Controller about possible modalities for the establishment of an escrow fund for the provision of reparations to Palestinians who had suffered loss and damage as a result of unlawful acts attributable to Israel during the Gaza conflict. She also announced that she had appointed a committee of three independent experts, who would monitor and assess domestic, legal or other proceedings undertaken by both the Government of Israel and the Palestinian authorities.

### Key Issues

A key issue for the Council is how to handle the various responses to its call for an impartial investigation conforming to international standards and the role for the Secretary-General in this regard. This is of particular importance given Turkey's position on the issue and taking into consideration Turkey's role as regional actor, former friend of Israel and mediator in aspects of the Middle East peace process.

A related issue is how to react to a situation where there may be two domestic inquiries (Israeli and Turkish) with probably different conclusions.

Another key issue is achieving real progress on full implementation of resolution 1860 (access to deliver humanitarian aid in Gaza and intra-Palestinian reconciliation). In this regard there is a practical issue related to Israel's recent easing of its blockade: its policy requires a Palestinian Authority partner, which may be problematic in the continued absence of reconciliation between Fatah and Hamas.

Another issue is that the Secretary-General's next report following up the Goldstone Report will be on the table shortly.

### Underlying Problems

The issue of Israeli soldier Gilad Shalit, held captive in Gaza since June 2006, is still unresolved.

There has been no progress with Hamas-Fatah reconciliation.

Gaza is functioning with a black-market economy and even with increased humanitarian aid may continue to lack the environment required for real economic recovery.

## Options

Council options in July seem likely to be influenced by the fact that there are likely to be two competing domestic inquiries underway (Israeli and Turkish) and also the fact that it may be too soon to make a clear judgement as to whether the changes in the Israeli blockade policy are going to be positive or in practice a continuation of the status quo.

On top of that, the sense of a larger watershed point possibly emerging in September may also encourage deferral of major initiatives. Egypt's actions blocking the Iranian ship bound for Gaza from the Suez Canal also suggests a desire to avoid any new incidents in the coming weeks.

The option of taking up the Goldstone Report in July seems remote.

## Council Dynamics

There is significant concern among many Council members that the strained bilateral relationship between Israel and Turkey could reach a breaking point as a result of the Gaza flotilla incident.

Some Council members have expressed cautious optimism at Israel's policy change toward the blockade. However, other members are concerned that this development will in the end come to nothing in practice and is only designed to head off the push for an international investigation into the Gaza flotilla incident.

Most Council members support the Secretary-General's call for an investigation and anticipate that if there is not progress in this regard, Turkey will bring the issue back to the Council.

Many Council members seem to sense that September, during the next General Assembly, could be a potential watershed month. The Arab League's four-month endorsement of proximity talks will end, as will the ten-month Israeli policy on settlement restraint.

Most members continue to adopt a "wait and see" approach to the Goldstone Report and would prefer that it not distract from peace talks.

## UN Documents

### Security Council Resolutions

- S/RES/1860 (8 January 2009) called for an immediate, durable and fully respected ceasefire leading to the full withdrawal of Israeli forces from Gaza.
- S/RES/1850 (16 December 2008) declared Council support for the Annapolis process and its commitment to the irreversibility of bilateral negotiations.

### Security Council Presidential Statements

- S/PRST/2010/9 (1 June 2010) called for an impartial investigation into the Gaza flotilla incident and stressed that the situation in Gaza was not sustainable.
- S/PRST/2009/14 (11 May 2009) reiterated the Council's commitment to the irreversibility of bilateral negotiations built upon previous agreements and encouraged steps toward intra-Palestinian reconciliation

### Security Council Letters

- S/2010/331 (22 June 2010) was a joint letter from NAM, OIC and the Arab Group requesting an international investigation into the Gaza flotilla incident and a complete and unconditional lifting of the Gaza blockade.
- S/2010/321 (18 June 2010) was a letter from Israel regarding ships from Lebanon reportedly planning to depart for Gaza.
- S/2010/266 and S/2010/267 (31 May 2010) was an exchange of letters between Turkey and the Council president regarding an emergency meeting of the Council to discuss the Gaza flotilla incident.
- S/2009/586 (10 November 2009) was the Secretary-General's transmission of the Goldstone Report to the Security Council.

### Security Council Meeting Records

- S/PV.6340 (15 June 2010) was the briefing by UN Special Coordinator for the Middle East Peace Process Robert Serry.
- S/PV.6325 (31 May 2010) and S/PV.6326 (1 June 2010) was the Security Council meeting on the Gaza flotilla incident.

### General Assembly

- A/RES/64/254 (26 February 2010)

requested the Secretary-General to submit a further follow-up report to the Goldstone Report, within five months, with a view to consider further action, including by the Security Council.

- A/64/651 (4 February 2010) was the Secretary-General's follow-up report to the UN Fact-Finding Mission on the Gaza conflict (the Goldstone Report).
- A/RES/64/10 (5 November 2009) endorsed the Goldstone Report and requested a report from the Secretary-General with a view to consider further action, including by the Security Council.

### Human Rights Council

- A/HRC/RES/14/1 (2 June 2010) condemned the Gaza flotilla incident and called for a fact-finding mission.
- A/HRC/RES/13/9 (25 March 2010) contained the decision to establish a committee to monitor and assess Israeli and Palestinian investigations into violations of international humanitarian and human rights law in follow-up to the Goldstone Report.
- A/HRC/13/54 (15 March 2010) was the High Commissioner for Human Rights report on the Occupied Palestinian Territories, including implementation of the recommendations of the Goldstone Report.
- A/HRC/RES/S-12/1 (16 October 2009) endorsed the Goldstone Report.
- A/HRC/12/48 (15 September 2009) was the report of the UN Fact-Finding Mission on the Gaza Conflict, or the Goldstone Report.

## Protection of Civilians

### Expected Council Action

The biannual open Council debate on protection of civilians initially expected in June is now scheduled for early July. It will feature a briefing by the Under-Secretary-General for Humanitarian Affairs, John Holmes. As this will be Holmes' last briefing on protection of civilians before leaving his post in July, he is expected to offer some reflections on his tenure. A possible focus of the progress debate will be the implementation of the most recent thematic Council decision on the issue (resolution 1894). No outcome is expected. The Secretary-General's next report on protection of civilians is due in November.

For a more detailed analysis of the Council's recent involvement and action on protection of civilians both thematically and in country-specific situations, please see our second *Cross-Cutting Report on Protection of Civilians in Armed Conflict*, of 30 October 2009.

### Key Recent Developments

At the open debate on 11 November 2009, the Council marked the tenth anniversary of the Council's involvement in this issue by adopting resolution 1894, the first thematic resolution on protection of civilians since resolution 1674 of 2006.

Resolution 1894 reaffirms the Council's commitment to the protection of civilians while focusing in particular on humanitarian access, protection mandates in peacekeeping missions and the need for monitoring and reporting. It contains several new provisions. On humanitarian access, the Council reaffirms its role in promoting humanitarian access and expresses its intention to:

- call on parties to armed conflict to facilitate passage of relief consignments, equipment and personnel, and mandate missions to assist in creating conditions for humanitarian access; and
- consistently condemn all violence against humanitarian personnel and call on parties to comply with obligations to protect such personnel, as well as humanitarian consignments.

On peacekeeping, the resolution reflects several of the key findings and recommendations of the independent study jointly commissioned by the Office for the Coordination of Humanitarian Affairs (OCHA) and the Department of Peacekeeping Operations (DPKO) on implementation of protection mandates, officially released on 6 November 2009. The resolution:

- recognises the need to take into account the protection needs of civilians in an early phase of the drafting of mandates, engage with countries concerned and consult with the Secretariat and troop and police contributing countries (TCCs and PCCs);
- requests the Secretary-General to develop, in close consultation with member states and other actors, an operational concept on protection and to report back on progress;
- requests the Secretary-General to ensure that UN operations with protection man-

dates conduct mission-wide planning, pre-deployment training and senior leadership training on protection, and requests TCCs and PCCs to ensure appropriate training;

- requests the Secretary-General to ensure that all peacekeeping operations with protection mandates incorporate protection strategies into the overall mission implementation plans; and
- reaffirms its practice of requiring benchmarks to measure and review progress in the implementation of mandates and stresses the importance of including protection indicators in such benchmarks.

On monitoring and reporting, the resolution:

- emphasises the importance of addressing compliance issues in country-specific situations and of receiving timely, objective, accurate and reliable information;
- invites the Secretary-General to continue systematic monitoring and analysis of constraints on humanitarian access and to include observations and recommendations both in briefings and country-specific reports;
- requests the Secretary-General to include in his next report on protection of civilians a best practice guide of measures taken by current peacekeeping operations to protect civilians;
- requests the Secretary-General to include in his reports on country-specific situations more comprehensive and detailed information relating to protection of civilians, including on protection-related incidents and actions taken by parties; and
- requests the Secretary-General to develop guidance for UN operations and other relevant missions on protection reporting with a view to streamlining such reporting and enhancing the Council's monitoring and oversight.

In his briefing following the adoption of the resolution, Holmes highlighted engagement with non-state armed groups as an issue critical to strengthening compliance with the normative framework and ensuring humanitarian access. He also called for greater consistency in the Council's application of targeted sanctions against violators of international humanitarian law and addressed key issues related to protection of civilians mandates in peacekeeping operations.

For the first time since 2002, the High Commissioner for Human Rights was represented in the debate. A statement by



High Commissioner Navanethem Pillay was delivered by her deputy, Kyung-wha Kang. It stressed in particular the importance of stronger political will to take timely action and called on the Council to ensure accountability and combat impunity for violators of international law. It also highlighted specific issues relating to the situations in Gaza, the Democratic Republic of the Congo, Darfur and Afghanistan.

The Council debate was preceded by an Arria formula meeting on 5 November hosted by the UK on "Ten years of engagement in the protection of civilians: the view from the field."

Protection of civilians was among key issues discussed at the 2010 session of the General Assembly's Special Committee on Peacekeeping Operations (C-34) from 22 February to 19 March. The final report from the Committee took up several key elements from resolution 1894. It asked the Secretary-General to outline resource and capability requirements for implementation of protection mandates, requested peacekeeping missions to develop comprehensive protection strategies and the Secretariat to develop a strategic framework for such strategies and recognised the importance of improving planning processes and developing training modules.

There were also several important developments relating to the issues of women, peace and security and of children and armed conflict. On 2 February the Secretary-General appointed Margot Wallström as his Special Representative on Sexual Violence in Conflict. In April the Council received a proposal from the Secretary-General on a set of indicators to track implementation of resolution 1325 on women, peace and security, including indicators on prevention, protection, relief and recovery. The Council adopted a presidential statement on 27 April expressing its support for the new Special Representative and requesting the Secretary-General to continue work on a comprehensive set of indicators to be presented to the Council in time for the tenth anniversary of resolution 1325 in October.

On 16 June the Council discussed the Secretary-General's latest report on children and armed conflict in an open debate. It adopted a presidential statement reiterating its strong condemnation of violations against children and called for a strengthening of the monitoring and reporting mechanism for children and armed conflict. It reaffirmed its readiness to take action against those responsible for violations and called on the Special Representative and the working group on children and armed conflict to share information with relevant sanctions committees.

### Key Issues

How to translate rhetoric and decisions into actions on the ground remains an overriding issue for the Council. A related issue is whether the necessary political will exists to take timely action.

The five challenges identified by the Secretary-General in his last report remain valid. These included enhancing compliance with international humanitarian law, including by non-state armed groups, making more effective use of UN peacekeeping and other relevant missions in protection of civilians, improving humanitarian access and strengthening accountability for violators of international humanitarian law.

In more practical terms, a key issue is ensuring implementation of resolution 1894 as it addresses all of these challenges.

A related issue is whether the Council should take up the Secretary-General's proposal to discuss possible additional measures to improve compliance with international humanitarian law by non-state armed groups.

A further issue is the Council's own working methods and tools at its disposal and whether these can be developed to ensure better monitoring and effective action.

### Options

Possible options for the Council include:

- closely monitoring implementation of resolution 1894 to ensure that the intentions expressed are consistently carried out by the Council in country-specific decisions and that requests to other actors are acted upon;
- organising an Arria formula meeting on issues relating to compliance by non-state armed groups with international humanitarian law as previously proposed by the Secretary-General;

- inviting the High Commissioner for Human Rights, in addition to OCHA, to regularly brief the Council on protection of civilians issues;
- taking action in country-specific situations to strengthen compliance by, among other things, making full use of established sanctions regimes and considering additional measures; and
- continuing to develop the informal expert group on protection of civilians as an important tool to address protection of civilians concerns.

### Council Dynamics

It seems generally agreed among Council members that there has been a positive momentum on protection of civilians over the last year both at the thematic level, including in the context of peacekeeping reform, and in country-specific situations.

However, some Council members, in particular elected members, are concerned about what they see as political selectivity in the Council's response to protection issues. There is also disappointment over the Council's handling of Chad's request earlier this year for the withdrawal of the UN Mission in the Central African Republic and Chad, whose main task is the protection of civilians, and real concern about its implications for other peacekeeping missions. (The Council decided in May to terminate the mission by the end of this year.)

While most members consider the informal working group to be a very useful tool, there seems to be limited appetite for developing it further at this stage. Many members emphasise, however, that it would be useful for geographic experts to participate in the meetings alongside thematic experts on a more consistent basis, as this is currently not the case. China still does not participate, mostly, it seems, to prevent any attempts at formalising the group.

As for the implementation of resolution 1894, Council members seem pleased with progress on issues related to peacekeeping. On other issues, however, many consider it too early to assess implementation but expect Holmes to provide a preliminary review in his briefing.

There is considerable scepticism among Council members about the added value of further Council involvement in the issue of engagement with non-state actors. It seems that OCHA has been promoting the idea of an Arria formula meeting on this issue to be

held before the upcoming debate but has found little support among Council members. Such a meeting is therefore unlikely to take place at this stage.

## UN Documents

### Selected Security Council Resolutions

- S/RES/1894 (11 November 2009) reaffirmed the Council's commitment to the protection of civilians while focusing on compliance, humanitarian access, protection of civilians in peacekeeping missions and enhanced monitoring and reporting.
- S/RES/1889 (5 October 2009) reaffirmed previous decisions on women, peace and security and requested the Secretary-General *inter alia* to submit for the Council's consideration a set of indicators for tracking implementation of resolution 1325.
- S/RES/1888 (30 September 2009) on sexual violence, requested the Secretary-General *inter alia* to appoint a Special Representative on sexual violence in armed conflict.
- S/RES/1882 (4 August 2009) was the latest resolution on children and armed conflict, which expanded the trigger for inclusion in the Secretary-General's annexes to include killing, maiming and sexual violence.
- S/RES/1674 (28 April 2006), S/RES/1265 (17 September 1999) and S/RES/1296 (19 April 2000) were the first thematic resolutions on protection of civilians.
- S/RES/1325 (31 October 2000) was the first resolution on women, peace and security.

### Selected Presidential Statements

- S/PRST/2010/10 (16 June 2010) was on children and armed conflict.
- S/PRST/2010/8 (27 April 2010) welcomed the appointment of Margot Wallström as Special Representative for Sexual Violence and asked the Secretary-General to continue working on indicators to measure progress on resolution 1325.
- S/PRST/2010/2 (12 February 2010) was a statement on transition and exit strategies for UN peacekeeping operations that recalled the importance of protection of civilians throughout the life cycle of such operations and other relevant missions in line with resolution 1894.
- S/PRST/2009/1 (14 January 2009)



reaffirmed previous decisions on protection of civilians and contained an updated aide-mémoire.

#### Selected Secretary-General's Reports

- S/2010/181 (13 April 2010) was the latest report on children and armed conflict.
- S/2010/173 (6 April 2010) was a report on women, peace and security, proposing a set of indicators to track implementation of resolution 1325 in line with resolution 1889.
- S/2009/277 (29 May 2009) was the seventh (and latest) report on protection of civilians.
- S/1999/957 (8 September 1999) was the landmark first report on protection of civilians.

#### Latest Council Meeting Record

- S/PV.6216 and Resumption 1 (11 November 2009) was the thematic debate on protection of civilians.

#### Other

- A/64/19 (24 March 2010) was the Report of the Special Committee on Peacekeeping Operations and its Working Group from the 2010 substantive session.

#### Additional Useful Resources

- *Addressing the Doctrinal Deficit*, a report by the Stimson Centre, 25 May 2010.
- *Protecting Civilians in the Context of UN Peacekeeping Operations: Successes, Setbacks and Remaining Challenges*, an independent study jointly commissioned by DPKO and OCHA, November 2009.

## Djibouti/Eritrea

#### Expected Council Action

In July the Council is expected to consider resolution 1907 of 23 December 2009 which imposed an arms embargo and targeted sanctions on Eritrea arising from its border dispute with Djibouti.

A report from the Secretary-General was circulated on 22 June. Council members are likely to hold consultations in July to discuss the report and hear a briefing by the Secretariat.

At press time the Monitoring Group for the Eritrea and Somalia sanctions regimes had yet to be re-established by the Secretary-General following the expiry of its last mandate in March.

#### Key Recent Developments

On 6 June Djibouti and Eritrea signed an agreement mediated by Qatar to resolve their border dispute through a negotiated settlement. The Council was informed on 7 June in a letter from Qatar which also said that Eritrea had withdrawn its troops from the disputed border area.

The agreement stipulates the establishment of a committee under the chairmanship of Qatar with one representative from each of the parties that will appoint an international company to demarcate the border. The demarcation shall be approved by the committee through a decision that shall be "final and binding upon the parties."

The agreement also contains provisions relating to the exchange of prisoners of war and stipulates that Qatar will monitor the border area until a final settlement has been reached.

On 11 June Assistant Secretary-General for Political Affairs Taye-Brook Zerihoun briefed Council members in consultations on these developments. In a subsequent press statement, Council members welcomed the agreement and expressed their full support for Qatar's mediation efforts.

While Council members had been following Qatar's initiative for some time, Eritrea until recently publicly maintained its long-held position that the border dispute with Djibouti was a fabrication instigated by the US. It had refused to comply with the demands in resolution 1862 that it:

- withdraw its forces to their positions before the outbreak of the border clashes with Djibouti in June 2008;
- acknowledge the border dispute and engage in dialogue with Djibouti; and
- abide by its international obligations as a UN member state and cooperate with the Secretary-General's good offices.

In April Eritrea submitted a letter to the Council detailing its positions on resolution 1907, the border dispute with Ethiopia, its relations with Djibouti and the situation in Somalia. It reiterated well-known positions, denying the existence of any border dispute with Djibouti. The letter was handed over to the chair of the Somalia/Eritrea Sanctions Committee, Mexican Ambassador Claude Heller, during his visit to Eritrea on 24 April. (For more details on this trip, please see our 18 May *Update Report*.)



In an address to the Council on 19 May the president of Djibouti, Ismail Omar Guelleh, asserted that the Eritrean occupation of his country's territory was a matter of the gravest national security concern and warned against any notion that the recent meetings in Asmara between Eritrean officials and Ambassador Heller was a sign that Eritrea was becoming more cooperative.

While the agreement between Eritrea and Djibouti to resolve their border dispute through mediation therefore seems to indicate a recent significant change in Eritrea's position, it is less clear what progress Eritrea has made in regards to the demands in resolution 1907 that it support the Djibouti peace process for Somalia and cease all efforts to destabilise the Somali government. But Eritrea's participation at the Istanbul conference on Somalia in May, as well as its willingness to meet Heller in Asmara, are generally seen as positive signs.

#### Human Rights-Related Developments

**Djibouti:** On 14 April the Parliament of Djibouti amended the constitution to abolish the death penalty.

**Eritrea:** On 17 March, the Human Rights Council adopted without a vote the report of the Council's working group that conducted the Universal Periodic Review of Eritrea. The group made 137 recommendations, almost half of which Eritrea accepted. About 40 percent of the recommendations were neither accepted nor rejected, while the remainder were rejected. Among the recommendations accepted were ratification of the ILO convention on the worst forms of child labour, the establishment of an independent national human rights institution, and recommendations on children's rights, on female genital mutilation and on domestic and sexual violence. Recommendations rejected included abolition of the death penalty and the issuing of a standing invitation to UN Special Procedures.

## Key Issues

A key issue for the Council is whether the recent agreement between Djibouti and Eritrea signals a wider change in the Eritrean positions that may lead to an easing of Council concern.

A related issue is progress toward complying with the Council's demands regarding Somalia and the region.

A further issue is when to review the sanctions regime for Eritrea, which unlike most Council sanctions does not have an expiration date.

A final issue is whether to address factors exacerbating the situation in the region, such as Ethiopia's noncompliance with the border demarcation decision of the Eritrea-Ethiopia Boundary Commission's (EEBC) and related Council resolutions. The Council may ask whether and what lessons should be drawn from recent experience with regards to the dispute between Eritrea and Ethiopia.

## Options

One option for the Council is to simply listen to the briefing and take no further action. It could also make a press statement to indicate that it is closely monitoring the parties' compliance with the agreement.

A second option might be to invite Eritrea to present its views to the Sanctions Committee or to the Council in an informal interactive dialogue.

If further progress on outstanding issues is made in July, the Council could adopt a presidential statement to welcome Eritrea's compliance with its demands and express its intention to review the sanctions regime.

A further option for the Council is to take up Ethiopia's noncompliance with the EEBC's border demarcation decision and related Council resolutions.

## Council Dynamics

Some Council members see the change in Eritrea's behaviour at least to some extent as a result of sanctions. While the mediation by Djibouti is generally seen as a positive step forward, some members caution that implementation will require considerable work and should be closely monitored.

Most members would support a formal response from the Council once a final settlement has been reached, but many consider such a breakthrough in July unlikely.

As to the separate issue of Eritrea's role in Somalia, Council members are more divided. While some members agree that there have been some encouraging signals from Eritrea recently, others, like the US, seem to question whether there has been any substantive change in position. But members also acknowledge that it is difficult to verify Eritrea's involvement in Somalia and that more information to assess the situation is needed. The delay in establishing the monitoring group is therefore seen as problematic.

France has the lead on this issue in the Council.

## UN Documents

### Selected Security Council Resolutions

- S/RES/1916 (19 March 2010) extended the mandate of the Somalia/Eritrea Monitoring Group and requested the Secretary-General to re-establish it for a period of 12 months with three additional experts.
- 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.

### Selected Presidential Statement

- S/PRST/2009/15 (18 May 2009) called on the Monitoring Group to investigate reports that Eritrea had supplied arms to insurgent groups in Somalia.

### Latest Secretary-General's Reports

- S/2010/327 (22 June 2010) was a report on Eritrea's compliance with resolution 1907.
- S/2009/163 (30 March 2009) was the Secretary-General's response to the Council's request in resolution 1862 for a report on the situation between Djibouti and Eritrea and the parties' compliance with their obligations.

### Selected Meeting Records

- S/PV.6316 (19 May 2010) was the meeting with President Guelleh.
- S/PV.6254 (23 December 2009) was the adoption of resolution 1907 with explanations of vote.

### Other

- S/2010/262 (28 May 2010) was a letter from Eritrea responding to President

Guelleh's statement before the Council on 19 May.

- S/2010/225 (3 May 2010) was a letter from the Sanctions Committee chair conveying a document from Eritrea explaining its positions on various issues.
- S/2010/91 (10 March 2010) was the letter from Sanctions Committee chair transmitting the Monitoring Group's latest report.

## Lebanon

### Expected Council Action

In July consultations on the Secretary-General's report on resolution 1701 are expected. UN Special Coordinator for Lebanon Michael Williams is expected to brief. No formal action is expected in July but members are likely to have in mind the renewal of the UNIFIL mandate, which ends on 31 August.

### Key Recent Developments

At press time, the next 1701 report was expected on 30 June and likely to include issues such as: respect for the Blue Line, which separates the Israeli and Lebanese sides; arms smuggling; disarming of militias; the role of the Lebanese National Dialogue; Israeli occupied Ghajar; and continued Israeli overflights of Lebanese air space.

On 21 June, Lebanon cleared a ship to depart for Cyprus; the ship's declared destination is Gaza via Cyprus. (However, Cyprus has in place a ban on ships departing for Gaza.) At press time, the ship was still docked and another ship with similar plans had not yet received Lebanese clearance.

The Israeli permanent representative on 18 June and the Israeli defence minister on 21 June expressed concern that those organising Gaza-bound ships from Lebanon were possibly linked to Hezbollah and said Israel would use all necessary means to prevent the ships from breaking the blockade. On 22 June Lebanon said it would hold Israel responsible for any attack. The next day the Secretary-General spoke by phone to Hariri regarding developments on the Gaza blockade. (A 21 June Quartet statement, in response to the partial shift in Israeli policy toward the Gaza blockade, emphasised the use of land crossings for delivery of aid and that there was no need for unnecessary confrontations.)

On 17 June, the Lebanese National Dialogue met but postponed talks to 19 August after failing to make progress on the issue of Hezbollah's arms. (In November 2009 the Lebanese government adopted a decision allowing Hezbollah to remain armed, citing its resistance role, while also citing the government's commitment to resolution 1701.)

On 24 May, Hariri met with US President Barack Obama; the issue of arms smuggling in violation of resolution 1701 was discussed. In April Israel alleged that Syria had smuggled scud missiles to Hezbollah, which Lebanon and Syria denied. In early May the UN Interim Force in Lebanon (UNIFIL) said that it had not seen any scud missiles in its area of operations.

On 26 May the Lebanese army fired on, but did not hit, Israeli aircraft violating Lebanon's airspace (similar incidents occurred in early 2010 and late 2009).

On 13 May several UNIFIL peacekeepers were injured by what seemed to be an accidental detonation of munitions, according to preliminary UNIFIL investigations.

Lebanon concluded its municipal elections in May.

In November 2009, Italy assumed command of UNIFIL's Maritime Task Force for six months, and extended its command through the end of June 2010. At press time no other troop-contributing country had taken up the lead—leaving a gap in this component of UNIFIL as of 1 July.

### Human Rights-Related Developments

The UN Subcommittee on Prevention of Torture visited Lebanon from 24 May to 2 June 2010. (The visit was made under the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, to which Lebanon is party.) During the visit the Subcommittee reviewed the treatment of persons deprived of their liberty in Lebanon and the safeguards for their protection against torture and ill treatment. It conducted private interviews with detainees and inmates in civil and military prisons. At the end of the visit, the delegation presented its confidential preliminary observations to the Lebanese authorities. Reports of the Subcommittee are made public only with the consent of the visited state.

### Key Issues

A key issue for the Council is how to get Israel and Lebanon to move from the status quo—cessation of hostilities—toward a ceasefire and permanent solution. In this regard, expedited progress on demarcation of the Blue Line is one issue. Whether it would help avoid tension and maintain a calm atmosphere is an open question.

Other issues include the regular Israeli overflights, its occupation of Ghajar in violation of resolution 1701 and the fact that Hezbollah maintains significant military capacity in violation of resolutions 1559 and 1701.

The issue of Sheb'a Farms also remains frozen.

### Options

The most likely option in July is to take no action, as has been the practice since April 2008, which was the last time the Council issued a presidential statement on resolution 1701.

However, Council members may need to give some informal attention to the practical matter that as of 1 July UNIFIL's Maritime Task Force will have no lead country.

### Council Dynamics

Council members value UNIFIL's role in maintaining stability between Israel and Lebanon and note that the situation has been generally quieter than in previous reporting periods. However, there is a level of uncertainty arising from the June adoption of Iran sanctions and how that may affect the fragile calm.

Most Council members agree that progress on issues related to arms smuggling and disarmament is essential but seem to accept that this is only likely to happen in the context of an inter-Lebanese dialogue and improvement on the Israel-Syria track, which is becoming more remote due to strained Israeli-Turkish relations.

Regarding Israeli overflights, some Council members have signalled concern that recently a greater percentage of these are manned aircraft instead of observation drones which may further increase tension between Israel and Lebanon.

This will be the first time that Lebanon is on the Council as an elected member during the UNIFIL mandate renewal.



France is the lead country on Lebanon in the Council.

### UN Documents

#### Selected Council Resolutions

- S/RES/1884 (27 August 2009) renewed UNIFIL until 31 August 2010.
- S/RES/1757 (30 May 2007) established the Special Tribunal for Lebanon.
- S/RES/1701 (11 August 2006) called for a cessation of hostilities between Hezbollah and Israel.
- S/RES/1559 (2 September 2004) urged withdrawal of all foreign forces from Lebanon, disarmament of all militias, and extension of the Lebanese government's control over all Lebanese territory.

#### Selected Secretary-General's Reports

- S/2010/193 (19 April 2010) was the latest report on resolution 1559.
- S/2010/105 (26 February 2010) was the latest report on resolution 1701.

#### Selected Letters

- S/2010/334 (22 June 2010) was from Lebanon regarding ships from Lebanon reportedly planning to depart for Gaza.
- S/2010/321 (18 June 2010) was from Israel regarding ships from Lebanon reportedly planning to depart for Gaza.
- S/2010/195 (19 April 2010) and S/2010/226 (30 April 2010) were letters from Israel and Lebanon respectively regarding Israel's allegation that Lebanon violated the Blue Line.
- S/2010/180 (12 April 2010) and S/2010/209 (20 April 2010) were from Lebanon alleging that Israel violated the Blue Line.
- S/2010/86 (12 February 2010) was from the Secretary-General transmitting the conclusions of the Joint DPKO-UNIFIL Technical Review to the Council.

<b>Other Relevant Facts</b>
<b>Special Coordinator for Lebanon</b>
Michael Williams (UK)
<b>Special Envoy for the Implementation of Security Council Resolution 1559</b>
Terje Røed-Larsen (Norway)
<b>UNIFIL Force Commander</b>
Major-General Alberto Asarta Cuevas (Spain)
<b>Size and Composition of UNIFIL as of 30 April 2010</b>
<i>Authorised:</i> 15,000 troops <i>Current:</i> 11,871 military personnel <i>Troop Contributors:</i> Bangladesh, Belgium, Brunei, China, Croatia, Cyprus, Denmark, El Salvador, France, FYR of Macedonia, Germany, Ghana, Greece, Guatemala, Hungary, India, Indonesia, Ireland, Italy, Luxembourg, Malaysia, Nepal, Nigeria, Portugal, Qatar, Republic of Korea, Sierra Leone, Slovenia, Spain, Tanzania and Turkey
<b>Duration</b>
March 1978 to present; mandate expires 31 August 2010
<b>Cost</b>
1 July 2009 to 30 June 2010: \$589.80 million (A/C.5/64/15)

## Iraq

### Expected Council Action

The Council is expecting a report on the Development Fund for Iraq in July. It is likely that the UN Controller will brief Council members in informal consultations on the fund. No Council action is expected. An open meeting may be possible which would allow an Iraqi representative to speak.

### Key Recent Developments

On 1 June Iraq's supreme court certified the results of the 7 March national elections that gave the Iraqiya list of candidates led by Ayad Allawi 91 seats in parliament, the State of Law list led by Iraqi Prime Minister Nouri al-Maliki 89 seats and the Iraqi National Alliance list, which includes followers of Moktada al-Sadr, 71 seats. On 2 June the Security Council congratulated the people and government of Iraq on the election certification. It called on all political entities to respect the certified results and to quickly engage in an inclusive process to form a representative government. It also condemned

recent terrorist attacks aimed at disrupting the government-formation process.

On 7 June an Iraqi official said Iraq had protested to Iran over that country's shelling of Kurdish rebels in the northern Kurdistan region of Iraq. Kurdish officials said the next day that Iranian troops had also begun constructing a small fortification on Iraqi territory to facilitate their activities.

Also on 7 June, attacks targeting police and members of the Awakening movement killed 11 people and wounded dozens more in Baghdad and other parts of the country. (The attacks appear to be consistent with others in recent weeks made against members of the Awakening movement, which is composed of government-backed Sunni militias that have fought Al-Qaida in Iraq.)

On 12 June Maliki and Allawi met to discuss the political situation in Iraq. Although no immediate agreement was apparent, a spokesman said it was hoped the meeting would open the way for further talks between the leaders of the two largest political coalitions and that all parties agreed on the importance of including the Iraqiya coalition in the new government. Iraq's parliament met briefly on 14 June for the first time since national elections, but was adjourned with a new government yet to be formed. (Discussions have continued between Maliki's State of Law coalition and the Iraqi National Alliance, which have agreed to ally themselves in the Iraqi parliament but are still working to resolve differences over the form of the new government. The two groups together have close to the number of seats needed to form a government.)

On 13 June, 26 people were killed in coordinated bombings targeting the Iraqi Central Bank. On 20 June, 27 people were killed and dozens injured when two vehicle bombs apparently targeting the Iraqi Commercial Bank in Baghdad exploded.

Iraq's electricity minister resigned on 21 June as a result of several days of protests over lack of electricity and chronic power outages. Seventeen police were injured and one protestor killed as thousands demonstrated in the south of the country.

On 15 June Gennady Tarasov, the High-Level Coordinator for Iraq/Kuwait missing persons and property, briefed Council members on the latest Secretary-General's report on the issue. In a press statement after the briefing, the Council confirmed a

decision to finance the activities of the High-Level Coordinator for another six months and noted that a designated period for confidence-and-cooperation-building begun in April 2009 had proven to be useful. However, the Council also recognised that no confirmed remains of Kuwaiti or third-country nationals had been found during the reporting period and noted that limited progress was made on "clarifying the fate" of Kuwait's national archives.

On 21 June US Ambassador to Iraq Christopher Hill said while the US would provide all possible assistance, Iraq politicians must themselves find agreement on a way forward to form a new government. Hill reiterated the US intention to end combat operations in August and withdraw all troops from Iraq by the end of 2011.

### Human Rights-Related Developments

On 11 June, the Human Rights Council (HRC) formally adopted the report of the Universal Periodic Review of Iraq. The Minister for Human Rights of Iraq, Wijdan Salim, told the HRC that the report would be implemented in several ways. A national committee had been established to follow up the review's recommendations accepted by Iraq. A national conference would be held in September to discuss a draft road map for the implementation activities. The Human Rights Action Plan would then be brought into alignment with the National Development Plan. In the HRC's debate prior to the adoption of the report, Human Rights Watch urged Iraq to complete the procedures for ratifying the Convention against Torture, fully implement the Convention on the Elimination of Discrimination against Women and repeal articles from the penal code that identified the commission of an offence with "honourable motives" as a mitigating excuse.

### Key Issues

A key issue for the Council in July is progress by Iraq in establishing a successor mechanism to the Development Fund for Iraq (DFI). (Resolution 1905 called on Iraq to develop an action plan for the effective transition to a post-DFI mechanism by 31 December 2010.)

Iraq's request for the removal of restrictions imposed in resolutions adopted during Saddam Hussein's regime is a related issue.

Extended delays in government formation or unrest over the government's composition could undermine Iraq's ability to make further progress toward fulfilling its obligations in order for Saddam-era restrictions to be removed.

### Underlying Problem

A major underlying problem is the fact that Iraq is a relatively new and fragile democracy with substantial sectarian and political divisions.

### Options

Options include:

- adopting a press statement that encourages Iraq's efforts toward establishing a DFI successor mechanism; or
- refraining from action at this time.

### Council and Wider Dynamics

Council members appear to view the July DFI report as an opportunity for Iraq's Committee of Financial Experts (COFE) to further explain its work plans for transitioning to a post-DFI mechanism. Most members do not seem to favour taking any decisions at the present time.

Many Council members continue to feel that the formation of Iraq's new government may facilitate more active engagement on Iraq/Kuwait issues such as border demarcation. The ratification of the Additional Protocol to the Comprehensive Safeguards Agreement with the International Atomic Energy Agency (IAEA) is another step which some members view as necessary before they consider lifting restrictions imposed by Saddam-era resolutions. Council members seem more optimistic about making progress on these issues after government formation occurs than at the present time.

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

### UN Documents

#### Selected Security Council Resolutions

- S/RES/1905 (21 December 2009) extended the arrangements for the DFI and the International Advisory and Monitoring Board (IAMB) until 31 December 2010, called on Iraq to develop an action plan and timeline for a post-DFI mechanism in 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 UNAMI's mandate for another 12 months.
- 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 and expressed the Council's willingness to review disarmament-related restrictions on Iraq.

#### Selected Meeting Records

- S/PV.6320 (25 May 2010) was the latest briefing on UNAMI.
- S/PV.6293 (6 April 2010) was the latest briefing on the DFI and the IAMB.

#### Selected Press Statements

- SC/9955 (15 June 2010) noted the Council agreed to extend the financing of the mandate of the high-level coordinator for six months.
- SC/9943 (3 June 2010) was on Iraq's election certification.

#### Selected Letters

- S/2010/150 (22 March 2010) included an 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.
- S/2010/37 (19 January 2010) was Iraq's letter to the Council arguing that Iraq had fulfilled its disarmament obligations and asking for the removal of related restrictions under existing resolutions.



#### Selected Secretary-General's Reports

- S/2010/300 (9 June 2010) was the most recent report on Iraq/Kuwait missing persons and property.
- S/2010/240 (14 May 2010) was the most recent report on UNAMI.
- S/2010/166 (1 April 2010) was the most recent report on the DFI and the IAMB.
- S/2009/385 (27 July 2009) was the report on the review of Iraq resolutions.

#### 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)

#### Useful Additional Source

- Anthony H. Cordesman, "The Uncertain Security Situation in Iraq: Trends in Violence, Casualties, and Iraqi Perceptions," Center for Strategic and International Studies, 17 February 2010.

## Somalia

### Expected Council Action

In July the chair of the Somalia/Eritrea Sanctions Committee, Mexican Ambassador Claude Heller, is expected to brief the Council (resolution 1844 of 20 November 2008 on targeted sanctions calls for the Committee to report to the Council every 120 days). Heller's briefing is likely to focus on his trip to the Horn of Africa in April.

Council members are also likely in July to review the effects of the decision in resolution 1916 that the assets-freeze provision of the Somalia sanctions regime should not apply to the payment of funds, other financial assets or economic resources "necessary to ensure the timely delivery of urgently needed humanitarian assistance in Somalia". A report and a briefing from the UN Humanitarian Coordinator for Somalia on the implementation of this provision and efforts

undertaken to mitigate any misuse of humanitarian aid are expected.

Also in July, the Council members seem likely to discuss Eritrea's compliance with resolution 1907 that it cease all efforts to destabilise the Somali government. For more details on this, please refer to the Eritrea brief in this month's *Forecast*.

Finally, it is unclear whether the Council will consider in July or August the Secretary-General's recommendations on Somali piracy in response to resolution 1918. This may depend on the timing of the availability of the report. If necessary, Security Council Report will publish an *Update Report*.

## Key Recent Developments

On 12 May the Council heard a briefing by the outgoing Secretary-General's Special Representative Ahmedou Ould-Abdallah. Ould-Abdallah stressed that the most effective approach to improving the situation in Somalia was to continue supporting the Transitional Federal Government (TFG). He said the recovery and reconstruction conference on Somalia from 21 to 23 May in Istanbul should be seized as an exceptional opportunity.

In a Council meeting on 19 May, the president of Djibouti, Ismail Omar Guelleh, said that a new approach by the international community was needed to save the TFG, which in his view was at risk of "imminent demise" and whose authority was shrinking fast. Guelleh said the first priority must be security in Mogadishu to ensure the functioning of the government and expansion of its authority.

More than fifty countries attended the conference in Istanbul. Representatives of the Somali business community and international partners were also invited to participate in practical roundtable consultations on six priority sectors: telecommunications, infrastructure, banking, livestock, fisheries and alternative energy. The outcome document from the conference, "the Istanbul Declaration," expressed full support for the Somali Transitional Federal Institutions and, among other things:

- encouraged the TFG to continue political reconciliation efforts;
- emphasised the importance of strengthening Somali security forces;
- called for renewed emphasis on economic development and economic recovery;

- stressed the TFG's responsibility for responding to humanitarian needs;
- commended the role of the AU Mission in Somalia (AMISOM) and called for additional troops and funding for the mission;
- expressed concern about the increase in piracy and welcomed counter-piracy initiatives; and
- welcomed a proposal by the Islamic Development Bank to establish a task force to be chaired by Turkey that would propose a mechanism to facilitate an immediate and coordinated international response to the basic needs of the Somali population pending stabilisation of the country.

Also in the declaration, the TFG reaffirmed its responsibility to provide security for the population, continue outreach and reconciliation efforts, avoid internal disputes, ensure efficient functioning of its institutions and make progress on the drafting of a constitution.

But many observers were sceptical that the Istanbul Conference had achieved much. The situation in Somalia did not improve. Fighting continued in Mogadishu between the TFG and insurgents with neither side gaining ground. There were also reports of renewed clashes in central Somalia between the radical insurgent group Al Shabaab and the pro-government Islamist group Ahlu Sunna Wal Jamma (ASWJ). The UN High Commissioner for Refugees reported in June that an additional 17,800 Mogadishu residents had been displaced and 24,200 had left the city since the beginning of April.

In addition, the TFG leadership appeared weakened by political divisions. On 17 May the speaker of the Somali parliament resigned, apparently as a result of a power struggle with the prime minister. Also in May, Somali President Sheikh Sharif Sheikh Ahmed announced that he had dismissed the prime minister, Omar Abdirashid Ali Sharmarke, and intended to appoint a new government. However, Sharmarke refused to resign and the president later rescinded his decision.

On 28 May, former finance minister Sharif Hassan Sheikh Aden was elected speaker of the parliament. In June four ministers resigned from the government, including the ministers of defence, higher education, and international cooperation and the state minister for the presidency, reportedly to protest against Aden's election.

There seemed to be limited progress in implementing the cooperation agreement between the government and ASWJ. On 16 June the group accused the government of not honouring the agreement. President Ahmed later reportedly rejected a proposal from Prime Minister Sharmarke to form a new government that would include ASWJ members.

On 9 June it was announced that Augustine Mahiga, Tanzania's UN ambassador, would succeed Ould-Abdallah as the Secretary-General's Special Representative as of 1 July. Ould-Abdallah gave a final briefing to Council members in informal consultations on 18 June. In an interview on 24 June, Mahiga said reconciliation and a more inclusive political process must be a priority together with efforts to improve security.

The International Contact Group on Piracy off the Coast of Somalia met in New York on 10 June under the chairmanship of Greece.

## Developments in the Sanctions Committee

In April the chair of the Somalia/Eritrea Sanctions Committee, Ambassador Heller, accompanied by Council members Turkey, Uganda and the US at expert level, visited Eritrea, Kenya and Yemen. The objective was to raise awareness about the Somalia and Eritrea sanctions regimes and discuss some of the findings and recommendations of the Somalia/Eritrea Monitoring Group's latest report. (The original itinerary included stops in Djibouti, Ethiopia, Eritrea, Kenya, Yemen and the United Arab Emirates, but was revised as a result of the disruption of air travel following the volcanic eruption in Iceland.)

In June the World Food Programme informed the Committee of the findings of a 2009 investigation of its operations in Somalia and expressed its intention to keep the Council informed of the current investigation undertaken in response to the Monitoring Group's allegations of diversion of food aid to Somali insurgent groups.

At press time the Secretary-General was expected to re-establish the Monitoring Group, as requested by the Council in resolution 1916 of 19 March, within the week. It seems that the delay was mainly due to opposition from the Somali government to the proposal to re-appoint Matt Bryden as the Group's coordinator.

## Human Rights-Related Developments

The Secretary-General's latest report on children and armed conflict of 13 April concludes that the recruitment of child soldiers became more systematic and widespread in Somalia in 2009. Al-Shabaab, Hizbul Islam and the TFG are all listed in annex I, which identifies parties that recruit or use children, kill or maim and/or commit rape and other forms of sexual violence against children. The TFG is also designated as a persistent violator, having been on the list for more than five years. The report expresses concern about the high number of child casualties and victims of sexual violence, the closure of schools and hospitals and deterioration in humanitarian access in Somalia in 2009. The TFG has denied the allegations.

In a presidential statement on children and armed conflict adopted on 16 June, the Council expressed its readiness to adopt "targeted and graduated measures" against persistent violators.

Somalia has yet to ratify the Convention on the Rights of the Child although it announced its intention to do so last November.

## Key Issues

A key issue for the Council in July is the situation with regard to humanitarian access in Somalia and whether the provision in resolution 1916 regarding the assets-freeze exemption is working. A related issue is whether alleged misuse of humanitarian aid, as previously suggested by the Monitoring Group, is a problem.

Another key issue is implementation of the Somalia sanctions regime and in particular whether further action should be taken as a follow-up to the recommendations in the Monitoring Group's latest report and Ambassador Heller's trip to the region.

A related issue is whether the Council should address the TFG's violations against children.

## Options

The report from the Humanitarian Coordinator will influence discussions among Council members in July, but some possible options include:

- simply listening to the briefings and taking no further action;
- issuing a press statement on the review of the assets-freeze exemption of resolution 1916, expressing concern for the humanitarian situation and calling for unimpeded access;
- inviting the Secretary-General's Special Representative for children and armed conflict to brief the Sanctions Committee;
- revising the targeted sanctions regime for Somalia to include as a designation criterion the recruitment and use of child soldiers or other violations against children; and
- continuing implementing the recommendations of the latest report of the Monitoring Group.

## Council Dynamics

Council members seem pleased with the appointment of Mahiga as the new Special Representative. There are hopes that he will be able to re-energise the UN's approach to Somalia.

There appears to be genuine interest in Bowden's report and in particular its assessment of the practical applications of the assets-freeze exemption. Council members are looking for more clarity as to how the exemption works and whether it has the desired impact. Some members believe it might be too early, however, for a thorough assessment.

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

## UN Documents

### Selected Security 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 re-establish 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/1844 (20 November 2008) imposed targeted sanctions relating to the situation in Somalia.

### Latest Secretary-General's Reports

- S/2010/234 (11 May 2010) indicated that the Secretary-General intended to review implementation of the UN strategy for Somalia.
- S/2010/181 (13 April 2010) was the latest report on children and armed conflict.

### Selected Meeting Records

- S/PV.6316 (19 May 2010) was a meeting in which the president of Djibouti, Ismail Omar Guelleh, presented his views on the situation in Somalia and Djibouti's border dispute with Eritrea.
- S/PV.6313 (12 May 2010) was the latest briefing by the Secretary-General's Special Representative.

### Other

- S/2010/272 (27 May 2010) was a letter from Turkey transmitting the outcome document of the Istanbul Conference on Somalia.
- S/2010/225 (3 May 2010) was a letter from the chair of the Sanctions Committee transmitting a letter from Eritrea.

## Other Relevant Facts

### Special Representative of the Secretary-General

Augustine Mahiga (Tanzania)

### Chairman of the Somalia Sanctions Committee

Claude Heller (Mexico)

## Useful Additional Sources

- Communiqué of the International Contact Group on Piracy off the coast of Somalia, 10 June 2010.
- *Somalia's Divided Islamists*, International Crisis Group, 18 May 2010.

## Notable Dates for July

Reports for consideration in July	Document Requesting Report
23 June	<i>SG report on Eritrea (S/2010/295)</i> <b>S/RES/1907</b>
24 June	<i>SG report on Guinea-Bissau (UNIOGBIS) (S/2010/335)</i> <b>S/RES/1876</b>
30 June	<i>SG report on the UN Office in West Africa (UNOWA)</i> <b>S/2007/754</b>
30 June	<i>SG report on resolution 1701 (Lebanon)</i> <b>S/RES/1884</b>
early July	<i>SG report on Iraq (DFI/IAMB arrangements)</i> <b>S/RES/1905</b>
mid July	<i>SG report on Darfur (UNAMID)</i> <b>S/RES/1881</b>
late July	<i>SG report on Sudan (UNMIS)</i> <b>S/RES/1919</b>

July 2010	Mandates Expire	Relevant Document
31 July	<i>Darfur (UNAMID)</i>	<b>S/RES/1881</b>

July 2010	Other Important Dates
18 July	<i>R un-off presidential elections in Guinea are scheduled.</i>
23 and 28 July	<i>Burundi legislative and local elections are scheduled.</i>
late July	<i>The Secretary-General is expected to report to the General Assembly on Israeli and Palestinian follow-up to the Goldstone Report.</i>

Also expected in July:

- The biannual open debate on protection of civilians
- Fourth annual consultations with the AU Peace and Security Council
- A report by UN Humanitarian Coordinator for Somalia

The Council is expected to be briefed by the:

- Head of UNIOGBIS Joseph Mutaboba
- Chair of the Somalia/Eritrea Sanctions Committee, Ambassador Claude Heller
- Under-Secretary-General for Humanitarian Affairs John Holmes on protection of civilians
- Head of UNOWA Said Djinnit
- UN Special Coordinator for Lebanon Michael Williams
- UN Controller on the Development Fund for Iraq

## Important Dates over the Horizon

- 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.
- Referenda for southern Sudan and Abyei are to be held under the Comprehensive Peace Agreement (CPA) by 9 January 2011.
- 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. 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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