



SECURITY COUNCIL REPORT

MONTHLY FORECAST

AUG 2010



30 July 2010

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

OVERVIEW FOR AUGUST

Russia will hold the presidency of the Security Council in August. Mandates of two operations will come up for renewal.

Early in the month and prior to the mandate expiring on 7 August the Council is expecting a briefing on the UN Assistance Mission for Iraq, most likely by the Special Representative for the Secretary-General, Ad Melkert. This is likely to be followed by consultations.

In late August, the Council is expected to hold consultations on the UN Interim Force in Lebanon, prior to the renewal of the mandate.

Formal sessions will be held to adopt both resolutions.

A briefing by the head of the UN Mission in Kosovo, Lamberto Zannier, followed by a debate, is expected early in the month.

The Council is also expected to have a briefing on UN peacekeeping from a number of UN force commanders and the Secretariat, possibly to be followed by a debate.

A debate on the issue of piracy off the coast of Somalia is also likely. The Secretary-General's report on possible options for

ensuring prosecution and imprisonment of those responsible for piracy will be considered.

Other briefings expected are:

- In consultations, by Miroslav Jenča, the Special Representative of the Secretary-General and Head of the Regional Centre for Preventive Diplomacy for Central Asia (UNRCCA). He is expected to give particular attention to **Kyrgyzstan**.
- On **MINURCAT**, the operation in Chad and Central African Republic, most likely by its head, Youssef Mahmoud, to be followed by consultations.
- On the **Middle East**, also to be followed by consultations which are likely to focus on the situation in Gaza and a possible shift from proximity to direct peace talks.
- On the work of the **DPRK** sanctions committee, by its chair (Turkey).

Although no specific events are scheduled at press time, Council members are also likely to be giving thought to:

- the situation in **Sudan**, in particular the implementation of the CPA;
- the upcoming renewal of the mandate in **Liberia** on which the Council will have received a Secretary-General's report;

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- **peacebuilding** with two reports on the subject before the Council; and
- **counter-terrorism**, having just completed (through its sanctions committee) a major task of reviewing the Al-Qaida and Taliban sanctions consolidated list.

The drafting of the Council's **annual report** to the General Assembly under the leadership of Council's July presidency (Nigeria) is expected to continue in August.

Aide-Memoire

Important matters pending include:

- The quarterly reports on ISAF in Afghanistan are now about six months late. The latest report was circulated on 1 July and covered the period from 1 November 2009 to 31 January 2010. The previous report had been circulated on 19 January, covering the period 1 August to 31 October 2009.
- 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 July, covered the period from 1 July to 31 December 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/RES/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

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Aide-Memoire (continued)

relevant country-specific reports.

- The Secretary-General has not yet reorganised 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 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).
- The latest report of the **Lebanon Independent Border Assessment Team**, issued on 25 August 2008, still awaits Council consideration (S/2008/582).
- 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 2006 presidential note on working methods (S/2006/507) indicated Council's

interest in having the Secretary-General arrange a **dialogue with the new Special Representatives of the Secretary-General** before assuming their duties. Two new Special Representatives (for the DRC and for Somalia) were in town in July, yet no dialogues with the Council were arranged.

- The mandate to the Secretary-General to assist with the delineation of the international borders of Lebanon, especially **Sheb'a Farms**, in accordance with resolution 1701, continues to await completion.
- The 2005 World Summit requested that the Security Council consider reforms for the **Military Staff Committee**. This has yet to be addressed.

Status Update since our July Forecast

- **Protection of Civilians:** On 7 July the Council held an open debate on protection of civilians in armed conflict (S/PV.6354 and resumption 1). The debate featured the final briefing from Under-Secretary-General for Humanitarian Affairs John Holmes to the Council on this issue before leaving that post. Holmes urged the Security Council, "to work with member states to craft new solutions [...] that] must embrace an expansive vision of protection that extends beyond the immediate concerns of the battlefield [...] to] look to prevention as well as to mitigation." The Council also heard a statement from High Commissioner for Human Rights Navanethem Pillay. In addition to the Security Council, representatives of 21 states and the EU spoke during the debate.
- **UN Security Council and AU Peace and Security Council Meeting:** On 9 July members of the Security Council held a consultative meeting at UN headquarters with the AU Peace and Security Council and top AU Commission officials. Topics discussed included enhancing cooperation between the two Councils and means to strengthen cooperation between the two bodies and modalities for organising future consultations between them. Participants also focused on two specific conflict situations where the AU and the UN are partners, Sudan and Somalia. Furthermore, they also discussed the border dispute between Djibouti and Eritrea. The joint communiqué

(S/2010/392) issued at the end of the three-hour meeting said that participants recognised the need to enhance the predictability, sustainability and flexibility of financing the AU's peace and security capability, stressed the urgent need to protect civilians in Darfur, underscored the importance of full and timely implementation of the Comprehensive Peace Agreement in Sudan and agreed on modalities for future meetings between the two Councils, to be conducted annually, with the next one to be held no later than end of June 2011.

- **DPRK (Naval Incident in the Yellow Sea):** On 9 July the Council adopted a presidential statement (S/PRST/2010/13) condemning the attack on 26 March which led to the sinking of the ROK naval ship *Cheonan* and the loss of 46 lives. The Council determined that the incident posed a danger to regional and international security. While noting that the DPRK has stated it had no involvement in the incident, the statement expressed deep concern in light of the conclusion of the Joint Civilian-Military Investigation Group that the DPRK was responsible for the sinking. (The investigation was led by the ROK and included experts from Australia, Canada, Sweden, the UK and the US.) The Council called for full adherence to the Korean Armistice Agreement and encouraged the resumption of direct dialogue and negotiation in order to settle outstanding issues on the

Korean peninsula and to avoid conflicts and escalation (S/PV.6355).

- **Terrorism:** The Council issued press statements condemning two terrorist acts that took place in July. On 12 July the Council condemned the 11 July terrorist bombings that killed over fifty people in Kampala, Uganda (SC/9980). On 16 July the members of the Council condemned the terrorist bombings that occurred that day in Zahedan, Iran which killed over two dozen people (SC/9986).
- **West Africa (UNOWA):** On 13 July Said Djinnit, Special Representative of the Secretary-General and head of UNOWA, briefed the Council on the latest report (S/2010/324) of the Secretary-General on the work of the Office (S/PV.6358).
- **Guinea-Bissau:** On 15 July the head of the UN Integrated Peacebuilding Office in Guinea-Bissau (UNIOGBIS) briefed the Council (S/PV.6359) on the Secretary-General's UNIOGBIS report (S/2010/335). The Minister for Foreign Affairs of Guinea-Bissau, Adelino Mano Queta, also participated in the meeting. On 22 July the Council adopted a presidential statement (S/PRST/2010/15) expressing concern at the prevailing security situation and threats to constitutional order in Guinea-Bissau. It called on the government to release immediately all those detained in the events of 1 April or prosecute them with full respect for due process.

Status Update since our July Forecast (continued)

- **Conflict Prevention:** On 16 July the Council held an open debate on the topic “Optimising the Use of Preventive Diplomacy Tools: Prospects and Challenges in Africa” (S/PV.6360 and resumption 1). The meeting was presided over by Nigerian Minister of Foreign Affairs Henry Odein Ajumogobia. A presidential statement acknowledging the importance of enhancing the culture of settlement of disputes by peaceful means and requesting the Secretary-General to submit within 12 months a report making recommendations on how best to utilise the preventive diplomacy tools within the UN system and in cooperation with other actors was adopted during the meeting (S/PRST/2010/14).
- **Sudan:** In closed consultations on 19 July, the Security Council and UNAMID troop and police-contributing countries were briefed by the Department of Peacekeeping Operations and Department of Field Support officials (S/PV.6361). On 30 July the Council adopted resolution 1935 renewing UNAMID’s mandate for a further 12 months. On 27 July the Joint Special Representative of UNAMID, Ibrahim Gambari, briefed the Council (S/PV.6365) on the latest Secretary-General’s report on UNAMID (S/2010/382) and members met in consultations

following the briefing. In closed consultations on 29 July Under-Secretary-General for Peacekeeping Operations Alain Le Roy briefed Council members on the Secretary-General’s report on UNMIS (S/2010/388). Under-Secretary-General for Field Support Susana Malcorra also briefed. On 7 July the Sudan Sanctions Committee was briefed by the Panel of Experts.

- **Djibouti/Eritrea:** On 20 July Council members held a meeting (S/PV.6362) under the heading of “Peace and Security in Africa,” to discuss the Secretary-General’s 22 June report (S/2010/327) on Eritrea’s compliance with resolution 1907 regarding the border dispute between Djibouti and Eritrea. Under-Secretary-General for Political Affairs B. Lynn Pascoe commended the efforts of Eritrea and Djibouti to negotiate a settlement. Representatives of Djibouti and Eritrea also spoke. The president of the Council read a press statement confirming that the Council had concluded that the targeted sanctions contained in resolution 1916 remain necessary and should continue.
- **Afghanistan:** On 23 July Council members were briefed by the Secretary-General on his visit to Afghanistan for the 20 July Kabul International Conference. Following the briefing the Council issued a press

statement (SC/9992) welcoming the Kabul Conference communiqué and the commitments made by the Afghan government. The statement also looked forward to the timely implementation of these commitments and called on the international community to support the Kabul conference by aligning its assistance with Afghan priorities.

- **Council Working Methods:** On 27 July the Council adopted a presidential note (S/2010/507) on working methods. The note was the result of several months of intensive work under Japan’s chairmanship of the Security Council’s Informal Working Group on Documentation and Other Procedural Questions that included an open debate in April. It focused in particular on enhancing Council transparency, as well as interaction and dialogue with non-Council members. The July note updates the 2006 presidential note on working methods (S/2006/507) and incorporates the Council’s previous agreements on its implementation reached in 2007 and 2008. New issues include a section on planning and reporting for Security Council missions, the expression of Council’s intention to maintain regular communication with the Peacebuilding Commission and its intention to enhance the relationship with troop-contributing countries.

Kosovo

Expected Council Action

In early August the Special Representative and head of UNMIK, Lamberto Zannier, is expected to brief the Council on the Secretary-General’s latest report on Kosovo. This seems likely to trigger a discussion on the implications of the ICJ advisory opinion, announced on 22 July, which concluded that the declaration of independence by Kosovo did not violate international law.

Key Recent Developments

On 22 July the International Court of Justice (ICJ) released its advisory opinion on the legality of Kosovo’s Unilateral Declaration of Independence. By ten votes to four the Court concluded that the declaration of independence of Kosovo adopted on 17 February 2008 did not violate international law, Security Council resolution 1244 or the constitutional framework.

On 28 July Serbia submitted a draft resolution to the UN General Assembly calling for new negotiations on Kosovo. In the draft Serbia insisted on talks on “all outstanding issues” but, apparently conceding to international pressure, did not explicitly request negotiations on Kosovo’s status. It requested that the General Assembly take into account that “unilateral secession cannot be an acceptable way to solve territorial issues”.

Secretary-General Ban Ki-moon and Serbian Foreign Minister, Vuk Jeremic, met on 29 July at UN Headquarters to. The Secretary-General said that he planned to closely coordinate next steps with the EU.

Serbia’s parliament held an emergency session on 26 July and passed a resolution the following day which vowed that, despite the ICJ opinion, Serbia would never recognise Kosovo as an independent state. The parliament resolution called for renewed

“peaceful negotiations” on the status of Kosovo. President Boris Tadić had told parliament that Serbia would seek new talks on Kosovo’s status at the UN General Assembly in September. Kosovo has ruled out any new status talks.

The International Criminal Tribunal for the former Yugoslavia (ICTY) on 22 July ordered ex-Kosovo premier and former Kosovo Liberation Army commander, Ramush Haradinaj, to be retried. He was acquitted on 3 April 2008 of serious war crimes. Serbia and Russia had raised strong objections to the acquittal. The appeals chamber reinstated six of the original 37 charges made against Haradinaj. The charges include murder, torture, cruel treatment and the unlawful detention of civilians.

On 6 July the Council held consultations following the request of Serbia’s permanent representative for an “urgent meeting” to

discuss the “serious deterioration of the security situation in the northern part of Kosovo.” The request was made following a 2 July explosion in Mitrovica that left one dead and 12 injured. An explosive device had been detonated close to a demonstration where over 1,500 Serbs had gathered to protest the opening of a civil services centre in Bosniak Mahalla, an ethnically mixed area of Mitrovica. The demonstrators were protesting the level of consultation with the local Kosovo Serb community in establishing the administrative office.

Another violent incident occurred in Mitrovica on 5 July when an ethnic Serb member of the Kosovo parliament was shot and wounded. The victim, Petar Miletic, is one of ten Serb deputies in the 120-seat parliament. Some Serbian elements regard Serbs who work with such Pristina-run institutions as traitors.

On 30 May Belgrade-organised local elections in Mitrovica were held, leading to clashes between Kosovo Serbs and Kosovo Albanian protesters, who insisted that Serbia should not be allowed to organise elections in Kosovo. The groups threw stones at each other and local media reported that Serb protesters attacked some journalists. NATO’s Kosovo Force (KFOR) soldiers and Kosovo and EU police officers were deployed to prevent the conflict from escalating.

In late May, NATO announced that it will reduce KFOR troop levels by two-thirds this year. During a visit to Kosovo, NATO Secretary-General Anders Fogh Rasmussen said KFOR had reduced its contingent to 10,000 in January from a previous 15,000 and would eventually reduce levels to 2,000 troops when the security situation allowed.

At press time the total number of recognitions of Kosovo was 69.

Key Issues

A key issue is whether a Council debate reflecting on the ICJ decision will help move the parties forward in terms of cooperation.

A connected issue is how the ICJ decision (and any Council debate) is being seen on the ground and whether this will affect the security situation in northern Kosovo.

For some Council members their position on the ICJ advisory opinion may be influenced by concerns about the possible impact on secessionist movements. Many seem to be encouraged that the ICJ decision was in fact very carefully nuanced saying in effect that while in the Kosovo case the declaration of independence was lawful, it stopped well short of affirming a general right of self determination applicable in all cases.

For the Council a longer term issue is the impact of the ICJ decision on resolution 1244 which mandates UNMIK with a key role in Kosovo. For some (and for Kosovo) the ICJ decision will be seen as evidence that resolution 1244 should be terminated. For others (especially Serbia) the prolongation of resolution 1244 would be a symbol that there was still some hope of reopening the Kosovo status issue. A related issue is the fact that resolution 1244, unusually, has no automatic expiry date. Amendment or repeal is therefore subject to veto and at least in the short-term it seems likely that Serbia can rely on Russia’s support for keeping resolution 1244.

With respect to the UNMIK report some Council members may want to highlight the security situation and whether the violent events that transpired in early July in Mitrovica were isolated criminal incidents or may be repeated.

A continuing practical issue for the Council is the need for quarterly UNMIK reports and briefings by the Secretary-General’s special representative. Reducing the frequency or changing the format of the meetings may become an issue.

Options

One option is for the Council to simply receive the briefing.

An alternate option, following recent practice, would be a Council debate and invitations to Kosovo and Serbia to participate.

A third option would be to begin negotiations on a possible statement reflecting agreed positions, if any, on security issues, the future role of UNMIK and the application of resolution 1244.

Another (less likely) option would be for the Council to agree that future discussions on Kosovo’s status are not ruled out depending on the consent of the parties.

Council Dynamics

The Council is still divided between those who recognise and those who oppose. Six Council members—Austria, France, Japan, Turkey, the UK and the US—have formally recognised Kosovo’s independence. Russia and China oppose. It remains to be seen whether or not the Council’s remaining non-permanent members who have not taken firm positions will continue to prefer more neutral positions.

Russia continues to support renewed status negotiations between Belgrade and Pristina and that it believes it is important for the Council to remain seized of the issue so as to facilitate this process. China prefers that any settlement between the parties be attained through negotiations. The US opposes any move to renew status negotiations.

Russia, which has the Council presidency in August, seems likely to stress the security dimension as a justification for ongoing active Council oversight and a continued UNMIK role. This was highlighted by Russia’s active support for the convening of the 6 July meeting, based on what in its assessment was a “deteriorating security situation.” The US, UK and France all expressed the sentiment that there was no risk of a general deterioration in security, and the US strongly asserted that the violent incidents in Mitrovica were isolated in nature and did not warrant a Council meeting.

UN Documents

Security Council Resolution

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

Secretary-General’s Report

- S/2010/169 (6 April 2010)

Security Council Letter

- S/2010/355 (2 July 2010) was from the permanent representative of Serbia requesting an urgent meeting on the “serious deterioration” of the security situation in northern Kosovo.

Security Council Meeting Record

- S/PV.6353 (6 July 2010) was the meeting held at Serbia’s request on the security situation in northern Kosovo.

Other

- SC/9972 (6 July 2010) was the press statement following the 6 July meeting.

Other Relevant Facts

Special Representative of the Secretary-General

Lamberto Zannier (Italy)

UNMIK

- Size of mission: 510
- Cost: \$47.87 million (1 July 2010- 30 June 2011 budget)

KFOR (NATO force)

- Force commander: Lt. Gen. Markus J. Bentler (Germany)
- Size of mission: 9,923 Troops (as of 26 February 2010)

Useful Additional Sources

Accordance with international law of the unilateral declaration of independence in respect of Kosovo, Advisory Opinion of the International Court of Justice, 22 July 2010.

The Rule of Law in Independent Kosovo, Europe Report No. 204, International Crisis Group, 19 May 2010.

Lebanon

Expected Council Action

In August the Security Council is expected to extend the UNIFIL mandate for a further year. The mandate expires on 31 August. This is the fourth renewal since the cessation of hostilities between Lebanon and Israel in 2006 and it comes at a time of increased tension and uncertainty. Some words from the Council designed to calm the current situation are possible.

Key Recent Developments

On 14 July, Special Coordinator for Lebanon Michael Williams briefed the Council on the Secretary-General's latest report on the implementation of resolution 1701. He said that while 1701 has enabled four years of stability between Israel and Lebanon, he would have hoped for more progress on core obligations, including Israeli withdrawal from Ghajar, finalisation of Lebanon's borders and disarming of militias. While Israel and Lebanon's commitment to 1701's implementation was welcome, the Secretary-General's report noted that neither are "doing enough in this regard."

Department of Peacekeeping Operations head Alain Le Roy also briefed on 14 July. (On 24 and 25 July, Le Roy travelled to Lebanon and met with Lebanese Prime Minister Saad Hariri and the UN Interim Force in Lebanon (UNIFIL) force commander.)

On 9 July the Security Council issued a press statement in response to incidents involving clashes between civilians and UNIFIL peacekeepers, in particular those of 29 June and 3 and 4 July. The statement called for:

- respect of UNIFIL's freedom of movement and the safety of UNIFIL and UN personnel; and
- reinforcing cooperation between UNIFIL and the Lebanese Armed Forces (LAF) and increasing LAF's deployment in southern Lebanon.

The Secretary-General's report expressed concern regarding UNIFIL's freedom of movement, indicating that some of these incidents "cannot but cast doubt on the motives of those involved." On 29 June, Williams said "some...may have been spontaneous....but some were clearly organised."

The 9 July Council consultations and a press statement were precipitated in particular by an incident in which a French peacekeeper was disarmed in a clash with civilians during a 36-hour maximum-strength exercise by UNIFIL (the LAF was informed but chose not to participate). The 9 July press statement was the first Council pronouncement on 1701 since April 2008.

The Council welcomed Beirut's statement of 8 July deploring the incidents and reaffirming its commitment to implementation of resolution 1701. Beirut has also signalled its intent to augment the LAF in the south with two additional battalions. (At press time it appeared the deployment of one of these battalions would be complete by 29 July.)

On 22 July, Hezbollah leader Hassan Nasrallah said he expected, as early as September, that the prosecutor of the Special Tribunal for Lebanon would indict some Hezbollah members in relation to the 2005 assassination of former Lebanese Prime Minister Rafiq Hariri, the current prime minister's father. He denied any involvement by

Hezbollah and charged that the Tribunal had been politicised. Nasrallah said Hariri had informed him, prior to Hariri's 24 May meeting with US President Barack Obama, that "undisciplined" members would be "accused". (Hariri denied this.) The Tribunal's first annual report of March 2010 noted "significant progress towards building a case which will bring perpetrators to justice". The Tribunal permits trial in absentia.

On 18 July, Lebanon and Syria signed 17 new bilateral agreements on a range of security and economic issues. However, agreement on progressing border delineation was not one of them. This was the fourth meeting between Hariri and Syrian President Bashar al-Assad. The Special Tribunal for Lebanon was reportedly among the topics discussed. Assad and King Abdullah of Saudi Arabia visited Beirut on 30 July (it is only the second visit by a Syrian head of state since Lebanon's independence in 1943 and the first since the 2005 Hariri assassination).

On 15 July Lebanon arrested an employee of a telecom firm, alleging he was a spy for Israel. This followed a similar arrest of another of the firm's employees in late June. (In April 2009 Lebanon launched an investigation into a spy network, and according to media reports approximately seventy people have been arrested on suspicion of spying for Israel.)

On 7 July Israel alleged it had found further evidence of Hezbollah weapons caches in the village of Khiam. On 14 July Williams said that UNIFIL had no evidence of Hezbollah weaponry in the south.

On 1 July there were media reports that Israeli and US officials alleged that Iran had recently provided Syria with a radar system, raising concern that Syria might share intelligence with Hezbollah. Iran and Syria denied the allegation.

On 23 June the Secretary-General indicated that he had asked Israeli Prime

Minister Benjamin Netanyahu to take tangible steps toward a withdrawal from Ghajar.

Italy has further extended its command of UNIFIL's Maritime Task Force through the end of August.

Key Issues

A key issue for the Council in the current situation is persuading Israel and Lebanon to move from the status quo of the last four years—cessation of hostilities—toward a ceasefire and permanent solution. The Secretary-General has repeatedly said in his reports that UNIFIL's existing financial and troop commitments cannot be maintained indefinitely. In this regard, progress on the Israeli obligation to withdraw from Ghajar may be a crucial confidence-building measure. On 14 July, Williams indicated there might be a new approach to the issue of Ghajar in the near future. This may circle back to scenarios floated last year in which an Israeli withdrawal from an uninhabited "adjacent area" of Ghajar might be viewed as a positive first step.

The issue of Sheb'a Farms remains an unimplemented dimension of resolution 1701. Reenergising Council attention is therefore also a current issue. Lebanon has indicated that it would like the UNIFIL mandate to include the Farms. The Secretary-General submitted a provisional definition of the Farms in his October 2007 report on resolution 1701 but neither Israel nor Syria has formally responded. Syria seems willing to deal with issue bilaterally with Lebanon but there seems to be linkage to the wider issue of an Israeli withdrawal from the Golan Heights. Another complicating factor is that the Farms are part of the UN Disengagement Force's area of operations.

Peacekeeper's freedom of movement so that UNIFIL may fulfil its mandate is currently a major issue, especially in light of the impact a Tribunal indictment might have in southern Lebanon.

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

A further issue that may require closer Council attention is the lack of an internationally

recognised maritime boundary between Israel and Lebanon. (Israel unilaterally installed a buoy line, which Lebanon does not recognise.) This issue is gaining importance given the recent discovery of underwater natural gas reserves.

Underlying Problems

Any resolution of the Lebanese-Syrian border is closely linked to the Israel-Syria track. Turkey facilitated indirect talks between Israel and Syria but those were postponed after Israeli incursions into Gaza in December 2008 and are unlikely to resume given the strained Israeli-Turkish relationship resulting from the 31 May Gaza flotilla incident where nine Turkish nationals were killed.

Options

Options available to the Council include:

- simply renewing the UNIFIL mandate as it currently stands for another year;
- renewing the mandate with a stronger emphasis on the freedom of movement of peacekeepers; and
- some reenergised Council language addressing some of the issues with the goal of calming the situation.

In regard to the Israeli-Lebanese maritime boundary, one option might be to take up the request of Lebanon to assign UNIFIL the task of installing a buoy line that meets international standards by perhaps asking the Secretary-General for his recommendations.

Council Dynamics

Council members value UNIFIL's role in maintaining stability between Israel and Lebanon. However, there is a level of uncertainty and anxiety. Some members have concerns that the combination of Iran sanctions and the expected Tribunal indictment may affect the fragile situation and the safety of UNIFIL and UN personnel. Many view the incidents in southern Lebanon in late June and early July as a worrying indicator in that regard.

China, France, Nigeria, and Turkey, as troop-contributing countries to UNIFIL, are likely to support stronger language on freedom of movement of peacekeepers, at least in the preambular paragraphs of the renewal resolution.

Council members welcome the positive and substantive progress in Lebanese-Syrian relations. However, they remain concerned about the lack of concrete action to address the issues of border delineation and arms smuggling. Related to this, most Council members agree that progress on issues related to disarmament is important but accept that it is only likely in the context of the Lebanese National Dialogue. The absence of progress on the Israel-Syria track is also seen as a significant underlying problem.

This will be the first time that Lebanon is on the Council as an elected member during the UNIFIL mandate renewal. Lebanon has suggested expanding UNIFIL's mandate to include Sheb'a Farms and assigning UNIFIL the task of installing a buoy line. However, most members doubt that there is any appetite for a significant change in the mandate at this point.

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 Presidential Statement

- S/PRST/2008/8 (15 April 2008) was the last presidential statement on resolution 1701.

Selected Secretary-General's Reports

- S/2010/352 (1 July 2010) was the latest report on resolution 1701.
- S/2010/193 (19 April 2010) was the latest report on resolution 1559.
- S/2007/641 (30 October 2007) was the 1701 report containing a provisional definition of Sheb'a Farms.

Selected Letters

- S/2010/395 (21 July 2010) was from Israel regarding ships from Lebanon reportedly planning to depart for Gaza (see also S/2010/334 and S/2010/321).
- S/2010/344 (28 June 2010) was Lebanon's position on the Secretary-General's 1701 report issued in July.
- S/2010/159 (29 March 2010) was from the Secretary-General, transmitting the annual report of the Special Tribunal for Lebanon.
- S/2010/86 (12 February 2010) was from the Secretary-General, transmitting the conclusions of the Joint Department of Peacekeeping Operations-UNIFIL Technical Review to the Council.

Selected Press Statement

- SC/9976 (9 July 2010) called on all parties to respect UNIFIL's freedom of movement.

Other Relevant Facts

Special Coordinator for Lebanon

Michael Williams (UK)

Special Envoy for the Implementation of Security Council Resolution 1559

Terje Røed-Larsen (Norway)

UNIFIL Force Commander

Maj. Gen. Alberto Asarta Cuevas (Spain)

Size and Composition of UNIFIL as of 30 June 2010

Authorised: 15,000 troops

Current: 11,453 military personnel

Troop Contributors: Bangladesh, Belgium, Brunei, China, Croatia, Cyprus, Denmark, El Salvador, France, FYR of Macedonia, Germany, Ghana, Greece, Guatemala, Hungary, India, Indonesia, Ireland, Italy, Malaysia, Nepal, Nigeria, Portugal, Qatar, Republic of Korea, Sierra Leone, Slovenia, Spain, Tanzania and Turkey

Duration

March 1978 to present; mandate expires 31 August 2010

Cost

1 July 2010 to 30 June 2011:
\$518,710,200 (A/C.5/64/19)

Useful Additional Source

Special Tribunal for Lebanon
www.stl-tsl.org

Chad/CAR

Expected Council Action

In August, the Council expects to receive the Secretary-General's report on MINURCAT. Resolution 1923 requested the Secretary-General in the aftermath of the request by the Government of Chad for MINURCAT's withdrawal, to report on the eroding security and humanitarian situation, including movements of refugees and internally displaced persons in eastern Chad and northeastern Central African Republic (CAR), and on the progress towards the fulfillment by the Government of Chad of the tasks and benchmarks set out in the resolution addressing protection of civilians and voluntary returns. A briefing by the head of MINURCAT, Youssef Mahmoud, is likely.

MINURCAT's mandate expires on 31 December 2010.

Key Recent Developments

The request by the Government of Chad in January that the UN Mission in Central African Republic and Chad (MINURCAT) be withdrawn led to numerous diplomatic efforts undertaken at the highest levels to dissuade the government from its decision. The Council held several meetings in the first months of the year and rolled over MINURCAT's mandate twice in the hope of resolving the situation. The diplomatic efforts, however, were unsuccessful and on 25 May in resolution 1923 the Council decided to reduce the military component of MINURCAT in July and to conduct the final withdrawal of the mission by 31 December 2010.

Resolution 1923 also asked MINURCAT to focus on:

- training and monitoring elements of the *Détachement intégré de Sécurité (DIS)* to contribute to the security of refugees and humanitarian workers;
- supporting the Government of Chad in the promotion of the rule of law;
- assisting the Government of Chad and the office of the UN High Commissioner for Refugees (UNHCR) in their efforts to

relocate refugees in camps near the border; and

- exchanging information on security threats to humanitarian activities with UN missions in Sudan and CAR, including UNMIS, UNAMID and BINUCA.

During the meeting, the Council also took note of the 21 May letter from the permanent representative of Chad, expressing his government's commitment to assume full responsibility for the security and the protection of civilian populations in eastern Chad by:

- providing security and protecting civilians in danger, including refugees and internally displaced persons (IDPs);
- improving security in eastern Chad to facilitate the delivery of humanitarian aid and the free movement of humanitarian personnel; and
- guaranteeing security and freedom of movement for MINURCAT staff and UN and associated personnel.

On 15 July, the process of reducing MINURCAT's military component from its original 3,300 troops to 2,200 military personnel began.

On 3 June, UN Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator John Holmes briefed Council members on his recent visit to the region and referred to the humanitarian situation in eastern Chad as precarious. More than 260,000 refugees from Darfur and 171,000 internally displaced Chadians remain in that region. Also, an estimated 57,000 refugees from CAR are in southern Chad.

Security threats from the Lord's Resistance Army (LRA) continued to displace civilians in CAR in the recent two months. On 24 May, US President Barack Obama signed into law the LRA Disarmament and Northern Uganda Recovery Act of 2009. The bill commits the US to support efforts to protect civilians in central Africa facing threats from the LRA, including those residing in the DRC, in southern Sudan and CAR.

The 14 July the Secretary-General's report on Darfur welcomed the progress made on Sudan and Chad relations as the Joint Border Force, which was established in February 2010 has had a positive impact on trade and movement across the border.

Human Rights-Related Developments

Chad and CAR

During the Council's debate on the protection of civilians in armed conflict on 7 July Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator John Holmes said that in Chad it was critical that the government fully assume its protection of civilian responsibilities and benchmarks outlined in resolution 1923. He hoped that the withdrawal of MINURCAT from the east of the country would not expose refugees, IDPs and the local population, as well as humanitarian actors, to new security threats.

CAR

The Secretary-General's Representative on the Human Rights of IDPs, Walter Kaelin, visited CAR from 10 to 17 July 2010. At the end of his visit, his third since 2007, Kaelin said in a press release, "Respect for the rights of the 200,000 remaining internally displaced persons, and sustainable solutions to their displacement, are an integral part of the peace building process in the Central African Republic."

The humanitarian coordinator in CAR, Jean-Sébastien Munié, has expressed concern about the displacement in May of a further 15,000 people in southeastern CAR, bringing the total number of IDPs to more than 180,000. He noted that insurgents of the LRA were responsible for this displacement. In 2010, the LRA has carried out 13 raids in CAR, killing 45 people, abducting ninety others and destroying hundreds of homes.

Key Issues

The key ongoing issue for Council members is the impact of the reduction of the military component of MINURCAT on the ground and of the upcoming termination of

the mission. A related issue is how best MINURCAT can, in the remaining time, assist the government in its efforts to:

- create sustainable long-term conditions for the voluntary return and resettlement of IDPs;
- decrease arms in refugee and IDP camps;
- improve its capacity to provide the necessary security for refugees, IDPs, civilians and humanitarian workers with respect to international human rights standards; and
- strengthen its authority in the northeastern part of the country.

A second issue is how to encourage MINURCAT to strengthen coordination among UN entities and humanitarian actors so they can continue with their programmes, while also assessing the security developments in the region affecting civilians.

A final issue is the ongoing Council oversight of the details of MINURCAT's plan for the coming months until final withdrawal of its military personnel in eastern Chad and northeastern CAR.

Underlying Problems

The continued challenges to the credibility of government institutions in Sudan as well as Chad have meant that the Chadian government continues to have limited ability to create security conditions allowing for the sustainable return of the large number of IDPs and refugees remaining in the eastern part of the country. Improved Chad-Sudan relations are an important development but genuine regional approach to addressing security remains elusive as the Darfur crisis continues.

Options

An important option for the Council in August is to use the discussion of MINURCAT to reassert the importance of the implementation of the protection benchmarks in resolutions 1923 and 1861. An informal interactive dialogue with Chad would be a useful device for achieving this goal.

Other options might include issuing a formal statement:

- welcoming the Secretary-General's report and progress made by MINURCAT

and signalling its ongoing concern over the situation in its area of deployment;

- urging the commitment of the Government of Chad to ensure sustaining the DIS after MINURCAT leaves;
- noting the recently established joint Government of Chad and the Secretary-General high-level Working Group assessing Chadian government's efforts to provide security and protection for refugee camps and IDPs sites;
- supporting the establishment of a forum between the UN and the Government of Chad to coordinate issues related to protection of civilians, humanitarian access and security arrangements; and
- requesting the Secretary-General to develop recommendations for international and regional plans for Chad and CAR as MINURCAT's departure approaches.

Council Dynamics

Many Council members, including Bosnia and Herzegovina, Nigeria and the US in particular, seem to continue to hold grave concerns about a premature drawdown of MINURCAT while the security situation in both countries is still fragile. Council members are interested in how the governments of Chad and CAR will strengthen their responsibility to protect civilians.

In CAR, there is a common view among Council members that MINURCAT has been a stabilising factor in north-eastern CAR. Most worry its departure might leave a vacuum in the region.

France is the lead country.

UN Documents

Selected Security Council Resolutions

- S/RES 1923 (25 May 2010) renewed MINURCAT's mandate until 31 December 2010.
- S/RES 1922 (12 May 2010) rolled over MINURCAT's mandate to 26 May 2010.
- S/RES/1913 (12 March 2010) rolled over MINURCAT's mandate to 15 May 2010.
- S/RES/1861 (14 January 2009) renewed MINURCAT's mandate until 15 March 2010 and authorised the

deployment of a military component to replace EUFOR.

- S/RES/1778 (25 September 2007) established MINURCAT and authorised EUFOR.

Selected Presidential Statements

- S/PRST/2009/35 (21 December 2009) welcomed ongoing national reconciliation efforts in CAR.
- S/PRST/2009/13 (8 May 2009) condemned renewed military incursions in eastern Chad by “Chadian armed groups, coming from outside.”

Latest Secretary-General's Reports

- S/2010/382 (14 July 2010) was a report on Darfur.
- S/2010/217 (29 April 2010) was a report on MINURCAT.
- S/2009/535 (14 October 2009) was a report on MINUCRAT.

Other

- S/PV.6354 and resumption 1 (7 July 2010) was a meeting of the Council on protection of civilians in armed conflict.
- S/2010/292 (3 June 2010) was a letter from the Secretary-General informing the Council of his intention to appoint Youssef Mahmoud as his Special Representative for MINURCAT.
- S/PV.6321 (25 May 2010) was the verbatim record of the latest meeting of the Council on the situation in Chad, the CAR and the subregion.
- S/2010/250 (21 May 2010) was the letter from Chad expressing his government's commitment to assume full responsibility for the security and the protection of civilian populations in eastern Chad.
- S/PV.6204 (22 October 2009) was the verbatim record of the latest meeting of the Council on the situation in Chad, the CAR and the subregion.
- SG/SM/12373 (20 July 2009) was the statement of the Secretary-General condemning violence in West Darfur, Chad and the Sudan border.
- S/2009/232 (6 May 2009) was a letter from Chad requesting a Council meeting on the situation between Chad and Sudan.

Other Relevant Facts

Special Representative of the Secretary-General

Youssef Mahmoud (Tunisia)

MINURCAT

- *Authorised strength as of 14 January 2009:* 300 police, 25 military liaison officers, 2,200 military personnel and an appropriate number of civilian personnel
- *Strength as of 30 April 2010:* 3,671 total uniformed personnel, including 3,425 troops, 22 military observers, and 224 police officers, as well as 421 international civilian personnel, 567 local civilian staff, and 146 UN volunteers
- *Main police contributors:* Côte d'Ivoire, Senegal, Burkina Faso, Benin and France
- *Main military contributors:* France and Ireland
- *Cost:* approved budget 1 July 2009–30 June 2010: \$690.75 million
- *Duration:* September 2007 to present; mandate expires 31 December 2010

Israel/Palestine

Expected Council Action

Regular monthly consultations on the Middle East are expected in August. Council members are mindful that developments in August have the potential to shape the approach to the Middle East quite significantly—in particular, whether or not there will be a shift from proximity to direct talks. Council members are carefully monitoring follow-up activity to the 31 May Gaza flotilla incident, the effects of the modified Israeli policy towards Gaza and the Secretary-General's follow-up to the Goldstone Report.

There had earlier been indications that a formal Council meeting on the Middle East might be convened in August. It now seems that this option is less likely.

Key Recent Developments

On 21 July Under-Secretary-General for Political Affairs B. Lynn Pascoe briefed the Council in an open session on the Middle East. He said the Middle East Quartet's goal was to achieve direct talks, facilitated



by the US. In regards to the changes in Israel's blockade policy toward Gaza, he said there had been an increase in imports but further improvements were necessary to allow for exports, the movement of people and a streamlined process for approving reconstruction projects. Regarding the 31 May Gaza flotilla incident, Pascoe said the Secretary-General continued to seek agreement for his proposed international panel of inquiry, based on domestic inquiries.

On 6 July Israeli Prime Minister Benjamin Netanyahu met with US President Barack Obama. Netanyahu's position is to move as quickly as possible from proximity talks (ongoing since May) to direct talks without preconditions. (Previous direct talks between Israel and the Palestinian Authority were terminated after Israeli incursions into Gaza in December 2008.) Obama and Palestinian President Mahmoud Abbas met on 9 June. During the US-mediated proximity talks Abbas had indicated that direct talks were possible within a framework that comprised an extended Israeli moratorium on settlements (which expires in late September) and some understanding on 1967 borders (including Jerusalem, the West Bank, Gaza, the Jordan Valley and the Dead Sea).

On 18 July Egyptian President Hosni Mubarak met separately with Netanyahu, Abbas and US Middle East Envoy George Mitchell. After the meetings the Egyptian foreign minister said no breakthrough had been achieved and Amr Moussa, the head of the Arab League, said that Palestinians needed some Israeli guarantees before moving to direct talks (the Arab League's four-month approval of proximity talks ends in mid-September). At its 29 July meeting the Arab League agreed that if Abbas were to choose to re-enter direct talks that—in principle—the League could offer its endorsement conditioned on a clear time frame, specific terms of reference and a monitoring mechanism.

On 21 July US State Department spokesman Phillip Crowley said that final-status issues will only be decided in direct negotiations. Abbas may announce a decision on direct talks as early as August.

On 12 July the Israeli Defense Force, while reaffirming that its 31 May operation against the Gaza flotilla was necessary, including the use of live fire, admitted mistakes in planning, in particular the navy's coordination with Israeli intelligence services. There was no call for disciplinary action against any officer. The Israeli domestic inquiry has recently had its powers and membership widened. (The Turkel Committee was appointed on 14 June by the Israeli cabinet to investigate the Gaza flotilla incident and includes two international observers.) On 29 June Netanyahu's office said it would allow the Committee to subpoena witnesses (but not soldiers involved in the raid). Netanyahu is due to testify before the Committee on 9 August, Defense Minister Ehud Barak on 10 August and the IDF Chief of Staff on 11 August.

On 5 July Turkish Foreign Minister Ahmet Davutoglu indicated that any improvement in Israeli-Turkish relations required an Israeli apology for the Gaza flotilla incident or an Israeli acceptance of an international inquiry (on 30 June Davutoglu had met with Israeli Trade Minister Benjamin Ben-Eliezer—the first high-level meeting since the flotilla incident). At press time there had been no developments in this regard.

On 19 July the Turkish foreign minister met with exiled Hamas leader Khaled Meshaal in Syria, reportedly to discuss the Gaza blockade and Fatah-Hamas reconciliation, in particular in relation to any peace deal.

In mid-July, EU foreign affairs head Catherine Ashton visited Gaza and called for Israel to allow exports and freedom of movement for Gaza's population.

On 26 July, a truncated version of the Secretary-General's second follow-up report to the Goldstone Report was released (more time was needed to translate the parties' submissions). The fully translated report is expected to be released in mid to late August.

A July IDF report apparently confirmed some of the Goldstone Report's key findings in relation to the Israeli incursions into Gaza in December 2008 and January 2009—including the use of white phosphorus, the shelling of a mosque, the shooting of a civilian walking with a group waving a white flag, an incident where a Palestinian was used as a human shield and an airstrike on a home resulting in thirty deaths and the subsequent refusal of medical access for several days afterwards. The findings were published in *Gaza Operation Investigations: Second Update* which was also submitted to the Secretary-General. (Israel continues to underscore that these investigations were an Israeli initiative and were not in response to the Goldstone Report.)

The Palestinian submission to the Secretary-General is reportedly quite substantive though its investigatory body was unable to enter Gaza.

The Swiss submission is expected to follow-up on the call in General Assembly resolution 64/10 to reconvene a conference of the high-contracting parties to the Fourth Geneva Convention (in particular in its application in the Occupied Palestinian Territories, including East Jerusalem). It is expected that the Swiss will report that consultations on the matter continue to yield mixed views. It seems unlikely such a conference can be held in 2010.

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 23 July the Human Rights Council (HRC) announced the appointment of three experts to an international fact-finding mission to investigate the 31 May Gaza flotilla incident: Judge Karl T. Hudson Phillips (Trinidad and Tobago), Sir Desmond de Silva (UK) and Mary Shanthi Dairiam (Malaysia). The head of the panel has yet to be determined though they are expected to report their findings in September 2010.

During the Security Council's debate on protection of civilians in armed conflict on 7 July, the High Commissioner for Human Rights, Navi Pillay, welcomed the decision of Israel to moderate its blockade of Gaza. Pillay urged the Council to take appropriate action to ensure the lifting in full of the blockade. She expressed concern that in the West Bank including East Jerusalem, settler violence, forced evictions, home demolitions, revocation of residency permits, arbitrary detention and torture were taking place with impunity. Pillay also urged the Council to support the recommendations of the Goldstone Report, especially those that called for accountability for all human rights violators.

The Special Rapporteur for the Occupied Palestinian Territories, Richard Falk, submitted his report covering the period from July to December 2009 (Israel did not allow him entry into the territory). Falk called for the full implementation of the Goldstone Report and for consideration to be given to promoting human rights through the "Boycott, Divestment, and Sanctions" campaign. The report drew considerable support in the subsequent debate by the HRC. The US, however, regretted that Falk's mandate extended only to a report on Israel. The US asked that the human rights situation in Israel, the West Bank and Gaza be examined in the same way as the human rights situations in other countries and said it regarded the call for further boycotts and divestments from Israel as likely to heighten tension in the region.

Key Issues

A key issue for Council members is which track to take as the likelihood of direct talks waxes and wanes in the coming weeks. One scenario is that the parties might enter direct negotiations prior to the end of the Israeli settlement moratorium and the Arab-League approval for proximity talks—allowing both parties a window of opportunity to build confidence, reassure their own constituencies and extend the measures in question. At the other end of the spectrum, the collapse of proximity talks is

possible. Expectations for a possible Council role under either scenario may reemerge. The issue of a Council role seems likely to be much more complex if the current uncertainty prevails. A potential meeting of the Quartet on the sidelines of the General Assembly in September will be keenly followed.

A second key issue for the Council is how to follow its call for an impartial investigation into the Gaza flotilla incident conforming to international standards and the Secretary-General's role in this regard. This is of particular importance given that it is expected the Israeli and Turkish domestic inquiries are likely to reach different conclusions.

Another key issue is how to achieve continued 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 how the Secretary-General's report following up the Goldstone Report will be received.

Underlying Problems

The issue of Israeli soldier Gilad Shalit, held captive in Gaza since June 2006, is still unresolved and remains an underlying problem.

There has been no progress with Hamas-Fatah reconciliation.

Options

In regards to the peace process, if there is progress toward direct talks, one option is for the Council to give active encouragement as it has done in the past in resolutions 1850 and 1860.

Another option for the Council is to clarify its support for an impartial investigation into the Gaza flotilla incident, perhaps by providing the Secretary-General with a mandate to play a complementary role to the Turkish and Israeli national investigations.

If the situation in Gaza sees no significant improvement despite Israel's policy shift, an option is to revisit resolution 1860, perhaps specifying the EU's readiness to support mechanisms based on the 2005 Agreement on Movement and Access.

The option of taking up the Goldstone Report anytime in the near future seems remote, especially in absence of the substantive portion of the report.

Council Dynamics

Council members seem to be looking to September as a potential watershed month for the Israeli-Palestinian peace process. In the 21 July open debate most Council members urged progress towards direct talks with many members urging sustained international involvement via the Quartet, adherence to Roadmap obligations and continued US mediation. Related to the peace talks, some Council members are cognizant that Gaza needs to be reintegrated into the process and are signalling the need to make progress on Fatah-Hamas reconciliation.

A strong majority of Council members are supportive of seeing substantive follow-up to their 1 June presidential statement calling for an impartial investigation into the Gaza flotilla incident. However, Russia and the UK seem to prefer to wait for the results of national investigations prior to deciding next steps. The US has indicated its view that Israel is capable of conducting a credible and transparent investigation.

Related to Gaza, most Council members have welcomed Israel's easing of its blockade policy. However, many view this as only a positive first step with the desired result being the complete lifting of the blockade and full implementation of resolution 1860.

Most members continue to adopt a "wait and see" approach to the Goldstone Report and would prefer that it not distract from peace talks. Lebanon was the only Council member during the 21 July open debate urging for any Council follow-up in this regard.



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 Letter

- 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.6363 and resumption 1 (21 July 2010) was the most recent open debate on the Middle East.
- S/PV.6354 and resumption 1 (7 July 2010) was an open debate on protection of civilians where the situation in Gaza was touched on by many member states.

General Assembly

- A/64/867 (26 July 2010) was the Secretary-General's second follow-up report to the Goldstone Report in truncated form pending translation of all the parties' submissions.

- 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/13/53/Rev.1 (7 June 2010) was the report of the Special Rapporteur for the Occupied Palestinian Territories covering the period July-December 2009.
- 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/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.

Somalia: Piracy

Expected Council Action

In August the Council will consider the Secretary-General's recommendations on piracy off the coast of Somalia, which it had requested in resolution 1918. There are quite wide differences among Council members regarding the prosecution and incarceration of pirates captured off the coast of Somalia, and at press time it was unclear how this issue would evolve.

Key Recent Developments

On 27 April the Council debated the piracy issue and resolution 1918 emerged as a Russian initiative. The goal was to ensure better processes for ensuring prosecution and imprisonment of persons responsible for piracy off the coast of Somalia. Various options identified were:

- creating special domestic chambers, possibly with international components;
- establishing a regional tribunal or an international tribunal and corresponding imprisonment arrangements;
- following the existing practice in establishing international and mixed tribunals, taking into account the work of the Contact Group on Piracy off the Coast of Somalia (CGPCS); and
- providing the resources necessary to achieve and sustain substantive results.

Resolution 1918 called on all states, including those in the region, to criminalise piracy under their domestic laws and favourably consider the prosecution of suspected pirates apprehended off the coast of Somalia and their imprisonment if convicted.

Following a gun battle on 6 May in the Gulf of Aden, Russian forces killed one and detained ten alleged pirates who had seized a Russian owned tanker, the MV Moscow University. The tanker's 23 member crew were freed. Russian officials indicated that their forces subsequently set the captured pirates adrift in international waters.

On 14 May Reuters reported that Somalia's transitional government had requested Russia to explain why it set the captured men adrift instead of bringing them to justice.

The CGPCS held its sixth meeting on 10 June under the chairmanship of Greece. (The CGPCS was established in response to the 16 December 2008 resolution 1851 which called for increased international cooperation in dealing with Somali piracy issues). The meeting expressed concern that piracy off the coast of Somalia continued to pose serious threats to international navigation and welcomed the Council's 27 April resolution requesting the Secretary-General to produce a report on mechanisms to better address the issue of prosecution of pirates. The CGPCS was also updated on the activities of its four working groups on:

- military and operational coordination, information sharing, and capacity building (chaired by the UK);
- judicial issues (chaired by Denmark);
- strengthening shipping self-awareness and other capabilities (chaired by the US); and
- public information (chaired by Egypt).

The next (seventh) plenary meeting of the CGPCS is scheduled to be held in mid-autumn under the chairmanship of South Korea. Turkey and Singapore will chair the eighth and ninth plenary sessions respectively. (For further background information on the CGPCS please see our 20 April *Update Report on Somalia Piracy*.)

On 17 June a court in the Netherlands convicted five Somalis of piracy and sentenced them to five years imprisonment, in the first case regarding modern day piracy in Europe. The pirates had on 2 January 2009 made a failed attempt to commandeer a Netherlands Antilles-flagged freight ship sailing through the Gulf of Aden.

On 24 June a special court to try suspected pirates operating in the Gulf of Aden opened in Mombasa, Kenya. The new court, situated in the Shimo la Tewa prison in Mombasa was established with funding from international donors. Convicted pirates would serve their sentences at the prison. However, lawyers for alleged pirates have argued that Kenya does not have the jurisdiction to try their clients.

On 15 July, the International Maritime Bureau (IMB) reported that pirate attacks had declined globally by nearly a fifth in the first half of 2010 from the same period in 2009 due to the strong international naval presence in the Gulf of Aden. Attacks in the Gulf of Aden decreased by 61 percent in the first half of the year to 33 incidents compared to 86 in 2009; however, they increased in the Somali basin and the wider Indian Ocean, from 44 attacks in 2009 to 51 this year. The IMB stated that Somali pirates had hijacked 27 ships and taken 544 crew members hostage so far this year and were continuing to demonstrate an ability to attack at further range.

On 23 July the Secretary-General presented his recommendations as recognised by resolution 1918. He suggested seven options for ensuring prosecution and

imprisonment of persons responsible for piracy off the coast of Somalia:

- enhancement of UN assistance to build capacity of regional states to prosecute and imprison pirates;
- establishment of a Somali court sitting in the territory of a third state in the region, either with or without participation by the UN;
- establishment of a special chamber within the national jurisdiction of a state or states in the region, without UN participation;
- the establishment of a special chamber within the national jurisdiction of a state or states in the region, with UN participation;
- the establishment of a regional tribunal on the basis of a multilateral agreement among regional States, with UN participation;
- the establishment of an international tribunal on the basis of an agreement between a State in the region and the UN; and
- the establishment of an international tribunal by Council resolution under Chapter VII of the Charter of the UN.

On 26 July the Supreme Court in Seychelles sentenced eleven Somali pirates to ten years in prison for attempting to seize a coastguard boat last December. The ruling was the first of its kind in that country. The Seychelles together with Kenya are the only coastal countries that have signed agreements with the EU relating to the prosecution of piracy suspects.

Human Rights-Related Developments

During its June session, the Human Rights Council decided to hold a stand-alone interactive dialogue on Somalia at its next meeting in September. The event will focus on technical cooperation, capacity-building and effective measures to improve the human-rights situation in Somalia. It will also aim to enhance the effectiveness of UN support in the promotion and protection of human rights. The UN High Commissioner for Human Rights, the Independent Expert on the situation of human rights in Somalia and the Special Representative of the

Secretary-General for Somalia were invited to participate. The decision was adopted without a vote. Introducing the resolution on behalf of the council's African Group, Nigeria said that it was an understatement to describe the situation of human rights in Somalia as one of the world's most neglected tragedies. The situation required the most urgent attention of the international community to bring it under control and set Somalia on the path to recovery.

Key Issues

The key issue for the Council in August is that all these options are technically complex and most of them will require extensive consultations with regional countries. In addition all of them are likely to involve significant additional costs to the UN budget. A related issue therefore is how its follow-up should be conducted.

A closely related issue is ensuring that whatever the Council does adds value and does not overlap on the practical issues that the contact group on piracy is already addressing. (It is noteworthy, however, that the CGPCS expressed support for resolution 1918 initiative.)

Underlying Issues

A major underlying issue is the fact that captured pirates have been set free on some occasions because the countries concerned had weakness in their legal systems which made prosecution difficult. This is not an issue in international law which authorises universal jurisdiction over pirates. However, it is a practical matter and has therefore led the discussion towards some form of international or regional jurisdiction.

A related issue the undue burden which regional developing countries are carrying both in terms of cost and security risks when industrialised country naval forces deposit captured pirates in regional ports.

Another underlying issue is the continued inability to address the situation on land in Somalia and piracy's root causes.

Options

Options include:

- a mid-August debate in the Council to flag the initial positions of Council members;



- involving expert level consultations—perhaps an ad hoc working group similar to the group set up for the ICTY and ICTR. Such a group might be mandated by the Council to hold informal interactive dialogue sessions with regional countries and contact group members;
- selecting an option or options from the Secretary-General's report and proceeding to negotiate a draft resolution; or
- not taking any action beyond the debate on piracy at this stage in order to allow for further discussions in the CGPCS and for its working group on judicial issues to take up the matter.

Council Dynamics

Russia was the architect of the resolution requesting the Secretary-General's report on addressing piracy off the coast of Somalia. The report now coincides with Russia's presidency of the Council.

Most Council members remain uncertain about the options. All are concerned about the prosecution and imprisonment of persons responsible for piracy off the coast of Somalia and in particular that in some cases captured pirates have been freed because of weakness in domestic jurisdiction. However, there is no clarity as yet as to whether this weakness is best addressed by a Council decision.

Russia and like-minded countries in the Council (e.g. Turkey), seem to prefer the setting up of an international judicial tribunal or a national court in the region with an international component.

Other members, such as the UK and France, worry about duplicating the work of the contact group, which is in the forefront of tackling the operational aspects of the issue of piracy. Financial issues may be a factor in the positions. They seem to rather favour having a regional or national mechanism for prosecuting pirates.

The US supported the Russian-led request in April for the report from the Secretary-General in recognition of the fact that it was a high-level Russian initiative which therefore needed to be carefully examined. It remains unclear how far the US is interested in taking the details. Ultimately wider issues of US-Russian engagement may play a role in the overall dynamics (For further background details please see our 20 April *Update Report on Somalia Piracy*.)

UN Documents

Selected Council Resolutions

- S/RES/1918 (27 April 2010) requested the Secretary-General to provide within three months options for ensuring prosecution and imprisonment of persons responsible for piracy off the coast of Somalia.
- S/RES/1897 (30 November 2009) renewed for a period of 12 months the antipiracy measures of resolutions 1846 and 1851.
- S/RES/1851 (16 December 2008) expanded the antipiracy authorisation to include action on land in Somalia and called for enhanced coordination.
- S/RES/1846 (2 December 2008) authorised states and regional organisations to enter Somalia's territorial waters to combat piracy for a further period of 12 months.
- S/RES/1844 (20 November 2008) imposed targeted sanctions relating to the situation in Somalia.
- S/RES/1838 (7 October 2008) called for intensified action against piracy in Somalia.
- S/RES/1816 (2 June 2008) was the first resolution on piracy off the coast of Somalia and the first to authorise states and regional organisations to enter Somalia's territorial waters to combat piracy.

Latest Secretary-General's Reports

- S/2010/394 (26 July 2010) provided options for addressing Somali piracy.
- S/2010/234 (11 May 2010) was the latest regular report on Somalia.
- S/2009/590 (13 November 2009) was a report on piracy as requested in resolution 1846.

Selected Meeting Records

- S/PV.6313 (12 May 2010) was the

most recent briefing by the Secretary-General's Special Representative.

- S/PV.6221 (18 November 2009) was a debate on piracy off the coast of Somalia in which the Special Representative of the Secretary-General gave a briefing on the Secretary-General's November 2009 report.

Selected Letters

- S/2010/361 (7 July 2010) was a letter from the mission of Ethiopia conveying the communiqué of the 15th Extraordinary Summit Meeting of the Intergovernmental Authority on Development.
- S/2010/91 (10 March 2010) was the letter from the chair of the sanctions committee transmitting the Somalia Monitoring Group's latest report.
- S/2009/569 (3 November 2009) was a letter from the Secretary-General submitting a report on the activities of the EU's antipiracy operation ATALANTA.

Other

- SC/9904 (12 April 2010) was a press release from the sanctions committee announcing its first designations of individuals and entities for targeted sanctions under resolution 1844.

Other Relevant Facts

Special Representative of the Secretary-General

Augustine Mahiga (Tanzania)

Chairman of the Somalia Sanctions Committee

Claude Heller (Mexico)

UNRCCA (Kyrgyzstan)

Expected Council Action

Council members are expecting a briefing in August from Miroslav Jenča, the Special Representative of the Secretary-General and Head of the Regional Centre for Preventive Diplomacy for Central Asia (UNRCCA), in early August. Since the centre was established in December 2007 there have been three briefings to the Council on the activities of the UNRCCA at about six-monthly intervals. The first was in December 2008, the second in June 2009 and the third in January 2010. (Please see our 7 January

2010 *Update Report on the UNRCCA* for more information.)

While Jenča is expected to cover the general activities of UNRCCA over the last six months, particular attention is expected to be given to the situation in Kyrgyzstan. Jenča has made four visits to Kyrgyzstan since the outbreak of violence in early April.

Recent Briefings under the UNRCCA

In June following ethnic violence in Kyrgyzstan, Council members had two briefings during informal consultations on Kyrgyzstan under the agenda item UNRCCA. The first was by Under-Secretary-General for Political Affairs Lynn Pascoe on 14 June. Following the briefing the president of the Council in his remarks to the press 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 Council members received a briefing by Assistant Secretary-General for Political Affairs Oscar Fernandez-Taranco. He said that ethnic tensions remained high in Kyrgyzstan and that it was important to avoid provocations that could reignite violence between ethnic Kyrgyz and Uzbeks. He also told the Council that aid deliveries were being disrupted by security concerns.

Recent Developments in Kyrgyzstan

On 27 July international donors pledged \$1.1 billion in aid to help rebuild Kyrgyzstan. The money is expected to be used in rebuilding damaged infrastructure and resettling IDPs.

The Organization for Security and Co-operation in Europe (OSCE) agreed on 22 July to send 52 unarmed police officers in an advisory capacity to southern Kyrgyzstan.

On 27 June Kyrgyzstan held a constitutional referendum. There was strong support for the new constitution which paves the way for Kyrgyzstan to become a parliamentary democracy. The UN was involved in providing technical support to the referendum process and continues to advise the government on constitutional reform, building democratic institutions and the organisation of the general election later this year.

Key Issues

The key issue for the Council, keeping in mind its debate on preventive diplomacy held on 16 July, is whether there are further opportunities for preventive diplomacy tools to be used to reduce the risks of further violence in Kyrgyzstan.

Another issue is how best to keep monitoring the situation, particularly leading up to the elections later this year.

Options

One option for the Council is a press statement following the briefing reinforcing UNRCCA's role in addressing regional issues in Central Asia and reaffirming support for the UNRCCA and encouraging the Secretary-General to play an ongoing supportive role in conjunction with the OSCE and regional states.

A further option would be to welcome the peaceful outcome of the recent constitutional referendum and stress the importance of a peaceful environment for the upcoming parliamentary election in October.

Also an option is requesting the Secretary-General to continue to provide regular briefings to the Council on the situation in Kyrgyzstan.

Council Dynamics

Most members appear to be comfortable with the process which allows it to monitor the situation in Kyrgyzstan through briefings on the UNRCCA. In June Russia argued against formal Council meetings on Kyrgyzstan, preferring a regional emphasis with the lead being taken by regional organizations.

UN Documents

Press Statements

- SC/9843 (14 January 2010) was a Council press statement appreciating the efforts of the Regional Centre in assisting Central Asian countries in responding to challenges in the region and encouraging further cooperation and coordination between the Centre and the governments of the region and relevant regional organisations.
- SC/9686 (19 June 2009) was a Council press statement welcoming another briefing by the Secretary-General's Special Representative Miroslav Jenča

and reiterating its support for the UNRCCA.

- SC/9528 (10 December 2008) was a Council press statement welcoming a briefing by the Secretary-General's Special Representative Miroslav Jenča and expressing support for the UNRCCA.

Selected Letters

- S/2007/280 (15 May 2007) was from the president of the Council to the Secretary-General taking note of his intention to establish UNRCCA and inviting him to inform the Council about the activities of the Centre.
- S/2007/279 (7 May 2007) was from the Secretary-General informing the Council about his intention to establish the UNRCCA and outlining its functions.

Peacebuilding

Expected Council Action

Council members have before them two major reports on peacebuilding:

- a report from the Secretary-General (S/2010/386)—this report was specifically requested by the Council in 2009; and
- the report of the three co-facilitators of the 2010 UN peacebuilding architecture review process mandated in the 2005 resolutions establishing the Peacebuilding Commission (PBC).

While there is a recent emerging pattern for the Council to intensify its focus on peacebuilding issues, at press time it was not clear exactly when and how the Council will take up these reports.

Key Recent Developments

On 22 July 2009, after a Council open debate on post-conflict peacebuilding with more than forty speakers, the Council adopted a presidential statement emphasising the vital role of the UN in peacebuilding. It supported the Secretary-General's recommendation (also known as the "agenda for action" to improve the UN's peacebuilding efforts) in his 11 June 2009 report to the Council to "broaden and deepen" the pool of international civilian experts and requested the



Secretary-General to report further within a year. (For further background, please see our 17 July 2009 *Update Report on Post-Conflict Peacebuilding* and our 9 May 2008 *Update Report on Building Sustainable Peace: Post-Conflict Stabilisation*.)

On 5 October 2009 the Council held an open debate on implementation of resolution 1325 on women and peace and security and adopted resolution 1889. The resolution focused on women's participation and urged member states, UN bodies, donors and civil society to ensure that women's protection and empowerment was taken into account during post-conflict needs assessment and planning. It requested the Secretary-General, in his agenda for action to improve the UN's peacebuilding efforts, to take account of the need to improve the participation of women in political and economic decision making from the earliest stages of the peacebuilding process.

On 16 April, under Japan's presidency, the Council held an open debate on "Post-Conflict Peace Building: Comprehensive Peacebuilding Strategy to Prevent the Recurrence of Conflict" (Japan had circulated a background/concept paper for the debate on 1 April suggesting that such a debate would provide a forum to "consider a comprehensive peacebuilding strategy to prevent the recurrence of conflict"). The paper argued that peacebuilding constituted one of the major remedies for contemporary threats to international peace and security. It noted that there were far more demands for effective peacebuilding in the world than are being addressed by the PBC, which had on its agenda only four countries: Burundi, the Central African Republic, Guinea-Bissau and Sierra Leone.

The Council adopted a presidential statement at the close of the meeting that:

- reiterated the importance of launching peacebuilding assistance at the earliest possible stage;

- highlighted the critical role of the PBC in addressing peacebuilding priorities;
- recognised the need for greater coordination with the PBC and looked forward to the 2010 review of the PBC and the recommendations on how its role can be enhanced; and
- anticipated the recommendations of the UN civilian capacity review in the follow-up to the Secretary-General's 2009 report on peacebuilding in the immediate aftermath of conflict.

From 24 to 26 June, the Council revisited the issue of peacebuilding in the context of an informal ambassadorial-level retreat with the Secretary-General, hosted by Turkey in Istanbul, which focused on the linkage between peacekeeping, peacebuilding and peacemaking.

Progress Report: Peacebuilding in the Immediate Aftermath of Conflict

On 16 July, in response to the Council's July 2009 request, the Secretary-General submitted his progress report. The report, gave a mixed picture of progress made over the past year in implementing the recommendations. It noted:

- improvements in some areas like “the project of strengthening civilian capacities” and the establishment of the “UN system-wide standards for strategy and planning in mission settings that will, with continued effort, produce more coherent approaches to peacebuilding at the field level”; but
- the UN still fell “short of an effective and predictable response, including in areas fundamental to sustainable peacebuilding like close collaboration with the World Bank, predictable and norms-based delivery in core areas like rule of law and security sector reform, and supporting national capacity development through significantly improved operational approaches.”

2010 UN Peacebuilding Architecture Review Process

On 19 July, the presidents of the Council and the General Assembly received the final report of the three co-facilitators in charge of the 2010 review of the peacebuilding architecture. The co-facilitators — Ambassadors Anne Anderson of Ireland, Claude Heller of Mexico and Baso Sangqu

of South Africa—were appointed on 11 December 2009 to lead the review of the purpose, role and operation of the UN's peacebuilding architecture as mandated in resolution 60/180 and resolution 1645 (2005). The report, involved six months of consultations with the UN membership, major actors in the UN system and partners such as the World Bank and relevant international and national civil society organisations. It set out six key issues:

- the complexity of peacebuilding;
- the imperative of national ownership;
- the illusion of sequencing peacebuilding to follow peacekeeping operations;
- the urgency of resource mobilisation;
- the importance of women's contributions; and
- the need for better connection of the peacebuilding architecture at headquarters in New York with the field.

The report has many recommendations. Those relating to the PBC and the Security Council itself include:

Peacebuilding Commission

- more relevant, “with genuine national ownership ensured through capacity-building and greater civil society involvement; simplification of procedures; more effective resource mobilisation; deeper coordination with international financial institutions; and a stronger regional dimension”;
- more flexible, “with a possibility of multi-tiered engagement” in peacebuilding contexts;
- better performing, “with the organisational committee that has improved status and focus; country-specific configurations that are better resourced, more innovative and have a stronger field identity”;
- more empowered, “with a considerably strengthened relationship with the Security Council as well as with the General Assembly and Economic and Social Council (ECOSOC)”;
- better supported, “with a strongly performing Peacebuilding Support Office that carries greater weight within the Secretariat; and a Peacebuilding Fund that is fully attuned to the purposes for which it was created”;
- more ambitious, “with a more diverse range of countries on its agenda”; and

- better understood, “with an effective communications strategy that spells out what it has to offer and creates a more positive branding.”

Security Council

- strengthen the PBC's relationship with the Council, including the latter seeking the advice of the PBC when peacekeeping mandates are being established, reviewed or are approaching a draw-down;
- pending procedural innovation, encourage an expansive use of existing Council procedures; and
- regarding referral of countries to the PBC agenda:
 1. “consider a more diverse range of situations for referral: larger countries; sectoral or regional situations.”
 2. “utilise to the full potential for a preventive role offered by the PBC's existing mandate.”

(The founding PBC resolutions identify four means by which countries can be referred to the PBC agenda—by the Security Council, the General Assembly, ECOSOC and the Secretary-General. All four countries currently on the PBC's agenda were referred by the Security Council, and is likely to remain the main avenue by which countries will be will be placed on the PBC Agenda.)

Council Dynamics

Council members are aware that August is not a good time for the Council to consider the Secretary-General's report (August is traditionally when many UN officials and delegates go on vacation). There is currently consideration of having the Council hold an event in September, during the presidency of Turkey, to follow up on the Council's retreat in Istanbul, which dealt with the linkages between peacekeeping, peacebuilding and peacemaking.

There is the related question of the report of the co-facilitators which most Council members feel needs to be addressed first in the General Assembly, especially the wider issues of the overall peacebuilding architecture.

On the other hand most members seem hopeful that the two reports will assist in efforts toward getting the Council to

concretely address and improve its own performance in the overall task of peacebuilding. In this regard the specific recommendations of the co-facilitators directed at the Council itself could provide a limited and appropriate context for early Council action.



UN Documents

Selected Security Council Resolutions

- S/RES/1889 (5 October 2009) was on the issue of women, peace and security and requested the Secretary-General, in his agenda for action to improve the UN's peacebuilding efforts, to take into account the need to improve the participation of women in political and economic decision-making from the earliest stages of the peacebuilding process.
- S/RES/1645-A/RES/60/180 (20 December 2005) created the PBC and the Peacebuilding Fund.
- S/RES/1327 (13 November 2000) and S/RES/1318 (7 September 2000) contained annexes discussing measures to strengthen peacekeeping operations.

Selected Presidential Statements

- S/PRST/2010/7 (16 April 2010) was the Council statement regarding the need for a comprehensive peacebuilding strategy to prevent the recurrence of conflict.
- S/PRST/2009/23 (22 July 2009) was the Council statement emphasising the vital role of the UN in post-conflict peacebuilding.
- S/PRST/2008/16 (20 May 2008) invited the Secretary-General to provide advice on how to support sustainable peace in post-conflict situations.
- S/PRST/2007/3 (21 February 2007) requested the PBC to include consideration of security sector reform programmes in integrated peacebuilding strategies.
- S/PRST/2007/1 (8 January 2007) underlined the importance of close interaction between the Council and the PBC.
- S/PRST/2006/42 (8 November 2006) welcomed the role the PBC can play in mainstreaming gender perspectives into the peace consolidation process.

- S/PRST/2006/39 (20 September 2006) welcomed the intent of regional organisations to be closely associated with the work of the PBC and expressed the Council's commitment to facilitate their participation in the PBC's country-specific activities.
- S/PRST/2006/38 (9 August 2006) on peace consolidation in West Africa underscored the importance and role of the PBC in assisting countries emerging from conflict to achieve sustainable peace and security.
- S/PRST/2006/28 (22 June 2006) emphasised the role of the PBC with respect to the promotion of justice and the rule of law.
- S/PRST/2004/33 (22 September 2004) recognised the important civilian role in conflict management and peacebuilding.
- S/PRST/2004/16 (17 May 2004) emphasised the need for enhanced resources, personnel and planning to strengthen peacekeeping operations.
- S/PRST/2001/31 (31 October 2001) emphasised the importance of gender perspectives in policies and programmes addressing armed conflict, especially peacekeeping operations.
- S/PRST/2001/5 (20 February 2001) reiterated the value of including peacebuilding elements in mandates of peacekeeping operations.
- S/PRST/2001/3 (31 January 2001) established a Working Group of the Whole on UN Peacekeeping Operations.
- S/PRST/2000/10 (23 March 2000) was on disarmament, demobilisation and reintegration.

Selected Letters

- S/2010/167 (1 April 2010) contained Japan's concept paper for the open debate entitled "Post-Conflict Peace Building: Comprehensive Peacebuilding Strategy to Prevent the Recurrence of Conflict".
- S/2008/291 (2 May 2008) contained the British concept paper on securing peace in post-conflict situations.

Selected General Assembly Resolutions

- A/RES/60/287 (21 September 2006) was the resolution on the Peacebuilding Fund.

- A/RES/60/180 (20 December 2005) established the PBC, concurrent with Council resolution 1645.
- A/RES/60/1 (16 September 2005) was the 2005 World Summit Outcome.

Selected Reports

- S/2010/386 (16 July 2010) was the progress report of the Secretary-General on peacebuilding in the immediate aftermath of conflict.
- S/2009/304 (11 June 2009) was the Secretary-General's report on peacebuilding in the immediate aftermath of conflict.
- S/2009/189 (8 April 2009) was the Secretary-General's report on enhancing mediation and support activities.
- A/60/696 (24 February 2006) was a report on the Secretariat's reform project "Peace Operations 2010."
- A/59/2005 (21 March 2005) was the report of the Secretary-General, *In larger freedom: towards development, security and human rights*.
- A/59/565 (2 December 2004) was the report of the High-Level Panel on Threats, Challenges and Change, *A More Secure World: Our Shared Responsibility*.
- S/2004/616 (23 August 2004) was the Secretary-General's report on the rule of law in conflict and post-conflict societies.
- E/2004/86 (25 June 2004) was an assessment of the Ad Hoc Advisory Groups of ECOSOC on African countries emerging from conflict.
- S/2000/809 (21 August 2000) was the report of the Panel on UN Peace Operations (Brahimi Report).
- S/2000/101 (11 February 2000) was the report of the Secretary-General on the role of UN peacekeeping in disarmament, demobilisation and reintegration.
- S/24111 (17 June 1992) was the report of the Secretary-General, *An Agenda for Peace, Preventive Diplomacy, Peacemaking and Peacekeeping*.

Counter-Terrorism

Expected Council Action

The Al-Qaida and Taliban Sanctions Committee completed in the last week of July its review of the consolidated list of individuals and entities subject to its sanctions regime. In August the committee's monitoring team is expected to finalise its report on the outcome of the review of the list. At press time it was unclear whether there would be any related Council or Committee action in August.

Key Recent Developments

On 29 July the chair of the Al-Qaida and Taliban (1267) Sanctions Committee, Ambassador Thomas Mayr-Harting, briefed the UN member states on the consolidated list review process.

In early June, the Secretary-General, in consultation with the Committee, appointed Judge Kimberly Prost of Canada, formerly a judge with the International Criminal Tribunal for the Former Yugoslavia, to serve as the 1267 Committee ombudsperson. She will be assisting the Committee in its consideration of delisting requests received from individuals and entities subject to the 1267 sanctions who seek removal from the Committee's consolidated list. Under the terms of resolution 1904, the ombudsperson will gather information, engage in dialogue with the petitioner and relevant states and present a report to the Committee with the principal arguments concerning the delisting request.

The just-concluded review of all names of individuals and entities under the Al-Qaida and Taliban sanctions regime had been mandated by resolution 1822 of June 2008 and was initially to be completed by the end of June. In December 2009, resolution 1904 requested all states to respond to information requests from the Committee related to the review by 1 March and reiterated the 30 June deadline for the completion of the process. It also requested that within thirty days of the completion of the review, the committee's monitoring team produce a report on the outcome of the review, as well as the efforts made by the committee, the member states and the team itself. Meeting the 30 June deadline proved difficult, mainly

due to the ongoing lateness of responses to questions posed by the committee. In late June the Council agreed to extend the deadline for completing the process until 31 July.

In June, the Government of Afghanistan issued a new and specific call for the removal of several former Taliban officials from the 1267 list, hoping to have the process completed by the time of the 20 July International Conference on Afghanistan in Kabul. In a press statement issued on 23 July in the aftermath of the Kabul conference, the Council said, "While confirming the need for a full implementation of the UN Security Council sanctions regime, the members of the Council in this context acknowledged the intention of the Afghan Government to engage with the Council and the international community in an evidence-based and transparent process of delisting from the UN Security Council resolution 1267 sanctions list, in accordance with agreed procedures and common Afghan and international responsibilities."

On 22 July the committee completed updating its working guidelines to take into account new procedures established by resolution 1904 that are designed to improve due process and to ensure that the Committee addresses delisting requests in a more timely fashion.

On 27 and 30 July, respectively, the Committee removed from the consolidation list eight entities and five individuals (two of them deceased).

Key Issues

A key issue for the Council is whether the Committee's review has had the desired effect of making the consolidated list more accurate, easier to use and effective.

The more complex issue is now moving the Council to consider requests for individual delistings. A related question is whether the information supplied by the Government of Afghanistan in its most recent delisting request is sufficient for committee members to base a decision, as well as whether committee members can come to an agreement on the desirability of delisting the Taliban names included in the Government of Afghanistan's recent

request. Questions include whether an individual's participation in a peace process constitutes sufficient grounds for removal or whether additional criteria, such as renouncing violence, a pledge to respect the constitution and demonstrated lack of links to terrorism need to apply to each individual.

Another issue is maintaining the momentum in addressing due process and human rights concerns that was gained December 2009 with the passage of resolution 1904. In this context a key factor will be how quickly and effectively the ombudsperson will be able to begin functioning and assisting the Committee in its decisions.

Options

One option for the Council in August is to receive a briefing from the Committee chairman, Ambassador Mayr-Harting, on the completion of the process.

Another option is to mark the end of the review with a press statement.

Council and Wider Dynamics

Members of the Council have expressed satisfaction with the appointment of Prost as the ombudsperson. In a 15 July statement, the US said the appointment was an important step to improve the transparency of the 1267 sanctions regime and to make it a stronger and more effective counter-terrorism tool.

Several states not on the Council are following closely the work of the newly appointed ombudsperson to ascertain whether the position is having the desired effect of improving the human rights aspects of the process and whether it helps dealing with delisting requests in a timely fashion.

Regarding the issue of delisting former Taliban officials, there have been some differences among Council members. The US in particular had hoped to expedite the process prior to the July Kabul Conference. Several members, however, have insisted that the Committee must take cautious evidentiary steps before reaching any decisions. Russia in particular has raised concerns about delisting ex-Taliban members who have been involved in terrorist acts.

UN Documents

Selected Council Resolutions

- S/RES/1904 (17 December 2009) renewed the mandate of the 1267 Committee Monitoring Team for 18 months, included significant changes to the administration of the 1267 regime and mandated the creation of an Office of the Ombudsperson for an initial period of 18 months.
- S/RES/1822 (30 June 2008) mandated the review of the 1267 Committee consolidated list by 30 June 2010.
- S/RES/1267 (15 October 1999) established the Al-Qaida and Taliban Committee and its mandate.

Selected Council Press Statements

- SC/9992 (23 July 2010) was the press statement on the Kabul conference in which the Council acknowledged the Afghan government's intention to engage with the Council in evidence-based and transparent delisting process from the 1267 sanctions list.
- SC/9947 (7 June 2010) was the press release welcoming the appointment of the 1267 Committee ombudsperson.

Selected Meeting Record

- S/PV.6310 (11 May 2010) was the last joint briefing by the chairs of the 1267, 1540 and Counter Terrorism Committees.

Other

- SC/9993 (26 July 2010) was the press release announcing the adoption of the revised guidelines for the work of the Al-Qaida and Taliban Sanctions Committee.
- S/2010/125 (5 March 2010) was the letter to the Council transmitting the 1267 Committee's position on the recommendations contained in the tenth report of its monitoring team (S/2009/502).

Other Relevant Facts

1267 Committee Chair

Ambassador Thomas Mayr-Harting (Austria)

1267 Ombudsperson

Kimberly Prost (Canada)

Useful Additional Source

The 1267 Committee website: <http://www.un.org/sc/committees/1267/index.shtml>

Iraq

Expected Council Action

The mandate of UNAMI, the UN political mission in Iraq, expires on 7 August. Renewal for 12 months seems likely. The Council is also expecting the Secretary-General's regular ninety-day report on UNAMI in August. A briefing by Special Representative Ad Melkert is expected.

Key Recent Developments

Delays over the formation of a new Iraqi government continue. On 27 July a planned session of the Iraqi parliament was cancelled due to the continuing disagreement. On 19 July, Ayad Allawi met with Moktada al-Sadr in Syria. (Allawi's Iraqiya alliance has 91 seats in parliament, Prime Minister Nouri al-Maliki's State of Law alliance has 89 and followers of al-Sadr form a part of the Iraqi National Alliance, which has seventy. According to the Iraqi constitution, a new president should be chosen within thirty days of parliament's first session; Iraq's parliament first convened briefly on 14 June.) Iraq's Supreme Court ruled Jalal Talabani remain president despite the missed parliamentary deadline.

Violence has continued in the country. On 18 July, at least 39 people were killed in Baghdad when a suicide bomber targeted a gathering of members of the Awakening movement. Al-Qaida in Iraq claimed responsibility for the bombing. Attacks against members of the Awakening movement, which is composed of government-backed Sunni militias that have fought Al-Qaida in Iraq, have increased in recent months. On 13 July, Iraqi authorities said 75 people had been killed and more than 400 wounded in attacks on Shiite pilgrims during an annual pilgrimage in Baghdad. Ad Melkert, head of the UN Assistance Mission for Iraq (UNAMI), condemned attacks on the pilgrims on 8 July. On 26 July, four people were killed as the result of a suicide car bombing targeting the al-Arabiya television station.

The US transferred control of the last prison under its control to Iraqi authorities on 15 July. US officials said about thirty former members of Saddam Hussein's inner circle, including Tariq Aziz, had been handed over to Iraqi authorities in recent days. US personnel will continue to guard about 200 detainees, who include Al-Qaida militants and former associates of Saddam Hussein.

On 13 July, General Ray Odierno, commander of US forces in Iraq, said attacks would not disrupt US plans to reduce the number of its troops in Iraq to 50,000 by 1 September (there are currently about 85,000 US troops in the country).

On 7 July the permanent representative of Iraq to the UN, Hamid Al-Bayati, met with the Secretary-General and said Iraq may need to seek an extension of immunities associated with the Development Fund for Iraq (DFI) beyond December 2010, when they are set to expire.

On 12 July, UN Controller Jun Yamazaki briefed the Council on the DFI. He said delays in the completion of Iraq's oil metering system, which will help track the country's export revenue, were a concern. He also stressed that immunities associated with the DFI were only intended to be in effect for a limited period. Abdul Basit Turki Saed, head of the Committee of Financial Experts, presented Iraq's quarterly report to the Council on preparations for the transition to a DFI successor mechanism. He said Iraq had recently reviewed outstanding letters of credit from the oil-for-food programme and decided to pay 26 of them. He also said negotiations were continuing with regard to settling foreign debts inherited from the regime of Saddam Hussein. On 29 July the UN Compensation Commission released \$650 million to nine successful claimants who suffered damages related to Iraq's 1990 invasion of Kuwait. The major remaining obligation is to Kuwait itself which has yet to receive \$22.3 billion of the compensation awarded.

On 13 July, Iraqi Foreign Minister Hoshiyar Zebari, continued discussions between Iraq and the Secretary-General and the P5 on the steps Iraq has taken to facilitate the removal of measures imposed in Chapter VII resolutions passed during the regime of Saddam Hussein with both the Secretary-General and the P5.

US Vice President Joseph Biden visited Baghdad from 3 to 5 July. He met separately with al-Maliki and Allawi. US officials stressed that the makeup of the new Iraqi government remains for Iraqis to determine and that the planned withdrawal of US troops would occur regardless of whether a new government had been formed by then.

Key Issues

A key issue for the Council is the extent to which UNAMI continues to play a useful role (Melkert's recommendation in his 25 May briefing was that the mission should maintain or expand its current footprint. He also noted that UNAMI will require sustained or increased support in order to provide expanded security for personnel as a consequence of the expected withdrawal of US combat troops.) A related issue, given UNAMI's status as a political mission, are the implications for the UN regular budget, which is ultimately a General Assembly decision.

Underlying Problems

A major underlying problem is the fact that Iraq is still developing the political culture and institutions and social infrastructure required for long-term stability. The deep-seated sectarian and political divisions, which have hindered the formation of a new government following national elections, also have the potential to foster increased violence in the country.

Options

Options for the Council include:

- renewing the UNAMI mandate as it currently stands, with some acknowledgement of expected increased cost to the mission's activities due to expanded security needs related to the withdrawal of US combat forces;
- urging the parties in Iraq to make progress in the formation of a government;
- taking up the issue of the historical resolutions related to the regime of Saddam

Hussein and completion of Iraq's obligations (including to Kuwait); or

- renewing the UNAMI mandate with a somewhat reduced mandate (an unlikely option).

Council and Wider Dynamics

Council members generally view UNAMI as an important element of overall support to Iraq and favour the extension of the mission's mandate. However, most Council members remain concerned over the delay in forming a new government following the 7 March elections in Iraq. Members appear to agree that no major changes to UNAMI's mandate should be made at this time.

Most Council members seem to view Iraq's work on a post-DFI successor mechanism positively, although many are sceptical of the desirability of extending any immunities past the end of this year. With regard to resolving other outstanding Chapter VII issues such as disarmament and Iraq/Kuwait issues, Council members seem to remain hopeful that increased progress is likely after the formation of a new Iraqi government.

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.6356 (12 July 2010) was the latest briefing on the DFI and the IAMB.
- S/PV.6320 (25 May 2010) was the latest briefing on UNAMI.

Selected Letters

- S/2010/378 (12 July 2010) informed the Secretariat that the Council had approved funding for the activities of the High-Level Coordinator for missing Kuwaiti persons and property.
- 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/2010/166 (1 April 2010) was the most recent report on the DFI and the IAMB.
- 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/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

Kenneth M. Pollack, "The Political Battle in Iraq," Foreign Policy Trip Reports Number 15, The Brookings Institution, 30 June 2010

Peacekeeping

The Council is expected to have a briefing on UN peacekeeping from a number of UN Force Commanders and the Secretariat in early August. At press time the format and participants had not been decided. Among the possible format options were a debate involving just the Council members and a closed briefing.

The August meeting is a continuation of a series of briefings emerging from the Council's August 2009 presidential statement (S/PRST/2009/24) which said that briefings from the Department of Peacekeeping Operations and the Department of Field Support should continue on a regular basis. The Council in that statement also identified ways of improving its oversight of peacekeeping operations including through better information sharing on military operational challenges, greater interaction with the Secretariat and more meaningful engagement with troop and police-contributing countries.

The first public record of consultations on peacekeeping following the August presidential statement is in the February 2010 programme of work. On 17 February Head of the Peacekeeping Department Alain Le Roy and Chief of Field Support Susanna Malcorra briefed Council members following the 12 February peacekeeping debate on Transition and Exit Strategies initiated by France, president of the Council for that month.

On 27 May the Council again had consultations on peacekeeping under the Lebanese

presidency. Following requests for a more focused discussion, Council members were asked to provide questions to Le Roy and Malcorra ahead of the briefing. The questions covered areas ranging from the extension of peacekeeping missions to capabilities and gaps in peacekeeping.

The Council also had an opportunity to discuss peacekeeping issues during its retreat in Istanbul from 24-26 June, where it focused on the interplay between peacekeeping, peacemaking and peacebuilding.

Liberia

Expected Council Action

In August the Council is due to receive a report from the Secretary-General on the situation in Liberia but is not expected to formally consider it until September, prior to the 30 September expiration of UNMIL's mandate. However, it is possible that experts will begin consultations on the issues.

Key Recent Developments

On 13 May the Panel of Experts on Liberia submitted its midterm report to the Council's Sanctions Committee on Liberia covering the period from 15 February to 10 May. The report addressed implementation of the Liberia sanctions regime (arms embargo, diamonds, assets freeze and travel ban). There are currently 45 individuals on the travel ban list and 22 on the assets freeze list, as well as thirty entities on the assets freeze list). The report observed:

- there were ongoing problems with the functioning of regional diamond offices, as well as other issues such as variances in declared revenues and audited payments of mineral license fees;
- although a number of significant mining and agricultural concessions were in the process of being negotiated and/or ratified, there were still problems with control and enforcement in artisanal mining areas, and land disputes persisted;
- provision of additional information on some individuals designated on the sanctions list;
- there was no evidence of violations of the travel ban;
- there was no additional proof of any intention to enforce the assets freeze by

the Liberian government; and

- there were no major violations of the arms embargo.

Members of the sanctions committee met on 16 June to consider the Panel's report and, while welcoming the progress made regarding the implementation of the arms embargo and the travel ban, supported the recommendations made by the panel, including that:

- the Kimberley Process Certification Scheme reconsider the wording of the administrative decision for sharing information on the UN panels/groups of experts to ensure that the mandates of these Council bodies were not affected by delays or unwillingness of member states to share information;
- the Liberian government demonstrate its commitment to international obligations by implementing the assets freeze;
- the Council renew the mandate of the UN Mission in Liberia (UNMIL) to provide assistance to the Liberian government in re-establishing proper administration of its natural resources and authority in mining and forestry areas; and
- UNMIL support the creation of a specialised explosive-ordnance disposal unit as part of the Liberian National Police and gradually hand over this activity to the Liberian authorities.

On 13 July Council members were briefed during private consultations by the chairman of the Liberia Sanctions Committee, Ambassador Ivan Barbačić of Bosnia and Herzegovina, on the Panel's midterm report and the Committee's deliberations on it. There seems to have been shared concern about the issues raised by the Panel.

On 27 May the Government of Liberia wrote to the Secretary-General conveying the interest of Liberia in being placed on the agenda of the Peacebuilding Commission (PBC). On 19 June the request was brought to the attention of the Council. On 14 July

the Council decided to accept the request and formally took action pursuant to paragraph 12 of resolution 1645 (2005) adding Liberia to the PBC agenda by requesting the Commission's advice. The key issues currently under discussion are the creation of a PBC country-specific configuration on Liberia and the identification of a chair for the configuration. The general expectation is that Liberia would be taken up by the PBC by early September.

On 10 March Ellen Margrethe Løj, the Secretary-General's Special Representative in Liberia, briefed Council members in private consultations on UNMIL's work and developments in the country over the preceding five months.

Human Rights-Related Developments

UNMIL funded a training programme from 7 to 9 July for civil society organisations on human rights monitoring, reporting and advocacy in Liberia. At the opening of the event, the Deputy Special Representative of the Secretary-General for Rule of Law in Liberia, Henrietta Mensa-Bonsu, emphasised that an independent, ethical civil society that works for human rights was one of the foundations on which a strong nation was built. She said the UN family in Liberia was ready to help strengthen civil society organisations to serve as an essential link between individuals unable to stand up for their rights and the state authorities who had the duty to protect and respect human rights.

Key Issues

A key issue for the Council is to assess the future of UNMIL in light of the expected conclusion of the third phase of UNMIL's drawdown of 2,029 military personnel from its previous level of 9,150 military personnel.

A related issue for the Council will be to assess progress with various aspects of UNMIL's mandate.

A third issue is whether there is the need for UNMIL's role in the period leading up to the

2011 elections to be emphasised. (Resolution 1885 mandated UNMIL to provide logistical support to the Liberian government for the 2011 general presidential elections, especially to "facilitate access to remote areas, [in] coordinating international electoral assistance, and [by] supporting Liberian institutions and political parties in creating an atmosphere conducive to the conduct of peaceful elections". It also requested the Secretary-General to monitor progress on these core benchmarks and report on that to the Council)

A fourth issue is whether the Council should take the opportunity of the mandate renewal to act on some of the recommendations of the Panel of Experts.

A fifth issue, given the recommendations to the Council from the facilitators of the Peacebuilding Review (see our separate brief in this issue) is how to adapt Council discussions on Liberia in future to accommodate the wider input proposal.

Underlying Problems

Immediate major challenges facing the country include security problems resulting from the high unemployment among youth and ex-combatants, the slow pace of security sector reform, a lack of public confidence in the justice system and the drug menace affecting the West African subregion. UNMIL's presence has so far helped curb illegal cross-border activities, but the potential exists for a vacuum in security as the mission draws down.

Council Dynamics

Members of the Council seem to prefer consideration of Secretary-General's report to be taken in September, for two main reasons:

- the Council wants time to consider the report (due by 15 August) ahead of the expiration of UNMIL's mandate at the end of September; and
- the overall security situation in Liberia is relatively stable and therefore does not appear to be requiring immediate action.

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

UN Documents

Selected Security Council Resolutions

- S/RES/1903 (17 December 2009) renewed the sanctions regime for Liberia for a further 12 months and extended the mandate of the Panel of Experts until 20 December 2010.
- S/RES/1885 (15 September 2009) renewed UNMIL's mandate for 12 months

Selected Secretary-General's Reports

- S/2010/88 (17 February 2010) was the latest report on UNMIL.
- S/2007/479 (8 August 2007) was the initial drawdown plan for UNMIL.

Other

- S/2010/319 (17 June 2010) was the latest report of the Panel of Experts on Liberia.

Other Relevant Facts

Special Representative of the Secretary-General

Ellen Margrethe Løj (Denmark)

UNMIL Force Commander

Lieutenant-General Sikander Afzal (Pakistan)

UNMIL: Size, Composition and Cost

- *Strength as of 30 June 2010:* 9,307 personnel, including 7810, troops, 1,364 police and 133 military observers
- *Key contributing countries:* Bangladesh, Nigeria and Pakistan
- *Cost:* 1 July 2010 to 30 June 2011: US\$524,052,800 million

UNMIL: Duration

September 2003 to present; mandate expires 30 September 2010

Chairman of the Liberia Sanctions Committee

Ivan Barbalić (Bosnia and Herzegovina)

Panel of Experts on Liberia

- Rowan Bosworth-Davies (UK)
- Wynet V. Smith (Canada, expert on natural resources and coordinator of the Panel)
- Hervé Gonsolin (France, expert on arms)

DPRK (North Korea)

Expected Council Action

In August the chair of the DPRK Sanctions Committee is expected to give his quarterly briefing to the Council. No new Council decision is expected.

Key Recent Developments

The last briefing by the chair of the Democratic People's Republic of Korea (DPRK) Sanctions Committee was on 27 May in informal consultations. It focused on the report of the Panel of Experts assisting the Committee, which was submitted to the Council in early May. The report assessed the implementation of the sanctions regime imposed in resolutions 1718 and 1874 (i.e. an embargo related to arms and weapons of mass destruction, a ban on selected goods including luxury items, a travel ban and an assets freeze).

The Panel's findings were reported to have indicated that the sanctions had an effect in restricting exports and imports of proscribed goods. However, Pyongyang was said to have devised ways to circumvent the sanctions in some cases by using several individuals and companies that were not subject to the sanctions as intermediaries to trade in the embargoed items.

On 7 June the Council adopted a resolution that:

- extended the mandate of the Panel of Experts that assists the DPRK Sanctions Committee until 12 June 2011; and
- requested the Panel "to provide to the Council no later than 12 November 2010 a midterm report on its work, and a final report to the Council no later than 30 days prior to the termination of its mandate with its findings and recommendations."

Key Issues

One key issue for the Sanctions Committee and the Council is whether the sanctions regime is effective.

A second key issue for the Council is whether and how the six-party talks (i.e. between the DPRK, China, Japan, Republic of Korea, Russia and the US), which has been the most viable forum for negotiations aimed at achieving a sustainable resolution of the DPRK nuclear disarmament issue can be renewed.

Underlying Problems

One persisting problem has been the lack of trust between the DPRK and other members of the six-party talks. Recent military tensions on the Korean peninsula, coupled with the history of alleged DPRK attempts to conceal its nuclear weapons programme, have intensified the problem.

Options

Options include:

- taking no public action at present; or
- sending a further warning to the DPRK by designating additional entities, individuals and goods that are subject to the sanctions imposed in resolutions 1718 and 1874.

Council Dynamics

Council members expect the upcoming quarterly briefing by the chair of the DPRK committee to be low key and focusing on the activities of the committee over the preceding three months. There seem to be no plans among Council members for expanding the scope of the current sanctions regime at this stage.

UN Documents

Selected Council Resolutions

- S/RES/1928 (7 June 2010) extended the mandate of the panel of experts that assists the DPRK Sanctions Committee until 12 June 2011.
- S/RES/1887 (24 September 2009) reaffirmed that nuclear proliferation is a threat to international peace and security.
- S/RES/1874 (12 June 2009) condemned the DPRK's underground nuclear test and expanded sanctions on the country.
- S/RES/1718 (14 October 2006) expressed grave concern over the DPRK's nuclear test, imposed sanctions and set up a sanctions committee.
- S/RES/1695 (15 July 2006) condemned the DPRK's launch of ballistic missiles.
- S/RES/825 (11 May 1993) called on the DPRK to reconsider withdrawing from the Nuclear Non-proliferation Treaty and to honour its non-proliferation obligations under the treaty.



Selected Presidential Statement

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

Latest Sanction Committee Annual Report

- S/2010/28 (14 January 2010)

Selected Letters

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

Other Relevant Facts

Chair of the 1718 Sanctions Committee

Ertugrul Apakan (Turkey)

Notable Dates for August

Reports for consideration in August	Document Requesting Report
16 July	<i>SG report on Peacebuilding</i> S/PRST/2009/23 S/PRST/2010/7
27 July	<i>SG report on piracy off the coast of Somalia</i> S/RES/1918
31 July	<i>SG report on Kosovo (UNMIK)</i> S/RES/1244
31 July	<i>SG report on Chad/CAR (MINURCAT)</i> S/RES/1923
early August	<i>SG report on Iraq (UNAMI)</i> S/RES/1883
mid August	<i>SG report on Liberia (UNMIL)</i> S/RES/1885

August 2010	Mandates Expire	Relevant Document
7 August	Iraq (UNAMI)	S/RES/1883
31 August	Lebanon (UNIFIL)	S/RES/1884

August 2010 Other Important Dates

late August *The fully translated report of the Secretary-General following up the Goldstone Report is expected.*

Also expected in August:

- The Al-Qaida and Taliban Sanctions Committee's monitoring team is expected to finalise its report on the outcome of the review of the list of individuals and entities subject to its sanctions regime.
- The second round of presidential elections in Guinea

The Council is expected to be briefed by the:

- Head of MINURCAT, Youssef Mahmoud
- Special Representative of the Secretary-General and Head of the Regional Centre for Preventive Diplomacy for Central Asia, Miroslav Jenča
- Chair of the DPRK Sanctions Committee, Ambassador Ertugrul Apakan of Turkey
- Special Representative Ad Melkert on Iraq
- Force Commanders and the Secretariat on Peacekeeping
- Regular monthly Middle East briefing

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.
- Presidential elections in Haiti are expected in November.
- 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.

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