SECURITY COUNCIL REPORT MONTHLY FORECAST APR 2012 FORECAST



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Overview

The US will hold the presidency of the Security Council in April.

An open debate on improving UN capacity to assist states to counter **illicit crossborder flows** is planned late in the month, and the Secretary-General is expected to brief. The aim of the debate is to focus attention on the broad range of UN activities in this field and to help states make a better use of different forms of UN assistance in controlling flows of arms, drugs and individuals, among other things, across their borders. A resolution or a presidential statement is the expected outcome.

There will also be the quarterly open debate on **the Middle East**, preceded by a briefing by the Secretariat.

On 27 April the Council will vote (simultaneously with the General Assembly) to fill a vacancy on the International Court of Justice.

A briefing by the Secretary-General on nuclear non-proliferation, disarmament and security is expected. This event, taking place soon after the Seoul summit on nuclear security, will afford an opportunity to take stock of developments since the summit-level Council debate on this subject chaired in September 2009 by US President Barack Obama and to maintain the engagement on the part of the Council with this issue. A resolution or a presidential statement is expected as an outcome.

Other briefings are planned on:

- Syria, by the Joint UN-Arab League Envoy for Syria, Kofi Annan, in consultations;
- Western Sahara, by the head of MINURSO and Special Representative of the Secretary-General, Hany Abdel-Aziz,

and by the Secretary-General's Personal Envoy for Western Sahara, Christopher Ross, in consultations;

- UNAMID, the joint UN/AU operation in Darfur, to be followed by consultations;
- the UN Assistance Mission for Iraq, by the Secretary-General's Special Representative and mission head, Martin Kobler, to be followed by consultations;
- the UN Interim Mission in Abyei, in consultations; and
- women, peace and security, by the head of UN Women, Michelle Bachelet, to be followed by consultations.

A briefing on the implementation of resolution 1559 and Lebanon, initially expected in April, appears to have been moved to May for scheduling reasons.

At press time the monthly "horizon scanning" briefing by the DPA was not planned for April.

The Council expects to hold consultations to consider the final report of the Panel of Experts that supports the **Côte d'Ivoire** Sanctions Committee and to discuss the renewal of the sanctions regime and the Panel's mandate.

Formal Council sessions will be needed to adopt resolutions renewing the **Côte d'Ivoire** sanctions regime along with the mandate of its Panel of Experts and to renew the mandate of **MINURSO**.

Early in April, members of the Council will participate in an annual retreat with the Secretary-General. This year, the main topics expected to be discussed at the retreat are: the growing challenges posed to peace and security by international crime;

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experience from recent and current UN peacekeeping engagements, with an eye to possible improvements on the ground; and approaches at the Security Council's disposal when dealing with gross human rights violations.

It is likely that the chair of the **Iran Sanc**tions Committee, Ambassador Néstor Osorio (Colombia), possibly with the coordinator of its Panel of Experts, will brief UN members at large with an aim to help interested states improve the implementation of the Iran sanctions.

Sudan and South Sudan

Expected Council Action

In April, the Council expects to be briefed in consultations on the Secretary-General's most recent report on the situation in Abyei. No outcome was anticipated at press time.

Given the fluid and unpredictable nature of events in Sudan and South Sudan, Council members are also likely to follow closely such issues as the humanitarian situation in South Kordofan and Blue Nile, events along >>page 4

Status Update since our March Forecast

Syria: On 1 March, the Council issued a press statement (SC/10564) deploring the deteriorating humanitarian situation in Syria and calling upon Damascus to grant access to Valerie Amos, the Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator. On 6 March, Under-Secretary-General for Political Affairs, B. Lynn Pascoe, briefed Council members during the monthly horizon scanning exercise, reporting that both Amos and Kofi Annan, the UN-Arab League Special Envoy for Syria, would soon be visiting Damascus. On 13 March Amos briefed Council members on her 7-9 March visit and on 16 March Annan briefed Council members on his 10 March visit and ongoing mediation efforts. On 21 March the Security Council agreed on a presidential statement (S/PRST/2012/6) supporting Annan and his six-point plan for mediation (S/ PV.6736). The same day the Council issued a press statement (SC/10585) on the terrorist attacks in Aleppo and Damascus which had occurred earlier in the month. Syria was also a prominent issue at the 12 March high-level debate on challenges and opportunities in the Middle East (S/PV.6734). On 22 March there was an Arria-formula meeting for Council members to meet with the Human Rights Council's Commission of Inquiry on Syria. There were P5+Morocco negotiations between 6 -8 March on a draft resolution condemning the violence in Syria. However, as agreement was not possible the draft text was never circulated to the wider Council membership.

Somalia: On 5 March, the Council held an open debate on Somalia chaired by Under Secretary of State Henry Bellingham (UK) as a follow up to the 23 February London Conference (S/ PV.6729). Both the Secretary-General and his Special Representative, Augustine Mahiga, spoke in the debate, the latter via videoconference from Mogadishu. The Council also adopted a presidential statement (S/PRST/2012/4) welcoming the conference and expressing support for its communiqué. Additionally, the statement reiterated key messages relating to the political process and emphasised the need for continued support of AMISOM, both bilaterally and through the UN AMISOM trust fund, and for the development of Somali security forces while calling on AMISOM to continue efforts to ensure the protection of civilians. It also stressed the importance of effective governance and encouraged international support for reconstruction and economic development as well as continued humanitarian assistance. Lastly, it expressed concern about the continued threats of piracy and terrorist attacks by the Islamist group Al-Shabaab and others. On 28 March, the chair of the Somalia/Eritrea Sanctions Committee, Ambassador Hardeep Singh Puri (India) briefed Council members in informal consultations on the work of the Committee. (The Committee received a mid-term briefing from the Monitoring Group for the sanctions regime on 3 February, and on 17 February announced the addition of one individual to the sanctions list. The chair is required to report to the Council every 120 days.)

- Libya: On 7 March, the Council was briefed (S/PV.6731) by Ian Martin, who presented the Secretary-General's report (S/2012/129) on UNSMIL. Martin said that UNSMIL should focus on five areas: democratic transition, including the electoral process; public security, including the demobilisation, integration or reintegration of ex-combatants; human rights, transitional justice and rule of law; proliferation of arms and border security; and coordination of international support. Prime Minister Abdurrahim El-Keib also addressed the Council. On 12 March, the Council unanimously adopted resolution 2040, modifying and extending UNSMIL's mandate by 12 months but subject to review within six months (S/PV.6733).
- Yemen: On 7 March, Council members were briefed in consultations by the Secretary-General's Special Adviser, Jamal Benomar. On 29 March (S/ PV.6744), the Council adopted a presidential statement (S/PRST/2012/8) voicing its concern over the deteriorating situation since the transfer of power to President Abdrabuh Mansour Hadi on 25 February and stressing the need for all political actors to remain committed to the political transition and constitutional

order. The Council welcomed the efforts of the Friends of Yemen and noted the importance of its next meeting on 23 May. The Council endorsed the Secretary-General's intention to deploy a team of experts, to work alongside the UN country team, and monitor progress on the Gulf Cooperation Council Initiative and Implementation Mechanism in consultation with the Yemeni government.

- Haiti: On 8 March, the Council held a debate (S/PV.6732) on the situation in Haiti. Mariano Fernández, the Special Representative of the Secretary-General and Head of MINUSTAH, briefed during the debate.
- ICC: On 16 March, the Council released a press statement welcoming the first verdict of the International Criminal Court, which found Thomas Lubanga guilty of the crimes of conscripting and enlisting child soldiers under the age of 15 years (SC/10580).
- Working Methods: On 19 March, Council members met to discuss working methods of the Security Council. Portugal-as chair of the working group that deals with working methods-and the UK distributed a non-paper in advance of the consultations, inviting suggestions on the three issues of "periodicity" (spreading out the Council's mandate renewals), conference resources and "interactivity" (such as regular horizonscanning sessions and use of video-conferencing). Additional issues were also raised, many of which were suggested during the open debate on 30 November. On the drafting resolutions, an idea was proposed that, in addition to a permanent member being the "pen holder" on most issues, an appropriate co-drafter could be selected from among the elected ten. On the appointment of chairs of subsidiary bodies, several states called for more inclusiveness and transparency in the process and the chair of the working group suggested that a more consultative process would be desirable during the next round of allotments. Another suggestion related to posting the daily schedule of the Council President online, which might be of interest to the wider membership. Following

the consultations, the working group met on 23 March to discuss the ideas proposed during the consultations.

- Afghanistan: On 20 March, the Council held a debate (S/PV.6735) on the situation in Afghanistan. Ján Kubiš, the Special Representative of the Secretary-General and Head of UNAMA briefed during the debate. The Council renewed the mandate of UNAMA (S/RES/2041) for an additional 12 months on 22 March (S/ PV.6738).
- Iran: On 21 March, the chair of the Iran Sanctions Committee (1737 Committee). Ambassador Néstor Osorio (Colombia), provided a regular 90-day briefing to the Council (S/PV.6737). He noted that within the Committee some members had expressed concern regarding the illicit transfers of arms between Iran and Syria, indicating that one member state had drawn the Committee's attention to a public statement of Hizbullah on 7 February in which its Secretary-General acknowledged that the movement had received material support from Iran since 1982. The Committee also received a briefing from France on the similarities between ballistic and space technologies and several states notified the Committee of Iran's launching of a satellite on a Safir rocket on 3 February, which they asserted was a violation of paragraph 9 of resolution 1929. Several states reiterated calls for the Panel of Experts' report from May last year to be released, arguing that it was an important tool to help the membership at large implement sanctions measures. Several Council members welcomed the initiative for the chair to convene an open briefing for all member states on the work of the Committee and the Panel. At press time, the open briefing was likely to take place during the third week of April.
- Lebanon: On 21 March, Council members were briefed in consultations by Special Coordinator Derek Plumbly on the Secretary-General's latest report on the implementation of resolution 1701 and the UN Interim Force in Lebanon (S/2012/124). Plumbly said that his medium-term objectives would be to seek an Israeli withdrawal from northern

Ghajar, facilitate talks on the Lebanese-Israeli maritime issues and to work closely with the UNIFIL force commander.

- Mali: On 22 March, the DPA head, B. Lynn Pascoe, briefed Council members on the situation in Mali after junior army officers fighting a spreading rebellion by the Tuaregs in the north mutinied. President Amadou Toumani Touré, who had previously announced that he would not participate in the elections slated for April, was reported to be in hiding. Following the briefing, the Council issued a press statement (SC/10590) strongly condemning "the forcible seizure of power" and calling on the soldiers to "ensure the safety and security" of President Touré and "return to their barracks." The statement welcomed efforts by UNOWA and international partners, especially the AU and ECOWAS, for putting pressure on the coup-makers to return to the barracks. On 26 March, the Council discussed the issue (S/PV.6741) and on the same day issued a presidential statement (S/PRST/2012/7) echoing the press statement of 22 March. The statement further addressed the wider issue of instability in the Sahel, noting its concern "over the fragile security and humanitarian situation in the region" which has been "exacerbated by drought, food shortages and the return of thousands of returnees following the Libvan crisis and other crises in the region." At press time, Lt. Amadou Konare appeared to be consolidating his regime.
- Sierra Leone: On 22 March, Michael von der Schulenburg, who was withdrawn from Sierra Leone on 6 February as the Secretary-General's Executive Representative for UNIPSIL following a request by the Sierra Leone government, presented the Secretary-General's midterm report on UNIPSIL (S/2012/160). This was followed by consultations. Joseph Bandabla Dauda, Sierra Leone's Foreign Minister, as well as Ambassador Guillermo E. Rishchynski (Canada), head of the PBC configuration for Sierra Leone, also briefed the Council (S/PV.6739). Schulenburg stressed the importance of the free and fair conduct of the forthcoming general elections in the country on 17

November as "the major challenge" for Sierra Leone going forward. He reported on a number of contentious recent developments in the country, including violent attacks on the opposition presidential candidate Julius Maada Bio and the importation by the government of arms and munitions for a paramilitary police force already notorious for attacks against the opposition. Dauda emphasised the government's commitment to the peacebuilding process, including transparent elections in November. Schulenburg's successor has not been named. The mandate of UNIPSIL expires on 15 September 2012.

- Peacekeeping: On 26 March, Under-Secretary-Generals Herve Ladsous (Peacekeeping Operations) and Susana Malcorra (Field Support) briefed the Council (S/PV.6740).
- Guinea Bissau Consultations: On 28 March, Joseph Mutaboba, the Secretary-General's Special Representative in Guinea-Bissau, briefed the Council via video-link on recent developments in the country, including the inconclusive elections held on 18 March to succeed President Malam Bacai Sanhá, who died on 9 January. Former Prime Minister Carlos Gomes Junior, head of the ruling party, failed to win outright victory, and a run-off has been scheduled for 22 April. However, the opposition candidate, Kumba Yala, who came in second, has announced that he will be boycotting the run off, claiming the polls were rigged. There was no outcome from the briefing.
- Cyprus: On 29 March, Council members met in consultations to discuss Cyprus and received an update from the Secretary-General's Special Adviser, Alexander Downer, via videoconference on negotiations between the two sides. (The Greek Cypriot and Turkish Cypriot leaders met the same day in the buffer zone in the capital Nicosia, with the focus being on property—one of the core outstanding issues.) At press time, Downer was expected to submit a report to the Secretary-General on 30 March and then meet with him on 19 April in New York to discuss next steps.

Sudan and South Sudan

(continued)

the Sudan-South Sudan border and the unresolved issues between Sudan and South Sudan related to oil revenue-sharing, border demarcation, citizenship and other matters. It is possible that meetings on one or more of these subjects could occur during the month, depending on how events unfold on the ground.

The mandate of the UN Interim Mission in Abyei (UNISFA) expires on 27 May.

Key Recent Developments

The Council discussed the last report of the Secretary-General on Abyei in consultations on 9 February. Hervé Ladsous, Under-Secretary-General for Peacekeeping Operations, briefed the Council during the meeting. Some of the discussion focused on progress UNISFA had made in protecting civilians and demining. However, it was also noted in the meeting that Sudanese armed forces and police and South Sudanese police remained in Abvei, while the Abyei Area Administration had yet to be established. (It appears that a major sticking point regarding the establishment of the administration is that the parties have been unable to agree on a mutually acceptable candidate for the speaker of the administration's Legislative Council. South Sudan has said that Sudan agreed to nominate a member of the Ngok-Dinka ethnic group to the position, while Sudan has denied this.)

The humanitarian crisis in South Kordofan and Blue Nile states remained a significant focus of international attention. On 9 Februarv, the UN, the AU and the Arab League presented a tripartite proposal to provide humanitarian aid to civilians in both government and rebel controlled areas of South Kordofan and Blue Nile. The Council adopted a press statement on 14 February expressing its alarm at humanitarian conditions in both states. The Sudan People's Liberation Movement-North (SPLM-N) has expressed willingness to accept the tripartite proposal, but the government of Sudan has been reluctant to do so. On 6 March, Daffa-Alla Elhag Ali-Osman, the permanent representative of Sudan, said at the Council stakeout that the Sudanese government was considering the proposal.

Council members held an "informal interactive dialogue" on the situation in Sudan and

South Sudan on 27 February. Thabo Mbeki, chair of the AU High-Level Implementation Panel charged with facilitating the negotiations between Sudan and South Sudan, and Haile Menkerios, UN Special Envoy for Sudan and South Sudan, addressed Council members during the meeting. (Held outside Council chambers, the informal interactive dialogue is a flexible format that allows the Council to meet with actors-in this case, the AU High-Level Implementation Panel-with whom it would not be able to meet in consultations inside the Council chambers.) During the meeting, Mbeki gave a comprehensive briefing on the issues dividing Sudan and South Sudan and the status of negotiations on these issues.

Largely in response to the briefing by Mbeki and Menkerios during this "interactive dialogue," the Council issued a presidential statement on 6 March, that inter alia:

- demanded that Sudan and South Sudan cease violence along their shared border;
- urged the parties to reach agreement on unresolved issues, such as border demarcation, oil revenue-sharing and the status of Abyei;
- deeply deplored the ongoing presence of security forces from both parties in Abyei;
- encouraged the government of Sudan to accept the AU-UN-Arab League tripartite agreement on humanitarian access in Blue Nile and South Kordofan; and
- affirmed that "unilateral action related to the oil sector is detrimental to the security, stability and prosperity" of Sudan and South Sudan.

Ladsous briefed Council members in consultations on 29 February to discuss the situation along the Sudan-South Sudan border. The briefing focused on fighting that occurred on 27 February between the Sudanese Armed Forces and SPLM-N rebels in Jau, a disputed area along the Sudan-South Sudan border. (The rebels claimed to have killed 150 Sudanese troops during the fighting, while Sudan accused South Sudanese military officers of assisting the rebels.) It appears that Ladsous was unable to confirm reports of the clash, indicating that the UN Mission in South Sudan (UNMISS) does not have a presence in the area. In addition to the 27 February incident in Jau, it seems that Ladsous also said that several other border skirmishes had transpired since the two parties signed a memorandum of understanding on non-aggression and cooperation on 10 February.

On 29 February, Hilde Johnson, Special Representative of the Secretary-General and head of UNMISS, met with Sudanese President Omar al-Bashir in Khartoum. The repatriation of South Sudanese citizens residing in Sudan was an important focus of the discussion. During the meeting, Johnson mentioned the need for safe return routes and an extension of the 8 April deadline for repatriation.

On 13 March, representatives of Sudan and South Sudan initialled two agreements in Addis Abba: the Agreement on the Demarcation of the Boundary and the Framework Agreement on the Status of Nationals of the Other State and Related Matters. The agreement on boundary demarcation establishes mechanisms to oversee and conduct the demarcation process. The agreement on nationality accords citizens of South Sudan the right to reside, own property, work and travel in Sudan, while permitting Sudanese citizens to do the same in South Sudan.

Despite these positive developments, tensions escalated significantly between Sudan and South Sudan in late March. On 26 March, skirmishes between the armed forces of both countries were reported in areas along their mutual border, putting into doubt whether Bashir and President Salva Kiir of South Sudan would hold a peace summit that had been planned for early April in Juba. Additionally, on 27 March, the Sudanese air force reportedly dropped bombs near the Bentiu oil fields in Unity State in South Sudan.

Responding to the violence between the parties—while also reiterating some of the language of the 6 March presidential statement—the Council issued a press statement on 27 March that, *inter-alia*:

- expressed alarm at the military clashes along the Sudan-South Sudan border and demanded that the countries cease violence in the border regions;
- urged Sudan and South Sudan to demonstrate restraint and peacefully address the issues dividing them;
- urged the parties to pursue requisite steps to make operational the Joint Border Verification and Monitoring Mechanism;
- reiterated the importance of delivering humanitarian assistance to South Kordofan and Blue Nile states to prevent further

deterioration of the crisis in these areas of Sudan; and

 urged the parties to continue negotiations with the support of the AU High-Level Implementation Panel.

Human-Rights Related Developments

On 26 March, Radhika Coomaraswamy, the Special Representative of the Secretary-General on Children and Armed Conflict, briefed the press on her recent visit to South Sudan at the noon briefing of the Secretary-General's spokesperson at UN headquarters. She noted that children in militias and regional camps continue to be integrated into the South Sudanese armed forces, while adding that she hoped there would be a clear directive from the government to cease this practice so that the armed forces could be considered for delisting. Coomaraswamy said that one challenge will be reintegrating the former child combatants in an environment in which economic opportunities are limited and in which only about 4 precent of children attend secondary school. She said that the government should make education a priority.

Key Issues

An ongoing key issue is the continuing presence of security forces from Sudan and South Sudan in Abyei in violation of the 20 June 2011 agreement between the parties. A related issue is how the presence of these security forces creates potential for conflict with internally displaced persons returning to Abyei and nomads migrating through the area.

Another important issue is the fact that the Abyei Area Administration has yet to be established. (Sudan has indicated that it will not remove its security forces from Abyei until the administration is established.)

A further key issue is the fact that UNISFA cannot conduct its mandated bordermonitoring support role until the parties map out the safe demilitarised border zone and agree on a headquarters and sector sites for the monitoring mechanism.

An additional important issue is the delay by the government of Sudan in issuing visas for non-Ethiopian staff officers and military observers designated to serve in UNISFA.

Another issue is whether Sudan will agree

to the UN-AU-Arab League tripartite agreement, how this plan would be implemented and what impact it would have on the humanitarian situation in Blue Nile and South Kordofan.

A further important issue is what impact the 8 April deadline for the more than 500,000 people of South Sudanese origin residing in Sudan to regularise their status or return the South Sudan will have on the security and humanitarian environment in both countries. Although the initialling of the 13 March agreement on nationality appeared to be a positive development, it is unclear whether this agreement will be implemented in light of the deterioration of relations between the two countries in late March. Additional issues of importance include how large the influx of returnees will be leading up to 8 April and whether Sudan will improve access to viable return routes.

Underlying Problems

Repeated skirmishes along the disputed Sudan-South Sudan border—as well as South Sudan's ongoing shutdown of its oil production despite the very harmful impact on its economy—continue to undermine trust and cooperation between the two countries. The considerable mistrust and suspicion between Sudan and South Sudan also appears to dampen the leverage that the Council is able to have on their calculations. (The violence of late March occurred only weeks after the 6 March presidential statement.)

Options

With regard to UNISFA, the Council could discuss the Secretary-General's report but take no formal action at the present time. Another option would be to consider issuing a statement that:

- reiterates calls made in the 6 March presidential statement for the departure of Sudanese and South Sudanese security forces from Abyei and the establishment of the Abyei Area Administration;
- signals its support for the 13 March agreement on boundary demarcation;
- encourages the parties to expedite the establishment of the Joint Border Verification and Monitoring Mechanism; and
- responds to the summit between the presidents of Sudan and South Sudan or expresses concern if it is cancelled.

Regarding the humanitarian situation in Blue Nile and South Kordofan, the Council may

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consider calling for a briefing from Valerie Amos, Under-Secretary-General for Humanitarian Affairs, or other OCHA officials, if and when more information becomes available on the situation on the ground.

Additionally, more regular interaction with Mbeki or other members of the AU High-Level Implementation Panel on the status of negotiations, either in person or via videoconference, could be helpful to the Council's decision-making processes.

Council Dynamics

There appears to be concern among several Council members that the situation in Abyei has reached an apparent stalemate with, for example, security forces from both sides still in the region and no progress in establishing the Abyei Area Administration. While many members believe that UNISFA is doing a good job, some are concerned that the mission cannot conduct all of its mandated tasks (for example, border-monitoring support) because of a lack of progress between Sudan and South Sudan in resolving fundamental political and technical issues.

Several members seem to have found Mbeki's briefing in the "informal interactive dialogue" very useful in gaining an understanding of the status of negotiations between Sudan and South Sudan and the dynamics in the relationship between them.

Several elected members seem to feel that key permanent members have demonstrated a greater willingness than had been the case in the past to be flexible and pragmatic on Sudan and South Sudan issues. (This is reflected by the fact that the 6 March presidential statement and the 27 March press statements were negotiated in relatively condensed time periods.) Nonetheless, there is widespread concern among Council members at the very fragile state of relations between Sudan and South Sudan and the negative impact that these tensions have on their ability to reach agreement on the issues separating them.

The US is the lead country on UNISFA.

UN Documents

Security Council Resolutions

- S/RES/2032 (22 December 2011) renewed UNISFA's mandate.
- S/RES/2024 (14 December 2011) added a border-monitoring support role to UNISFA's mandate.
- S/RES/1997 (11 July 2011) liquidated UNMIS.
- S/RES/1996 (8 July 2011) established UNMISS.
- S/RES/1990 (27 June 2011) established UNISFA.

Latest Secretary-General's Report

• S/2012/175 (23 March 2012)

Presidential Statement

• S/PRST/2012/5 (6 March 2012) urged the parties to reach agreement on the unresolved issues separating them.

Press Statements

- SC/10594 (27 March 2012) was primarily on the violence along the Sudan- South Sudan border.
- SC/10543 (14 February 2012) was on South Kordofan and Blue Nile.

Other Relevant Facts

Special Envoy of the Secretary-General on Sudan and South Sudan

Haile Menkerios (South Africa)

UNISFA: Force Commander and Head of Mission

Lt. Gen. Tadesse Werede Tesfay (Ethiopia)

UNISFA: Size and Composition

Maximum authorised strength: up to 4,200 military and 50 police Deployment as of 31 January 2012: 3,796 total uniformed personnel (including 3,715 troops, 81 military observers) and 27 international civilian personnel Troop contributor: Ethiopia

Sudan/Darfur

Expected Council Action

In April, the Council is scheduled to receive a briefing and discuss in consultations the Secretary-General's quarterly report on the AU-UN Hybrid Mission in Darfur (UNAMID).

In accordance with resolution 2003, the Council will also likely consider the review of "the uniformed personnel required for UNAMID to ensure the most efficient and effective implementation of the mission's mandate," which was conducted by the Secretary-General in consultation with the AU. (The findings of this review, which will take the form of an internal document, will likely be integrated into the Secretary-General's report.)

The Council is also likely to discuss the Framework for AU and UN Facilitation of the Darfur Peace Process, (formerly described as a "road map"), which had been delayed for several months but was released in the latter part of March.

At press time, it was not clear whether there would be a formal outcome to the Council's deliberations on Darfur, particularly with regard to the review of uniformed personnel and publication of the framework.

Key Recent Developments

The Council renewed the mandate of the Panel of Experts (PoE) of the 1591 Sanctions Committee for an additional year on 17 February. The resolution renewing the mandate contained several new elements. It *inter alia* expanded the listing criteria for the travel ban and assets freeze to include entities (as well as individuals) requested that the PoE apprise the Committee of its activities on a monthly basis and expressed concern that all states were not implementing the assets freeze and travel ban on designated individuals.

On 21 March, Ambassador Néstor Osorio (Colombia), chair of the 1591 Committee, briefed the Council in consultations on the recent activities of the Committee. His presentation focused on the recommendations outlined in the recent report of the PoE, which was circulated to Council members in late January but had not been released publicly at press time.

On 27 January, Human Rights Watch sent a letter to Secretary-General Ban Ki-moon expressing its concern that Ibrahim Gambari, the joint UN-AU Special Representative for Darfur, had attended the wedding of Chadian President Idriss Déby, at which Sudanese President Omar al-Bashir was also a guest. The letter noted that "UN guidelines state that 'the presence of UN representatives in any ceremonial or similar occasion with (persons indicted by international criminal courts) should be avoided." Gambari was photographed at the wedding with Bashir, who has been indicted by the International Criminal Court (ICC) for war crimes, crimes against humanity and genocide.

The ICC issued an arrest warrant on 1 March for Abdelrahim Mohamed Hussein, Sudan's Defence Minister, for crimes against humanity and war crimes allegedly committed in Darfur between August 2003 and March 2004, when Hussein was Minister of the Interior and Special Representative of the President in Darfur. (ICC Prosecutor Luis Moreno-Ocampo had requested the pretrial chamber to issue a warrant for Hussein's arrest on 2 December 2011.)

A series of workshops to disseminate the Doha Document for Peace in Darfur throughout the region began on 18 January. Led by the signatories to the document (the Sudanese government and the Liberation and Justice Movement) and supported logistically by the UN, these workshops are designed to promote greater understanding of the Doha document among the people of Darfur and to create an environment conducive to its implementation.

On 8 February, the Darfur Regional Authority, responsible for managing implementation of the Doha document and development in the region, was officially launched in El-Fasher. In a message read on his behalf by Gambari, the Secretary-General urged the Sudanese government and the Liberation and Justice Movement to "take all necessary measures to equip the authority to fulfil its responsibility to promote reconciliation, early recovery and development" in Darfur.

The Darfur peace process framework was published in late March. The framework outlines mediation and facilitation steps that can be undertaken by the UN and the AU to support the peace process in Darfur. It is based on three key elements:

- implementation of the Doha document;
- engagement with the Sudanese government and rebel groups that have not signed the Doha document; and
- dialogue with Darfurians on the peace process.

The framework states that UNAMID will monitor the political and civil rights of participants involved in consultations on the peace process and use its "good offices" role in conjunction with the AU High-Level Implementation Panel to encourage implementation of the Doha document. It also notes that the Sudanese government and the Liberation and Justice Movement will have to be flexible and possibly renegotiate elements of the Doha document with rebel groups that have not acceded to the peace process.

UNAMID has continued to operate under challenging security conditions. On 19 February, 55 UNAMID peacekeepers on patrol in north-western Darfur were blocked by approximately 100 rebels from the Justice and Equality Movement. The peacekeeping patrol, which included 50 Senegalese troops, remained in the area for two days, while negotiations took place to secure the release of one Yemeni police advisor and two Sudanese language assistants, who were part of the patrol and who had been detained by the rebel group. On 24 February, two members of a UNAMID formed police unit were wounded near El Dein in East Darfur when an unidentified gunman shot them while they were travelling in a bus near their base. Additionally, a UNAMID peacekeeper was killed and three were wounded on 29 February when unidentified gunmen ambushed them near the town of Shearia in South Darfur.

Key Issues

A key issue is how the Council responds to the findings of the review of personnel required for UNAMID to carry out its mandate effectively and, in particular, how this affects the mission's structure. (It seems that the review may recommend a reduction in the number of military personnel needed by UNAMID.)

Another key issue is whether the framework can breathe life into the peace process in Darfur. A related and ongoing issue is the fact that several key rebel groups in the region have not agreed to the Doha document, including the Justice and Equality Movement, the Sudan Liberation Army-Abdul Wahid and the Sudan Liberation Army-Minni Minawi.

An important issue is whether Gambari's presence at a social event also attended by Bashir is in keeping with his responsibilities as the joint AU-UN Special Representative and mediator in Darfur or whether it represents a violation of UN guidelines regarding interaction with persons indicted by the ICC.

Further key issues are the targeting of UNAMID peacekeepers and the challenges

they face in ensuring their own security. (Thirty-six UNAMID peacekeepers have been killed since the mission deployed on 31 December 2007.)

Also a key issue is whether and when the final report of the PoE, which was circulated to Council members in late January, will be publicly released. (The last final report of the PoE, which was submitted to the Committee in October 2010 and conveyed to the Council proper in November 2010, was delayed by China and did not become public until March 2011.)

Options

Regarding the review of UNAMID's uniformed personnel, options for the Council include:

- maintaining the force level;
- reducing the current force level; or
- deferring a decision until July, when the mandate is scheduled to expire, to allow time for further consideration of the review's findings.

The Council may also consider a statement:

- welcoming the framework of the facilitation of the Darfur peace process;
- reaffirming its support for the peace process,
- expressing its concern at Gambari's judgement in attending a wedding at which Bashir's presence could have been anticipated.

Another option is for the 1591 Committee to consider imposing an assets freeze and/or travel ban on rebel groups in Darfur that have not joined the peace process, as a means of pressuring them into doing so. (Imposing such sanctions on these groups is now possible, as resolution 2035 has expanded the purview of the sanctions regime to include entities as well as individuals.)

Human-Rights Related Development

At its last session, concluded on 23 March, the Human Rights Council endorsed Mashood Baderin as the new UN Independent Expert on the situation of human rights in Sudan. (Baderin replaces Mohamed Chande Othman, who resigned from his post on 19 December 2011. He is an academic with expertise in international law, Islamic law and human rights.)



Council Dynamics

Several Council members believe that, especially in an era of financial austerity, UNAMID may be able to fulfil its mandate with a smaller force level through enhanced operational efficiency. While it appears that banditry and criminality are a serious problem in Darfur (including for UNAMID's personnel), some members also seem to believe that there has been enough progress in the security situation in Darfur to permit a reduction.

Several members appear disappointed with the Darfur peace process framework. There is a sense among these members that the document does not offer much in terms of fresh thinking and that, in some instances, it merely outlines activities already underway. Likewise, several Council members seem uncertain as to why there was a long delay in finalising the document. The Secretary-General noted in his October 2011 report on Darfur that the framework would be completed by the end of 2011.

There appears to be differences of opinion concerning whether or not the Council has a responsibility to publish the report of the PoE. Some members believe that, as a matter of procedure and transparency, the report should be made public. Others, however, believe that there is not a responsibility to do so, feeling as well that the report contains inaccuracies. Different perspectives regarding whether or not to make public the report is relevant to Council sanctions regimes more generally; for example, the most recent reports of the PoE of the 1718 Sanctions Committee (North Korea) and the 1737 Sanctions Committee (Iran) have also been put on hold and have not been released publicly.

The UK is the lead country on Darfur.

UN Documents

Security Council Resolutions

 S/RES/2035 (17 February 2012) extended the mandate of the Sudan sanctions panel of experts until 17 February 2013.

- S/RES/2003 (29 July 2011) extended UNAMID's mandate until 31 July 2012.
- S/RES/1593 (31 March 2005) referred the situation in Darfur to the ICC.
- S/RES/1591 (29 March 2005) and S/RES/1556 (30 July 2004) imposed sanctions.

Secretary-General's Reports

- S/2011/814 (30 December 2011) was the most recent quarterly report on UNAMID.
- S/2011/252 (15 April 2011) was on implementation of the Darfur Political Process.

Other

- S/2012/166 (20 March 2012) contained the Framework for African Union and United Nations Facilitation of the Darfur Peace Process.
- S/PV.6700 (11 January 2012) was the Council's discussion of the Secretary-General's most recent report on UNAMID.

Other Relevant Facts

UNAMID: Joint AU-UN Special Representative for Darfur

Ibrahim Gambari (Nigeria)

UNAMID: Force Commander

Lt. Gen. Patrick Nyamvumba (Rwanda)

UNAMID: Size, Composition, and Cost

Maximum authorised strength: up to 19,555 military personnel, 3,772 police and 19 formed police units (total police 6,432) Main troop contributors: Nigeria, Rwanda, Egypt, Ethiopia and Senegal

Military strength as of 29 February 2012: 17,767 troops and 308 military observers Police Strength as of 29 February 2012: 5,182 police personnel Annual Budget: \$1.69 billion

Western Sahara

Expected Council Action

Prior to the 30 April expiry of the mandate of the UN Mission for the Referendum in Western Sahara (MINURSO), the Council is due to receive the Secretary-General's report and a briefing on its contents and most recent developments by MINURSO's head and Special Representative of the Secretary-General, Hany Abdel-Aziz.

The Council will also likely be briefed in consultations by the Secretary-General's Personal Envoy for Western Sahara, Christopher Ross. MINURSO's mandate is expected to be renewed for another year.

Key Recent Developments

On 26 October 2011, Ross noted in a briefing to the Council that the last two rounds of informal talks (held between 5-7 June and 19-21 July respectively) between parties to the conflict-Morocco and the Sahrawi national liberation movement, the Polisario Front-had only partially been successful. Ross stated that the issue could only be resolved with the Council's attention and support and it was necessary to introduce new measures to break the current deadlock. He added that the next round of informal talks was likely to take place in early 2012 and after the parliamentary elections in Morocco. Ross also emphasised the need for the Council to revisit MINURSO's role as well as a requirement to assess the human rights situation. (Morocco's parliamentary elections were subsequently held on 25 November 2011.)

Morocco and the Polisario Front met for the ninth round of informal talks between 11-13 March in Greentree, New York. Algeria and Mauritania sent delegations to attend certain sessions of the talks. After the meeting, Ross issued a communiqué, stating "the discussions took place in an atmosphere of serious engagement, frankness, and mutual respect." Ross also noted that "each party continued to reject the proposal of the other as the sole basis for future negotiations, while reiterating their willingness to work together to reach a solution in conformity with the pertinent resolutions of the United Nations." The next rounds of informal meetings are due to take place in Europe in June and at a location yet to be confirmed in July.

In an incident that exposed ongoing tensions, seven people were reported dead after fighting broke out on 25 September 2011, following a football match in Dakhla between a Western Saharan team, Mouloudia Dakhla, and Chabab Mohammadia, a Moroccan team. The fighting lasted for a few days.

On 23 October, three aid workers—two Spanish and one Italian—were kidnapped

reportedly by members of an Al-Qaida splinter group called *Jamat Tawhid Wal Jihad Fi Garbi Afriqqiya* (Movement for Oneness and Jihad in West Africa), in the Sahrawi refugee camps in Tindouf in southwestern Algeria. In a 28 October press release, the Chairperson of the Commission of the AU, Jean Ping, strongly condemned the action of the kidnappers and called on all regional countries to increase their cooperation in fighting terrorism. On 4 March, the kidnappers reportedly asked for a ransom of 30 million euros to free the hostages, who at press time remained in captivity.

Human Rights-Related Issues

In an interview on 25 January with the UN News, Ross remarked that he hoped "that the people of Western Sahara, whether they be in the territory or in the refugee camps, would enjoy full human rights, including the freedom to express their views on their future and that the negotiators would take these views into account."

Key Issues

A key issue for the Council to consider is the nature of its own role to encourage progress in the implementation of MINURSO's mandate, in place since 1991, and to alleviate the situation of the Saharawi population.

A related issue is its possible role in easing the nearly five-year deadlock in the informal negotiations between Morocco and the Polisario Front. This impasse has been caused mainly by the refusal of both parties to accept the proposal of the other as the sole basis of negotiation. (The current negotiation process has gone on since April 2007 when both Morocco and the Polisario Front presented their respective proposals to the Council.)

A newly emerging key issue for the Council is the added sense of urgency and the need to ensure that the instability and reported proliferation of arms in the region following the change in regimes in nearby countries, notably Libya, are not used to exploit the sense of frustration inevitably felt by people living in refugee camps.

An ongoing issue for the Council is to ensure that all parties fully commit to, and observe, human rights of all individuals caught in the conflict.

Underlying Problems

An underlying issue for the Council when it renews the mandate of MINURSO, will be the situation following the Arab Spring affecting the whole Sahel region.

Options

One option for the Council is to adopt a resolution that renews MINURSO's mandate taking into account recommendations made in the Secretary-General's forthcoming report.

To highlight the Council's concern with the lack of progress in the negotiations, another option would be to adopt a resolution that would also include:

- encouragement for both parties to focus on common ground to resume formal discussions instead of devoting energy to points of contention;
- emphasis on the urgent need for the resolution of the dispute and, in this regard, encouragement to both parties to achieve short-term goals while aiming for the ultimate solution, "which will provide for the self-determination of the people of Western Sahara in the context of arrangements consistent with the principles and purposes of the Charter of the United Nations" (resolution 1979);
- emphasis on the inclusion of a wide cross-section of the population of Western Sahara in the discussion of issues related to final status and the exercise of self-determination;
- introduction of a human rights component to MINURSO's mandate (in line with the current practice of most UN peacekeeping missions); and
- request for regular briefings, including on the human rights aspects of the situation as well as the impact on Sahel of the recent regime changes in the region.

Council and Wider Dynamics

In the wake of the Arab Spring and the Council's pronounced support, on the one hand for democracy in the region, and on the other hand its concerns about the destabilising impact of the fallout from Libya on the Sahel region, the situation of Western Sahara has acquired a degree of urgency in the minds of some Council members. These Council members are concerned that if the moderate elements from within the Polisario Front are not assisted by the Council in delivering a peaceful solution to the Sahrawi people soon enough, then, inevitably, Islamist radical elements operating in the Maghreb-Sahel will manipulate the situation to their advantage and find a favourable recruiting ground amongst a population that is in despair.

Some Council members, who are concerned about the lack of progress on this issue, are aware that the consultations due to be held in April for MINURSO's mandate renewal will subsequently impact the next round of informal talks due to take place in June. They feel that informal talks, overall, have been unsuccessful despite some progress on confidence-building measures. Council members had shared Ross's concern, expressed during his last briefing to the Council at the lack of progress made by the parties to the conflict and some were disappointed at the delay in the next round of informal talks. The UK has been supportive of Ross' efforts but acknowledges that no progress has been made and that the current impasse is not sustainable long-term.

Council members remain divided on the best way to resolve the conflict in Western Sahara. Countries such as South Africa acknowledge that MINURSO has been successful in preserving the ceasefire since its inception. However, they are aware that the key objective of self-determination for the people of Western Sahara has yet to be met besides concrete progress in the human rights domain. The duration of this mission, over 20 years now, has been a considerable concern to several members. At the time of the last MINURSO mandate renewal, a concern was voiced that there were no African or Arab members within the Group of Friends of Western Sahara, which is comprised of France, Russia, the US, the UK and Spain. This remains the case.

As a party to the conflict, Morocco's membership of the Council in 2012 will most likely have a considerable impact on the overall dynamic on this issue. Some Council members feel that Morocco's close partnership with the P3 on the Syrian issue is going to be of benefit to Morocco in the context of Western Sahara, a key national priority of the country. Moreover, many Council members are not expecting any significant development on this issue and feel that the Council is incapable of acting in a neutral capacity on this particular issue.

The US is the lead country on Western Sahara.



UN Documents

Security Council Resolutions

- S/RES/1979 (27 April 2011) renewed MINURSO's mandate until 30 April 2012.
- S/RES/1920 (30 April 2010) renewed MINURSO's mandate and welcomed the parties' agreement to hold small, informal talks.
- S/RES/690 (29 April 1991) established MINURSO.

Latest Secretary-General's Report

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• S/2011/249 (1 April 2011)
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Other

- S/2011/460 (26 July 2011) was the President of the Council's letter to the Secretary-General acknowledging the receipt of his earlier letter to the Council.
- S/2011/459 (22 July 2011) was the Secretary-General's letter to the President of the Council informing the Council of his intention to appoint Maj. Gen. Abdul Hafiz (Bangladesh) as force commander of MINURSO.
- SC/10234 (27 April 2011) was a press release reporting the extension of MINURSO's mandate.
- S/PV.6516 (18 April 2011) was the official communiqué of the closed meeting between the Council and the troop- and police-contributing countries to MINURSO.

Other Relevant Facts
Special Representative of the Secretary-General
Hany Abdel-Aziz (Egypt)
Secretary-General's Personal Envoy
Christopher Ross (United States)
MINURSO Force Commander
Maj. Gen. Abdul Hafiz (Bangladesh)
Size and Composition of MINURSO as of 29 February 2012
Authorised: 237 troops; 6 police officers

Current: 233 total uniformed personnel (i.e. 27 troops; 5 police officers; 201 military observers); 101 international civilian personnel; 165 local civilian staff; 19 UN Volunteers

Military Contributors: Argentina, Austria, Bangladesh, Brazil, China, Croatia, Djibouti, Egypt, El Salvador, France, Ghana, Guinea, Honduras, Hungary, Ireland, Italy, Jordan, Malaysia, Mongolia, Nepal, Nigeria, Pakistan, Paraguay, Poland, Republic of Korea, Russian Federation, Sri Lanka, Uruguay and Yemen. *Police Contributors:* Egypt, El Salvador and Jordan.

Cost

1 July 2011 to 30 June 2012: \$63.22 million (A/C.5/66/14)

Côte d'Ivoire

Expected Council Action

In April the Council is expected to consider the final report of the panel of experts (PoE) that supports the Côte d'Ivoire Sanctions Committee. Resolution 1980 of 28 April 2011 renewed for a year an arms embargo, a ban on the diamond trade that was helping fuel the conflict and sanctions on travel by selected individuals deemed to be threats to "peace and national reconciliation" in the country. The Council is expected to renew the sanctions regime and the mandate of the PoE, though at press time it was unclear whether the sanctions regime will be modified and how.

The mandate of the UN Operation in Côte d'Ivoire (UNOCI) expires on 31 July.

Key Recent Developments

Albert Gerard Koenders, the Secretary-General's Special Representative in Côte d'Ivoire and head of UNOCI, briefed the Council on 26 January on the December 2011 legislative elections. As many as 1,160 candidates from 35 parties contested 255 legislative seats. The UN deployed 7,000 troops across the country; to complement this, three armed helicopters and two military utility helicopters from the mission in Liberia were transferred to Côte d'Ivoire from 3 to 31 December. Voter turnout was predictably low at 35 percent, but the elections were largely peaceful.

Incidents of violence, however, were reported after the polls. Government forces killed ten people in December 2011 in the western town of Vavoua and the southern town of Sikensi.

In early February, the Department of Peacekeeping Operations (DPKO) sent an assessment mission to Côte d'Ivoire to look at various contentious issues, including security, relating to overall stability in the country. The report is expected to be circulated to Council members by the end of March.

On 12 March, former Prime Minister Guillaume Soro was elected head of the National Assembly. Soro had said on 15 December that Côte d'Ivoire would ratify the Rome Statute of the International Criminal Court (ICC) once the National Assembly began deliberations. As the former leader of the *Forces Nouvelles* rebel group, which human rights activists have accused of widespread violations, Soro's attitude towards the ICC will be important.

Human Rights-Related Developments

On 21 March, the Human Rights Council (HRC) discussed the report of the UN Independent Expert on the situation of human rights in Côte d'Ivoire, Doudou Diene. Diene noted that most of human rights violations resulted "less from the state's complicity than from its failure to prevent them, because of the difficulty of reforming the security sector." Diene implicated rogue government forces in 27 cases of torture and inhumane and degrading treatment and 22 cases of arbitrary arrests. He told the HRC that the long-lasting roots of the crisis in the country were based on three main factors: the fight for political power to the detriment of human rights; the relationships among the political structure, ethnicity and rural land policy; and the predominance of a culture of impunity and lawlessness at all levels of power. He stated that the mandate of the Truth, Reconciliation and Dialogue Commission was weakened by a lack of a reference to justice, and he urged that priority be given to the question of reform in the security sector, especially to the disarmament, demobilisation and reintegration of former rebels. For its part, the government told the HRC that it had taken strict measures to confine to barracks and reform the troops of the Republican Forces who had participated in the recent conflict.

The last Côte d'Ivoire PoE report discussed by the Council was submitted on 17 October 2011. That report highlighted a number of crucial gaps. The PoE did not have an arms expert, though illicit arms and weapons proliferation were a core concern. It reported that after the serious nation-wide violence following presidential elections in November 2010, "thousands of weapons still remain unaccounted for" and these weapons "pose a threat to the stabilisation of the country." The report cited the views of government interlocutors that the threat is particularly palpable in the west of the country, bordering Liberia. (The latest Liberia PoE report, which was discussed by the Council on 9 December 2011, details the impact of the return of an estimated 4,500 Liberian mercenaries who had been hired and deployed by former president Laurent Gbagbo during the conflict in Côte d'Ivoire. The Liberia PoE claimed to have interviewed a large number of mercenary commanders in Liberia but reported finding few combat weapons in the hands of these ex-mercenaries.)

The Côte d'Ivoire PoE report gave considerable space to diamond mining, which was a source of funding for some of the armed groups in the country. It noted that the situation in the diamond fields has "not changed dramatically following the postelectoral crisis", and that diamond mining in northern Côte d'Ivoire "continues unabated and there is a lack of oversight and control of diamond operations." But it stated that the PoE was "unable to establish a direct link between the possible diversion of revenues from diamond-mining activities and the purchase of weapons by either party involved in the conflict." Côte d'Ivoire is not a participant in the Kimberley Process Certification Scheme (KPCS), though the Ministry of Mines and Energy informed the PoE that Côte d'Ivoire "has met several of the minimum standards for compliance." The PoE report, however, noted that the only evidence the Ministry provided for this claim was a copy of Decree No. 2003-143, which states the government's commitment to the KPCS.

Of immediate interest in view of the ICC's ongoing investigations was the report's dealing with a number of individuals on the travel ban list. One such individual is Charles Blé Goudé, a notorious former ally of Gbagbo who was reported to have committed mass atrocities. The report noted that Goudé "is outside the country, which would constitute a clear violation of the travel ban." Goudé, who is believed to be in a neighbouring country, "still exercises leadership over the *Congrès panafricain des jeunes et patriotes* (COJEP) and intends to reactivate his political network in Côte d'Ivoire," the report stated. (On 1 July 2011, the Côte d'Ivoire government issued an international arrest warrant calling for the apprehension of Goudé for serious violations of human rights.)

Another individual discussed is Martin Kouakou Fofié, a commander in Soro's *Forces Nouvelles* who was reported to have been involved in abuses. The PoE report noted that on 3 August 2011, "Fofié was appointed by the current government as the military commander of Zone 10 of the country and is based in Korhogo."

The report expressed concern about "the lack of oversight by state authorities of the transport of cargo to and from neighbouring countries." It noted that "based on an assessment of the extensive movement of transit cargo between Burkina Faso and Mali prior to the post-electoral crisis...a significant amount of revenue must have been generated from such trade." Therefore, the report "cannot dismiss the possibility that such revenues were used for the purchase of arms and related materiel in breach of the embargo."

The latest PoE report on Côte d'Ivoire was submitted to the 1572 Sanctions Committee members in March. It is expected to be discussed by the Committee and then by the Council in consultations in the first half of April, and to be published after that.

Key Issues

The key issue for the Council is the suitability of the sanctions regime as currently designed in view of the current political situation and steps taken by the government of President Alassane Ouattara to consolidate state authority and to establish the rule of law throughout the country.

A related issue is what measures would be most suitable to boost addressing some key challenges faced by the government, such as the extension of state authority to all or most parts of the country. A further issue is the successful implementation of the transitional justice mechanisms that are being set in motion, including the, indictment of former President Gbagbo by the ICC, further ICC investigations, the prosecution for economic crimes and the work of the Dialogue, Truth and Reconciliation Commission.

Options

Removing most of the measures contained in the current sanctions regime, with the exception of the travel ban (to assist the ICC investigations) and the diamond sanctions (until Côte d'Ivoire is fully compliant with the requirements of the KPCS and becomes a participant) is an option.

Maintaining the sanctions regime through a technical rollover of resolution 1980 and renewing the mandate of the PoE (possibly for shorter period than a full year) is another option.

Council Dynamics

Within the Council, it seems there is consensus among members for the need to assist Côte d'Ivoire through its current phase of peace consolidation, reconstruction and the reconciliation process. Council members, in particular France co-sponsor with Nigeria of resolution 1975 of 30 March 2011, which imposed targeted sanctions against five individuals and reaffirmed UNOCI's mandate to protect civilians—continue to pay significant attention to the issue.

France is the lead country in the Council on Côte d'Ivoire.

UN Documents

Security Council Resolutions

- S/RES/2025 (14 December 2011) extended the sanctions regime on Liberia and the mandate of its Panel of Experts.
- S/RES/2008 (16 September 2011) extended the mandate of UNMIL until 30 September 2012 and called on UNOCI and UNMIL to coordinate strategies and operations in the Liberia-Côte d'Ivoire border regions.
- S/RES/2000 (27 July 2011) renewed the mandate of UNOCI at its current force levels (including the earlier adhoc increases) until 31 July 2012.
- S/RES/1992 (29 June 2011) extended the temporary redeployment of



helicopters from UNMIL to UNOCI until 30 September.

- S/RES/1980 (28 April 2011) extended the sanctions regime and the mandate of the group of experts monitoring it for one year.
- S/RES/1980 (19 January 2011) authorised the redeployment of aviation assets from UNMIL to UNOCI.

Latest Secretary-General's Report

• S/2011/387 (24 June 2011)

Letters

- S/2011/577 (15 September 2011) was from the Secretary-General to the president of the Council on the intermission (UNOCI and UNMIL) use of three helicopters and the transfer of 150 military and 100 police personnel from UNOCI to UNMIL from 1 October to 30 November 2011.
- S/2011/468 (26 July 2011) and S/2011/469 (28 July 2011) was an exchange of letters containing the Secretary General's intention to appoint Albert Gerard Koenders as special representative for Côte d'Ivoire and head of UNOCI.
- S/2011/419 (7 July 2011) appointed four individuals to the group of experts for the Côte d'Ivoire sanctions committee.

Meeting Record

• S/PV.6577 (8 July 2011) was the latest briefing on UNOWA.

Other Relevant Facts

Special Representative of the Secretary-General and Head of Mission

Albert Gerard Koenders (Netherlands)

UNOCI Force Commander

Maj. Gen. Gnakoudè Béréna (Togo)

UNOCI: Size, Composition, Cost and Duration

Authorised Strength: 11,142 total uniformed personnel, including 9,600 troops, 192 military observers, 1,350 police Strength (as of 31 July 2011): 8,974 troops, 193 military observers, 1,276 police personnel *Main troop contributors:* Bangladesh, Pakistan, Jordan, Morocco and Malawi *Annual Budget:* \$486.7 million *Duration:* 4 April 2004 to present; mandate expires 31 July 2012

Israel/Palestine

Expected Council Action

In late April the Security Council is due to hold its quarterly open debate on the Middle East. The focus of discussion will likely be whether the Quartet has been able to achieve sufficient impetus to break the stalemate in the Israel/Palestine peace process.

The Quartet—comprising the EU, Russia, the UN and the US—will next meet on 11 April in Washington, DC.

Key Recent Developments

The Quartet last met on 12 March on the sidelines of the Security Council high-level debate on challenges and opportunities in the Middle East. The Quartet called on the parties to remain engaged with the process and avoid provocative actions. It also expressed concern over the significant exchange of fire from 9-13 March between Gaza and Israel which resulted in the death of 24 Palestinians and the injury of 75 Palestinians and 11 Israelis.

Despite exploratory talks hosted by Jordan in January and Secretary-General Ban Kimoon's visit to the region in early February, there has been little progress towards meeting the timeline set out by the Quartet on 23 September 2011 for an agreement by the end of 2012. In particular, the deadline for parties to be in direct negotiations and to exchange proposals for border and security arrangements by 26 January was missed; reports indicate that only the Palestinian Authority submitted the requested proposals. (The most recent round of direct talks started and quickly ended in September 2010 over the issue of settlements. Previous direct talks were terminated in late 2008 after the outbreak of the Gaza war.)

US President Barack Obama phoned Palestinian President Mahmoud Abbas on 19 March, reaffirming American commitment to the peace process and Quartet objectives. On 23 March, the Palestinian Ministry of Foreign Affairs called on the Quartet to adopt a clear position on the 1967 borders, including East Jerusalem, as one of the parameters for direct negotiations. (Last September, the Quartet was unable to reach agreement on parameters beyond reaffirming support for Obama's vision for peace as laid out in his 19 May 2011 speech.)

On 27 March, Special Coordinator Robert Serry briefed the Council reporting that prospects for direct negotiations remain slim and that without a political horizon the state-building efforts of the Palestinian Authority are at risk.

On 18 January, Under-Secretary-General for Humanitarian Affairs Valerie Amos briefed Council members in informal consultations on the humanitarian impact of Israeli settlements in the Occupied Palestinian Territories.

The Security Council's Admissions Committee reported on 11 November 2011 that it was unable to reach a unanimous recommendation on Palestine's bid for UN membership.

Human Rights-Related Developments

On 22 March, the UN Human Rights Council adopted a resolution establishing an independent international fact-finding mission to investigate the implications of Israeli settlements on the rights of Palestinians in the Occupied Palestinian Territories, including East Jerusalem. The resolution asked the Secretary-General to report back in June on the resolution's implementation. It passed with 36 votes, ten abstentions and one no vote from the US. Media reports indicate that Israel has instructed its envoy in Geneva not to cooperate with the Human Rights Council or the High Commissioner for Human Rights and that Israel would not grant access to the fact-finding mission.

Key Issues

The key issue is whether the Council can play any role in addressing the Israel/Palestine conflict, including the establishment of parameters for direct negotiations.

Underlying Problems

For the Palestinian Authority, continued Israeli settlement activity remains the key blockage to the resumption of direct negotiations.

Israel has said it will not negotiate with a Palestinian government that includes Hamas. (On 6 February, Hamas and Fatah agreed on an interim government led by Abbas that would prepare for presidential and parliamentary elections. However, progress on implementing the agreement has stalled.)

Options

If the Quartet is able to agree on a statement establishing parameters for direct negotiations, an option for the Council could be to endorse such a Quartet statement in a press or presidential statement.

Alternatively, if the Quartet diplomatic initiative is unable to yield results, the Council could decide to issue a presidential statement or adopt a resolution, using language already agreed in past Council decisions, as a firm pronouncement of the international consensus on the core issues:

- negotiations based on 1967 borders with equivalent and agreed land swaps;
- security arrangements that respect Palestinian sovereignty and Israeli security concerns;
- a just solution to the refugee question; and
- fulfilment of both Israeli and Palestinian aspirations for Jerusalem.

Another option is to act upon the February invitation from the Palestinian Observer Mission to the UN for the Council to undertake a visiting mission to the Occupied Palestinian Territories, including East Jerusalem.

Options regarding Palestine's application for UN membership seem limited. The application was in effect "put on the shelf" after the Admission's Committee reported that it was unable to reach a unanimous recommendation and is unlikely to be revived without a clear signal from Ramallah.

Council Dynamics

The US has a clear position that the Council is not the appropriate body for establishing parameters regarding the Israel/Palestine peace process—this position is likely to remain particularly rigid in the near term due to domestic political concerns in the run up the November US presidential election. Few, if any, Council members would disagree that the fundamentals of any agreement must be reached through direct talks. However, most consider that this does not necessarily rule out a Council role in the peace process—especially if it were to provide Abbas the political leverage to return to talks.

This point of view was articulated during the 12 March high-level debate when several Council members expressed concern at the failed peace process, especially in the context of the Arab Spring, and suggested the Council could have a role to play.

Many Council members, while supportive of the Quartet's diplomatic role, have been concerned about remaining on the sidelines of the peace process. This was exhibited following the 20 December 2011 monthly Middle East briefing and consultations when EU Council members (France, Germany, Portugal and the UK) in remarks to the press criticised increased Israeli settlement construction and settler violence and reiterated EU principles on borders, security, refugees and Jerusalem. The IBSA members of the Council (India, Brazil, and South Africa), Lebanon on behalf of the Arab Group and South Africa on behalf of the Non-Aligned Movement, also delivered statements critical of settlements.

Brazil and Lebanon have since rotated off the Council but elected members new to the Council in 2012—Azerbaijan, Guatemala, Morocco, Pakistan and Togo—have seemed to indicate there should be political space for a more robust Council role on the Israeli-Palestinian issue, especially as there seems to be a gap between the Quartet approach and the realities on the ground.

UN Documents

Security Council Resolutions

- S/RES/1850 (16 December 2008) supported the Annapolis peace process and its commitment to the irreversibility of bilateral negotiations.
- S/RES/1515 (19 November 2003) stated the necessity for a two-state solution and unanimously endorsed the Quartet's Road Map.

Security Council Meeting Records

• S/PV.6742 (27 March 2012) was the most recent briefing on the Middle East.

• S/PV.6734 (12 March 2012) was the debate on challenges and opportunities in the Middle East.

Security Council Report

 S/2011/705 (11 November 2011) was the Security Council's Admissions Committee report on its activities related to Palestine's 23 September 2011 application for UN membership (S/2011/592).

Human Rights Council

 A/HRC/19/L.35 (19 March 2012) was the draft resolution establishing a fact-finding mission to investigate the implications of Israeli settlements on Palestinian rights.

Iraq

Expected Council Action

The Council is due to receive the Secretary-General's report on the UN Assistance Mission for Iraq (UNAMI) and a briefing on its contents and developments from Martin Kobler, head of UNAMI. Ambassador Hamid Al-Bayati, Permanent Representative of Iraq, is also expected to address the Council.

The Council is also expecting the Secretary-General's report on the Iraq Oil for Food escrow account according to paragraphs 4 and 5 of resolution 1958.

UNAMI's mandate expires on 28 July.

Key Recent Developments

A wave of violent sectarian attacks followed the December 2011 withdrawal of US troops and the arrest warrant, which was issued in the same month, for the Sunni Vice President Tariq al-Hashemi.

On 26 December 2011, at least seven people were reported killed and 27 injured, as a result of a suicide car bomb attack outside the Ministry of Interior in Baghdad. On 5 January, 70 people were reported dead and more than 100 wounded due to multiple bombings targeting Shia pilgrims in Nasiriya and Baghdad. Rockets were fired at Baghdad's Green Zone on 6 January as Prime Minister Nuri al-Maliki presided over a military parade.

A bomb killed 53 Shiite pilgrims and wounded 137 near Basra on 14 January. At

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least eight people were reported dead and six wounded when a bomb targeted a Shiite district outside Mosul on 16 January. On 24 January, four car bombs killed 14 people and wounded 75 in Shiite areas in Baghdad. On 26 January, two Iraqi policemen and eight relatives were killed when militants allegedly used explosives to blow up their home. At least 32 people were killed and 60 injured on 27 January when a suicide bomber targeted a funeral procession in a Shiite district of Baghdad.

Violent attacks continued in recent weeks. On 23 February, a wave of coordinated bombings and shootings, reportedly targeting Shiites across Iraq killed at least 55 people and injured hundreds more. At least 49 people were reported dead and more than 200 injured when a series of coordinated bomb blasts across Iraq, mostly targeting police checkpoints and patrols, struck on 20 March.

There were a number of notable political developments that were either directly or indirectly related to the volatile security situation.

On 27 December 2011, former Prime Minister Ayad Allawi, the head of the Sunni-backed Iraqiya political bloc stated in an op-ed in *The New York Times* that Iraq was heading towards a "sectarian autocracy that carries with it the threat of devastating civil war." In an interview with the Associated Press on 13 January, Iraqi Deputy Prime Minister Saleh al-Mutlaq accused al-Maliki of consolidating power stating that "the longer al-Maliki stays in power, the higher the possibility of a divided Iraq." On 19 March, tens of thousands of loyalists of anti-US Shiite cleric Moqtada al-Sadr protested against poor services provided by the government in Basra.

Following a meeting with senior Iraqi officials, including President Jalal Talabani, on 4 January, Kobler urged all political parties in Iraq to work together. On 23 February, Kobler condemned the series of attacks across the country in a statement.

The fate of Camp Ashraf and its residents remains a concern despite some progress. On 25 December 2011, UNAMI and the Government of Irag signed a memorandum of understanding to relocate residents of Camp Ashraf, and postponed the deadline to close the camp from 31 December to 30 April 2012. On 17 February, about 400 residents of Camp Ashraf moved to Camp Liberty, a former US military base near the Baghdad airport. On 6 March, B. Lynn Pascoe, the head of the UN Department of Political Affairs, briefed Council members on the situation in Camp Ashraf. (Camp Ashraf, situated in Divala province, houses more than 3,000 Iranian exiles belonging to the Mujahedin-e Khalq Iran, or the People's Mujahedin of Iran, an organisation opposed to the government in Tehran.)

On 20 March, Iraqi State Minister Ali al-Dabbagh said that Iraq's cabinet had agreed to allocate \$300 million to settle a lawsuit that had been filed by Kuwait Airways Corporation. (The state-run Kuwait Airways Corporation has been seeking \$1.2 billion in compensation for ten aircrafts taken by Iraq during Iraq's invasion of Kuwait in 1990.)

Iraq hosted in Baghdad from 27 to 29 March its first Arab League summit since Saddam Hussein's invasion of Kuwait. The Kuwaiti emir, Sheikh Sabah al-Ahmed al-Jaber al-Sabah, also attended the summit, as well as the Secretary-General Ban Ki-moon. It was the first visit to Iraq by a Kuwaiti leader since the 1990 Gulf War. However, fewer than half the leaders of the Arab world attended and the absentees included Sunni monarchs of Saudi Arabia, Qatar, other Gulf nations, Jordan and Morocco. Moreover, Iraqi President Jalal Talabani became the first non-Arab to chair an Arab League summit.

On 24 January, a judge recommended that US Marine Staff Sergeant Frank Wuterich, who pleaded guilty to dereliction of duty in a plea deal, should face no time in detention for his role in the Haditha massacre of 19 November 2005, in which 24 Iraqi civilians were killed, including women and children. Wuterich is the only marine out of eight, who was convicted in this case. (The charges against six other US Marines were dropped or dismissed, and one was acquitted.)

Human Rights-Related Developments

On 24 January, Navi Pillay, High Commissioner for Human Rights, commented on the execution of 34 people that occurred on 19 January. She said, "given the lack of transparency in court proceedings, major concerns about due process and fairness of trials, and the very wide range of offences for which the death penalty can be imposed in Iraq, it is a truly shocking figure."

Key Issues

A key issue for the Council is the high level of sectarian violence in the aftermath of the arrest warrant issued for Vice President al-Hashemi.

The security provision for UNAMI personnel is a related issue.

Another important issue for the Council is assessing the contribution that UNAMI makes to the stability of Iraq and whether UNAMI's composition ought to be modified in order to better address the challenges it faces.

Encouraging a peaceful resolution between Camp Ashraf's residents and the government of Iraq is also an issue for the Council.

Underlying Problems

Due to the sectarian and political divisions, key ministerial posts, such as for defence and interior, have been unfilled for months, and different political blocs remain divided over power-sharing.

Options

Regarding the political situation, an option could be issuing a presidential or press statement that would include some or all of the following elements:

- expressing concerns about the impact of violence on Iraqi civilians;
- urging Iraq's political leaders to resolve differences through political dialogue; and
- urging Iraq to finalise its government formation by filling all vacant ministerial posts based on inclusiveness.

Taking steps to address the increasing security needs of UNAMI would be an additional option.

Regarding Camp Ashraf, the Council could ask for regular briefings from either the Department of Political Affairs or Kobler.

Council and Wider Dynamics

Most Council members seem to view Iraq as a routine issue with no significant developments recently. Council members seem to acknowledge the contribution UNAMI makes; however, they do not expect any significant changes to UNAMI's mandate in the near future.

Some Council members remain concerned about the potential for sectarian strife in Iraq that al-Hashemi's arrest warrant could lead to. They are also wary of the deteriorating security situation. However, other members do not view the surge in violence following the US withdrawal as abnormal.

Council members are cautiously optimistic regarding developments at Camp Ashraf. Though most members view the UN-brokered agreement between the government of Iraq and the leadership of Camp Ashraf as a positive development, they feel that the potential remains for this issue to turn violent.

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

UN Documents

Security Council Resolutions

- S/RES/2001 (28 July 2011) extended UNAMI's mandate until 28 July 2012.
- S/RES/1958 (15 December 2010) terminated the Oil-for-Food programme and established an escrow account to provide indemnification to the UN with regard to the programme for a period of six years.
- S/RES/1957 (15 December 2010) terminated the Weapons of Mass Destruction-related Chapter VII measures Iraq was subject to and urged Iraq to ratify the Additional Protocol to the Comprehensive Safeguards Agreement with the IAEA as soon as possible.
- S/RES/1956 (15 December 2010) extended the Development Fund for Iraq and related immunities a final time until 30 June 2011 and affirmed that five percent of Iraqi proceeds from oil sales would continue to be deposited into a compensation fund after that date.

Secretary-General's Reports

• S/2011/795 (22 December 2011) was the first report of the Secretary-

General pursuant to paragraph 6 of resolution 1956 about the UN Compensation Fund.

- S/2011/754 (5 December 2011) was the 32nd report of the Secretary-General pursuant to paragraph 14 of resolution 1284, covering the issue of missing Kuwaiti personnel and property.
- S/2011/736 (28 November 2011) was the first report of the Secretary-General pursuant to paragraph 6 of resolution 2001, discussing UNAMI's progress and other developments in Iraq.
- S/2011/607 (3 October 2011) was the Secretary-General's report reviewing Iraq's commitment to the chemical weapons convention.
- S/2011/435 (7 July 2011) was the third report of the Secretary-General on UNAMI.

Letters

- S/2011/806 (30 December 2011) was the letter from the chair of the committee established pursuant to resolution 1518 to the President of the Council.
- S/2011/721 (15 November 2011) was from Iraq's Ambassador Hamid Al-Bayati to the President of the Council, updating him on the formation of an Iraqi coordinating committee to deal with Kuwaiti national archives.

Security Council Meeting Record

• S/PV.6675 (6 December 2011) was Kobler's briefing to the Council, presenting the first report of the Secretary-General pursuant to paragraph 6 of resolution 2001.

Security Council Press Statement

 SC/10490 (15 December 2011) expressed the Council's intention to continue funding for the activities of the high-level coordinator for missing Kuwaiti persons and property.

Other Relevant Facts

Special Representative of the Secretary-General in Iraq

Martin Kobler (Germany)

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

Gennady Tarasov (Russia)

International Court of Justice

Expected Council Action

On 27 April, the Council and the General Assembly will both hold elections for the vacant position on the International Court of Justice (ICJ), following the resignation of Judge Awn Shawkat Al-Khasawneh (Jordan) on 31 December 2011. (Council resolution 2034 fixed the date of the election.) The new judge will occupy the seat until 5 February 2018, the remainder of Al-Khasawneh's term.

Article 8 of the Statute of the ICJ provides that "the General Assembly and the Security Council shall proceed independently of one another to elect the members of the Court."

The process is intended to limit the possibility that the vote's outcome in one organ might influence the vote in the other.

Background on the ICJ

The ICJ is one of the UN's six principal organs. All UN member states are parties to the ICJ Statute, which is an annex to the UN Charter. The ICJ is the only international court of a universal character with general jurisdiction. (For more background information on the court, see our October 2011 *Monthly Forecast.*)

Candidates

The Secretariat is scheduled to publish the list of candidates on 2 April. Until then, the list is considered confidential. However, the names of at least two nominees, Florentino P. Feliciano (Philippines) and Dalveer Bhandari (India), have been made public.

Prior to the election, the Secretariat is expected to issue the list of candidates and their curricula vitae, and a document laying out the election procedure.

Election Process

Article 14 of the Statute of the Court states that:

"vacancies shall be filled by the same method as that laid down for the first election, subject to the following provision: the Secretary-General shall, within one month of the occurrence of the vacancy, proceed to issue the invitations provided for in Article 5, and the date of the election shall be fixed by the Security Council."

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Article 5 also provides that at least three months before the date of the election, the Secretary-General shall address a written request to members of the Permanent Court of Arbitration (PCA) and to members of national groups, inviting them to nominate a suitable person to fill the position. (When the ICJ was established, the jurists of the PCA were given the right to nominate the candidates for the ICJ, and countries that were not part of the PCA constituted national groups appointed for this purpose.)

Under article 10 of the ICJ Statute, candidates who obtain an absolute majority (i.e. more than 50 percent) of votes in both the General Assembly and the Council are elected. A candidate therefore must obtain 97 votes in the General Assembly and eight votes in the Council. In the Council vote, there is no distinction between permanent and non-permanent members.

If no candidate receives an absolute majority on the first ballot in either the General Assembly or the Council, a second ballot will be held. Balloting continues until a candidate has obtained the required majority in both bodies.

When a candidate has obtained the required majority in one body, the president of that body will notify the other president of the outcome, but the results are only disclosed to members of the second body after their own voting is concluded. Articles 11 and 12 of the ICJ Statute state that if the General Assembly and the Council do not select the same candidate, they will proceed to a second meeting and, if necessary, a third meeting, following the same procedures. If by then the position is not filled, the Council and General Assembly may decide to convene a conference of six members (three from each body) to recommend a candidate for acceptance by both bodies.

Key Recent Developments

On 10 November 2011, the Council—independently from, but concurrently with, the General Assembly—elected Giorgio Gaja (Italy), Hisashi Owada (Japan), Peter Tomka (Slovakia) and Xue Hanqin (China) to the ICJ for nine-year terms, beginning on 6 February 2012. Both bodies failed to elect a fifth judge, as Abdul G. Koroma (Sierra Leone) received the required majority in the Council, while Julia Sebutinde (Uganda) received the required majority in the General Assembly. On 22 November, they convened again, yet the Council repeatedly elected Koroma and the General Assembly continued to choose Sebutinde.

On 13 December 2011, the Council and General Assembly convened on the matter for the third time. During the concurrent sessions, Sebutinde obtained the required majority in both bodies and was elected for the fifth and final vacant position on the ICJ.

UN Documents

Security Council Resolution

 S/RES/2034 (19 January 2012) was the resolution setting the date for the election.

Security Council Meetings on the Election of ICJ Judges

- S/PV.6682 (13 December 2011)
- S/PV.6665, 6666, 6667
 (22 November 2011)
- S/PV.6651, 6652, 6653, 6654, 6655 (10 November 2011)

Notable Dates for April

Notable Dates for April			
Report Due	Reports for Consideration in April	Requesting Document	
27 March	SG report on UNISFA (Abyei)	S/RES/2032	
31 March	SG report on UNOCI (Côte d'Ivoire)	S/RES/2000	
31 March	SG report on Iraq oil for food	S/RES/1958	
5 April	SG report on MINURSO (Western Sahara)	S/RES/1979	
12 April	Panel of Experts report on Côte d'Ivoire	S/RES/1980	
16 April	SG report on UNAMID (Sudan/Darfur)	S/RES/2003	
Mandates Expire		Relevant Document	
30 April	MINURSO (Western Sahara)	S/RES/1979	
Other Important D	ates		
1 April	Myanmar is scheduled to hold parliamentary elections.		
1 April	A Friends of Syria meeting will be held in Istanbul.		
3-4 April	The ASEAN summit will be held in Phnom Penh.		
11 April	A Middle East Quartet meeting will be held in Washington, DC.		
16 April	Timor-Leste is scheduled to hold a second	l round of	
	presidential elections.		
19 April	Special Adviser will meet with the Secretary-General in New York		
	to discuss recommendations for Cyprus.		
27 April	The Security Council and General Assemb	ly will hold elections	
	for ICJ judge.		

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