



SECURITY COUNCIL REPORT

MONTHLY FORECAST

JUNE 2012



1 June 2012

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Overview

China will have the presidency of the Council in June. The one open debate planned, the semi-annual open debate on the **protection of civilians in armed conflict**, with likely briefings by Under-Secretary-General for Humanitarian Affairs Valerie Amos and High Commissioner for Human Rights Navi Pillay, is expected toward the end of the month.

Debates are planned on the **International Criminal Tribunals** for the former Yugoslavia and for **Rwanda**, following a briefing by the two tribunals' presidents and prosecutors; and on Afghanistan, following a briefing by Ján Kubiš, the head of the UN Assistance Mission in Afghanistan (UNAMA).

A private meeting is scheduled following a briefing by the International Criminal Court prosecutor on Sudan.

Other briefings are expected on:

- the **Lord's Resistance Army** and the UN Regional Office for Central Africa (**UNOCA**) by the Special Representative of the Secretary-General and head of UNOCA, Abou Moussa;
- **Iran sanctions**, by the Sanctions Committee (1737 Committee) Chair, Ambassador Néstor Osorio (Colombia);
- **peacekeeping**, by several of the UN force commanders who will be at UN headquarters attending their annual meeting in New York;
- the situation in the **Central African Republic** (CAR) by Margaret Vogt, the Secretary-General's Special Representative and head of the UN Integrated Peacebuilding Office in CAR (BINUCA), to be followed by consultations;
- developments in the **Democratic**

Republic of the Congo (DRC), by Roger Meece, the Special Representative of the Secretary-General (to be followed by consultations); and

- developments in the **Middle East**, by the UN Secretariat (to be followed by consultations).

Briefings in consultations are expected to be heard on:

- **Syria**, twice (Resolution 2043 that established the UN Supervision Mission in Syria (UNSMIS) requested reporting every 15 days), most likely following the past practice of hearing from UN-Arab League Joint Special Envoy on the mediation efforts and from the Department of Peacekeeping Operations on the activities of UNSMIS;
- the situation between **Sudan and South Sudan**, by the Secretariat, most likely twice (in accordance with resolution 2046 which requires reports every two weeks);
- the **UN Interim Security Force in Abyei** (UNISFA);
- the activities of the High-level Coordinator who advises the Council on the **Iraq-Kuwait missing persons and property issue**, by the coordinator, Gennady Tarasov;
- the UN Disengagement Observer Force in the **Golan Heights** (UNDOF), by the Department of Peacekeeping Operations;
- the **Counter-Terrorism Committee** (CTC)/Counter-Terrorism Executive Directorate (CTED) by the chair of the CTC, Ambassador Hardeep Singh Puri (India);
- the **DRC** sanctions, by the Sanctions Committee Chair, Ambassador Agshin Mehdiyev (Azerbaijan); and
- **Liberia**, on the Secretary-General's

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special report by the Department of Peacekeeping Operations.

Consultations will likely also be held on:

- **Guinea-Bissau** and the implementation of the measures against five members of the Military Command (set out in resolution 2048) and on an initial Secretary-General's report on steps taken in the country to restore constitutional order, most likely by Under-Secretary-General for Political Affairs, B. Lynn Pascoe; and
- **Liberia** sanctions, with a focus on the possible upcoming revisions to the targeted sanctions list. >>>page 2

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The “**horizon scanning**” briefing by the Department of Political Affairs had not been scheduled at press time.

Mid-month, Council members are due to hold in New York their annual **consultative**

meeting with the AU Peace and Security Council.

Formal sessions will be needed to adopt resolutions extending:

- the mandate of MONUSCO;
- the mandate of UNDOF;

- the terms of four ICTR judges’ terms,
- the Iran sanctions Panel of Experts; and
- the mandate of the Democratic People’s Republic of Korea sanctions Panel of Experts.

Status Update since our May Forecast

■ **Threats to international peace and security posed by terrorism:**

On 4 May, the Council heard a briefing from the Secretary General on the threats to international peace and security posed by terrorism. After a meeting presided over by Azerbaijani President Ilham Aliyev, and attended by five high-level government officials (S/PV.6765), the Council adopted a presidential statement (S/PRST/2012/17). The statement recognised the changing nature and character of terrorism, with an increase in terrorist attacks around the world and emphasised the need to enhance coordination of efforts on the national, subregional, regional and international levels in order to strengthen a global response to this challenge.

- **Lebanon:** On 8 May, Council members were briefed in informal consultations by Special Envoy Terje Rød-Larsen on the Secretary-General’s most recent report on the implementation of resolution 1559 (S/2012/244), which focused on the impact of the Syrian crisis on Lebanon, ongoing challenges in disarming militias, particularly Hezbollah, and the lack of progress in delineating the Syrian-Lebanese border. On 29 May, Special Coordinator Robert Serry briefed Council members on the Middle East reporting on recent clashes in Tripoli and Beirut related to the crisis in Syria (S/PV.6775).

- **Counterterrorism Subcommittees:** On 10 May, the chairs of the three counter-terrorism committees — the 1267/1989 Committee, the 1373 Committee and the 1540 Committee — briefed the Council, followed by a debate (S/PV.6767). Twenty-three countries and the head of EU delegation to the UN participated in the debate.

- **Libya:** On 10 May, the Council received a briefing (S/PV.6768) from Ian Martin, Special Representative of the Secretary-General and head of UNSMIL. Following Martin’s briefing, Ambassador José Filipe Moraes Cabral (Portugal)—as chair of the Libya Sanctions

Committee—provided a regular update (S/PV.6768) on the Committee’s work, including a working document (S/2012/178) assessing the regional threats posed by the proliferation of arms from Libya, and a final report (S/2012/163) by the Panel of Experts on its monitoring of the implementation of the relevant measures, including the arms embargo, the travel ban and the asset freeze. The Council received its third briefing (S/PV.6772) on Libya, on 16 May, from the Prosecutor of the International Criminal Court, Luis Moreno-Ocampo who updated the Council on the Court’s recent activities regarding Libya, particularly regarding Saif al-Islam Qaddafi, who was arrested on 19 November. The Prosecutor also briefed on gender-related crimes in Libya, allegation of crimes committed by NATO forces as well as by forces under the auspices of the National Transitional Council.

- **UNOWA:** On 11 May, Said Djinnit, the Secretary-General’s Special Representative and head of UNOWA, briefed Council members on the situation in Guinea-Bissau and Mali, where soldiers had seized power aborting electoral processes. Djinnit expressed concern at the resurgence of coups in the region and the impact this would have on peace and security. On 21 May, Djinnit attended the meeting between Council members and ECOWAS in Côte d’Ivoire during the Security Council’s visiting mission to West Africa.
- **Kosovo:** On 14 May, Farid Zarif, Special Representative of the Secretary-General and Head of UNMIK, briefed the Council during a quarterly debate (S/PV.6769) on the Secretary-General’s most recent report (S/2012/275). The Foreign Ministers of Serbia and Kosovo also addressed the Council. Zarif praised the “highly professional facilitation” by the OSCE of Serbian general elections for Serbian citizens in Kosovo on 6 May which occurred without incident.
- **Bosnia and Herzegovina:** On 15 May, the Council held a six-monthly debate on the

situation in Bosnia and Herzegovina (S/PV.6771). Valentin Inzko, the High Representative for Bosnia and Herzegovina, briefed the Council on his latest report (S/2012/307). In addressing the Council, Inzko noted that 2012 has seen several positive developments, including the formation of a Council of Ministers and progress on two of the issues that are considered pre-conditions for the closure of the Office of the High Representative (OHR). Inzko also cited “less welcome” developments, including the continuation of statements challenging the statehood of Bosnia and Herzegovina. On 23 May, the Deputy High Representative announced that the Brčko Final Award Office will close later this year—another prerequisite for the closure of the OHR, although the Brčko Supervisor’s activities will be suspended, not formally terminated.

- **Somalia:** On 15 May, the President of Somalia, Sheikh Sharif Sheikh Ahmed, briefed the Council on the work of the Transitional Federal Government (S/PV.6770), focusing on implementation of the road map for ending the transition in Somalia, reconciliation efforts, stabilisation and institution building. In the same meeting, the Secretary-General’s Special Representative for Somalia, Augustine Mahiga, briefed the Council on the Secretary-General’s latest report on Somalia (S/2012/283). Mahiga emphasised that the transitional process had entered its most critical stage and called for logistical and financial support and international cooperation and coordination to enable the completion of the implementation of the road map before the 20 August deadline. He also raised the issue of spoilers, warning that such elements must be dealt with “before they succeed in undermining the peace process”. (Mahigamet with the 751/1907 Sanctions Committee on 14 May to discuss this issue in more detail.) Council members subsequently issued a press statement (SC/10649) expressing

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concern that some of the deadlines of the roadmap had been missed, calling on all the signatories to “redouble their efforts to complete the road map tasks”, emphasising the importance of a transparent and legitimate political process and reiterating readiness to support measures against internal or external actors seeking to undermine or block the peace process in Somalia.

- **Israel/Palestine:** On 29 May, Robert Serry, the UN Special Coordinator for the Middle East Peace Process briefed Council members (S/PV.6775). Serry highlighted the recent quiet contact between Israelis and Palestinians as an opportunity, citing a recent exchange of letters between Palestinian President Mahmoud Abbas and Israeli Prime Minister Benjamin Netanyahu on their mutual positions for renewing direct talks. However, he also said that the situation was fragile and the implication of a stalled peace process is moving towards a one state reality. Serry also briefed the Council on progress

with the Fatah-Hamas reconciliation, the new Palestinian Authority cabinet and Israeli coalition government and the recent hunger strike by more than 1,000 Palestinian prisoners held by Israeli authorities.

- **Yemen:** On 29 May, the Secretary-General’s Special Adviser on Yemen, Jamal Benomar, briefed the Council followed by closed consultations (S/PV.6776). Benomar highlighted interference from former President Ali Abdullah Saleh and relatives as a key obstacle to President Abdrabuh Mansour Hadi’s reforms that could “derail Yemen’s fragile transition process.” Benomar also noted that Yemen’s security and humanitarian situation remain sources of major concern. On 21 May, media reports stated that 96 soldiers had died and many more were injured due to a suicide attacks which was condemned by the Security Council in a press statement the same day (SC/10656).
- **Nepal:** On 29 May, Under-Secretary-

General for Political Affairs B. Lynn Pascoe briefed the Council in consultations on Nepal where the Constituent Assembly expired on 27 May without the adoption of a new constitution, a key element in Nepal’s peace process. The Council had last discussed Nepal on 14 January 2011, prior to the expiry of the UN Mission in Nepal’s mandate.

- On 31 March the Council heard briefings from the US, France and South Africa on the visiting mission to West Africa by Council members from 19 – 23 May. (S/2012/344) (The co-leads for each country were: the US and Morocco for the Liberia leg; France and Togo for the Côte d’Ivoire leg; and the UK and South Africa for the Sierra Leone leg.) All three briefings gave an account of meetings held with leaders of the three countries, opposition and civil society representatives as well as the UN teams. The Council was also given an account of the ECOWAS meeting held in Abidjan which focused on Mali and Guinea Bissau.

UNSMIS (Syria)

Expected Council Action

In June, Council members will continue to follow closely the Syrian situation as the UN Supervision Mission in Syria (UNSMIS) reaches full deployment.

Council members will be briefed at least twice this month on UNSMIS in informal consultations. The first briefing in June is expected on the 7th from Special Envoy Kofi Annan.

The UNSMIS mandate expires on 20 July.

Key Recent Developments

Syria held elections on 7 May for 250 parliamentary seats as a result of a set of reforms passed last year allowing parties to compete with the ruling Baath Party. Media reports indicate the elections were widely boycotted. Secretary-General Ban Ki-moon said that a democratic process cannot be successful while violence is ongoing and that the elections were not taking place within the framework of inclusive political dialogue.

Council members were briefed by Annan and DPKO head Hervé Ladsous on 8 May. In comments to the press the same day, Annan said levels of violence in Syria were

unacceptable and UNSMIS, which had had a calming effect in some situations, was the last chance to stabilise the situation or face the prospect of civil war. (Also on 8 May, the ICRC said fighting in Homs and Idlib had met its criteria for non-international armed conflict, i.e. civil war.)

Annan has also expressed concern over the spate of deadly bombings. (There were media reports of a bomb in Damascus on 27 April, twin explosions in Idlib on 30 April, a major attack in Damascus on 10 May, a car bomb in Deir al-Zour on 19 May and an explosion in Damascus on 22 May.)

The Council issued a press statement condemning the 10 May terrorist attack in Damascus, which killed 55 people. The statement also called for an immediate end to all violence and for all parties to immediately and comprehensively implement Annan’s six-point plan.

There were also several incidents in May affecting UN positions in Syria but with no injuries to UN personnel. On 15 May an explosion damaged three UN vehicles in Khan Cheikhoun near Hama during clashes between protestors and government forces, causing some observers to stay in the area overnight and return to their base

the next day. On 20 May there was an explosion in Douma near Damascus, very close to UN observers being led by UNSMIS head Robert Mood and Ladsous. (Ladsous visited Syria with Jean-Marie Guéhenno, Annan’s deputy, between 18 and 22 May.) On several other occasions there were reports of UNSMIS convoys being affected by improvised explosive devices (IEDs), small arms fire or stoning.

On 25 May the Council received its first UNSMIS report which stated that the mission had been able to de-escalate certain situations. However, the overall level of violence remained unacceptable and posed serious challenges for the implementation of the UNSMIS mandate.

After a briefing from Mood and Ladsous on 27 May, the Council issued a press statement condemning the killing in el-Houleh, a residential neighborhood near Homs, in particular the shelling by the Syrian government in violation of resolutions 2042 and 2043 to cease the use of heavy weapons and withdraw from population centres. The statement also called for those responsible to be held accountable, expressed full support of Annan and his six-point plan and for Annan to convey the demands of the Security Council to all parties, in particular to the

Syrian government. (At press time, Annan was in Damascus and had met with Syrian President Bashar al-Assad on 29 May urging the cessation of all military operations by the army and allied militia, i.e. the Shabihah. Annan also met with UNSMIS, opposition figures and civil society during his 28-29 May visit to Syria. At press time, Annan was expected to visit Jordan, Lebanon, Saudi Arabia in the coming days and to attend a 2 June meeting of the Arab League in Doha on the Syrian situation.)

On 28 May, the Special Representative for Children and Armed Conflict also condemned the el-Houleh attack saying that 49 children were among the dead, all under 10 years of age.

On 29 May, the High Commissioner for Human Rights said that 108 civilians were killed in the el-Houleh attack, estimating that under 20 deaths were caused by shelling and tank fire with the most of the remaining deaths due to summary executions which local residents reported were primarily carried out by a paramilitary group that supports government forces, i.e. the Shabihah.

Guéhenno and Ladsous briefed Council members on 30 May regarding ongoing mediation efforts and UNSMIS activities. Guéhenno said the situation was at a tipping point and only strong signals from the Syrian government would have an impact and that small diplomatic steps would not suffice. He said the government needs to make concrete and significant gestures on cessation of violence, detainees and humanitarian access. Separately, on the same day, Mood said he was deeply disturbed by the discovery of 13 bound bodies in Assukar near Deir al-Zour apparently shot at close range. Media reports indicate it may have been an execution of army deserters.

The Arab League postponed a 16 May conference in Cairo intended to unify the Syrian opposition. The Syrian National Council refused to attend because it was not invited as an official body but rather as individual members. Meanwhile, the domestic Syrian opposition network, the Local Coordination Committees, threatened to withdraw from the Syrian National Council over the re-election of Burhan Ghalioun as its head. Ghalioun resigned on 23 May, and the Syrian National Council called for new elections

on 9 June. The next meeting of the Friends of Syria is expected in Paris in early July.

Media reports in May, citing unpublished sanctions panels of experts' reports awaiting submission to the Council, indicated that both Iran and the DPRK may be violating their respective sanctions regimes and supplying weapons to Syria. Meanwhile, on 28 April the Lebanese navy seized weapons from a ship, allegedly bound for rebel groups in Syria.

Human Rights-Related Developments

During an 8 May press conference, Annan stressed all aspects of the six-point plan needed to be implemented to create an environment conducive for political dialogue and that progress would be extremely difficult if human rights abuses persist.

On 16 May the UN Committee against Torture considered the situation in Syria, in particular widespread killings, torture in hospitals and detention centres, torture of children and sexual torture. The Committee had requested a special report from Syria describing the measures it was taking to effectively implement its obligations under the Convention against Torture. Syria did not provide the report nor did it attend the session. The Committee also discussed alleged violations by armed opposition groups.

On 23 March the Human Rights Council extended the mandate of the Commission of Inquiry on Syria and requested continued reporting on gross human rights violations in Syria (A/HRC/RES/19/22). On 24 May the Commission issued an update reporting that most of the human rights violations were committed by the Syrian army and security services during military operations conducted in areas regarded as supportive of anti-government armed groups. The Commission received several accounts that anti-government armed groups are also committing human rights abuses.

At press time, it was expected that the Human Rights Council would hold a special session on the el-Houleh attack on Friday, 1 June.

Key Issues

The key issue for the Council is the outstanding commitment by the Syrian government—outlined in resolutions 2042 and 2043 and highlighted in the 27 May press statement—to withdraw troops and heavy weapons from population centres so that the subsequent obligation of the opposition to cease violence can occur and create an environment conducive for an effective mission and political dialogue.

Another issue of concern will be the devastating level of violence as demonstrated by the el-Houleh attack, the significant uptick in terrorist attacks, use of IEDs and allegations of possible illegal arms transfers to Syria. The implications of these trends if they continue, especially in light of Annan's concerns about civil war, are that the situation in Syria will become increasingly difficult to stabilise.

Another issue is the lack of a unified opposition that can serve as a point of contact for the international community and the Syrian government so that the political dialogue envisioned in Annan's six-point plan can get underway.

UNSMIS-related issues include:

- the safety of UN personnel;
- reports of reprisal violence by Syrian authorities in areas visited by UN observers;
- the need to fulfil the requisite civilian component of UNSMIS to monitor and support the full implementation of the six-point plan; and
- the outstanding issue of appropriate air support for UNSMIS and the related issue of freedom of access and movement for mission personnel.

Underlying Problems

The overall level of violence and increasing reports of terrorist attacks remain severe despite reports that the presence of UNSMIS is having a calming effect in some situations. Daily open source reports indicate that casualties are still high and that shelling and the use of heavy weapons by the government continue. Analysts also report that the Syrian government has changed its tactics subsequent to the 12 April deadline for a cessation of violence, including the use of smaller military formations in population centres and an increased use of detentions, torture and allegations regarding paramilitary support by the Shabihah.

Options

Looking forward to the possible renewal of UNSMIS in July, the Council could request the Secretary-General to provide recommendations in his June report for:

- enhancing the mission by including more military and civilian observers and options for force protection;
- task the mission more specifically with documenting incidents of reprisal and other violence; and
- mapping out the way forward, including options to:
 - increase pressure on the Syrian government to meet its commitments;
 - galvanise the opposition into a credible partner for political dialogue;
 - focus on ways to slow the proliferation of both legal and illegal arms transfers to Syria; and
 - deal with the “third element” of terrorism in Syria by using existing tools such as the Counterterrorism Committee framework or targeted sanctions.

Council Dynamics

Council members are unanimous in their concern about reports of continuing violence by the government, armed opposition groups and terrorist attacks occurring with devastating regularity and about how these developments could impact the potential for UNSMIS to be effective.

Council members also seem to be uniformly impressed with the rapid deployment of UNSMIS and appreciate that the mission has begun to have positive, albeit limited, impact on the ground.

Council members are frustrated by the lack of a cohesive political opposition to engage with the Syrian government if a political dialogue were brokered by Annan. They would like to see significant progress in this regard before the 20 July expiry of UNSMIS. Such a shift in the political dynamic would allow Annan to request that the Syrian government name its interlocutor and start serious political dialogue.

Some members are viewing the el-Houleh attack as a possible critical turning point, underscoring the importance of the press statement which clearly stated that the Government of Syria violated its commitments and reiterated the need for the government to cease violence in the first instance as

required by the six-point plan. It seems many Council members believe that it is now vital to think strategically about the Council’s ongoing approach to the Syrian situation so as to ensure the success of the UNSMIS mission and avoid full-scale civil war. However, it remains unclear if all members would advocate a more proactive Council approach despite the broad agreement that the el-Houleh attack demonstrates how quickly the situation can spiral out of control.

The P3 have indicated that they would like the Council to consider sanctions in the case of non-compliance by the Syrian government with resolutions 2042 and 2043. However, sanctions are likely to still be a red line for Russia and China. They—along with several other Council members—are concerned that sanctions would undermine the already fragile progress on the six-point plan. These Council members also feel it is important to give UNSMIS the time and opportunity to do its job and create confidence on the ground between the parties.

In the past the Council has tended to follow Annan’s lead on the situation and will likely continue to do so in the medium-term. However, the Council’s unity on Syria is strained over the increasing violence and the pace at which the six-point plan is being implemented. While all Council members support Annan’s six-point plan as the best and last option to avoid civil war, many remain skeptical about the Syrian government’s intentions vis-à-vis ceasing violence and implementing the plan’s provisions.

UN Documents

Security Council Resolution

- S/RES/2043 (21 April 2012) established UNSMIS.

Secretary-General’s Report

- S/2012/363 (25 May 2012) was the first UNSMIS report.

Security Council Press Statements

- SC/10643 (10 May 2012) condemned the 10 May terrorist attack in Damascus.
- SC/10658 (27 May 2012) condemned the 25 and 26 May attacks in el-Houleh.

Security Council Letters

- S/2012/368 (27 May 2012) was from the Secretary-General on the el-Houleh attacks.



Other Relevant Facts

UNSMIS Force Commander

Maj. Gen. Robert Mood (Norway)

Size and Composition of Mission (as of 30 May 2012)

- 297 military observers assisted by 85 civilian staff
- *Military Personnel Contributors:* Argentina, Bangladesh, Belgium, Benin, Brazil, Burundi, Burkina Faso, Chad, China, Croatia, Denmark, Ecuador, Egypt, Finland, Germany, Ghana, Guatemala, Indonesia, Ireland, Italy, Jordan, Malawi, Mauritania, Morocco, Nepal, Niger, Norway, Kenya, Kyrgyzstan, Paraguay, Philippines, Romania, Russia, Senegal, South Africa, Switzerland, Yemen, Uruguay

Approved Budget

21 April to 20 July 2012: \$16.8 million

Democratic Republic of the Congo

Expected Council Action

In June, Roger Meece, the Special Representative of the Secretary-General and head of the UN Organisation Stabilisation Mission in the Democratic Republic of the Congo (MONUSCO), is expected to brief the Council on developments and the Secretary-General’s latest report on MONUSCO. The briefing will be followed by consultations.

Consultations will also be held on the Democratic Republic of the Congo (DRC) Sanctions Committee, in which the Chair of the committee, Agshin Mehdiyev (Azerbaijan), is expected to brief the Council on interim report of the group of experts.

The Sanctions Committee will likely convene to discuss the interim report as well.

The Council is likely to renew the mandate of MONUSCO, which expires on 30 June.

Key Recent Developments

On 7 February, Meece last briefed the Council. Following the briefing, the Council held closed consultations with Meece and Hervé Ladsous, the Under-Secretary-General for Peacekeeping Operations, following his recent visit to the DRC.

On 20 March, the UN Joint Human Rights Office in the DRC reported that during the elections, at least 33 people in Kinshasa were killed by security forces, 83 were wounded and 16 were still missing. More than 265 people were arrested, and the majority of them were arbitrarily detained in various detention facilities in Kinshasa. There was also consistent, corroborated testimony of torture in detention.

In early April, several senior military and former members of the *Congrès national pour la défense du peuple* (CNDP) rebel group defected from the army and regrouped as a rebel force, and according to media reports attacked government troops and took control of areas in North Kivu province on 29 April.

On 11 April, DRC President Joseph Kabila was reported as calling for the arrest of CNDP leader Bosco Ntaganda, for whom there is a pending arrest warrant issued by the International Criminal Court (ICC) in 2006. Ntaganda has denied any involvement in the recent hostilities. (Kabila's statement was a significant departure from his previous assertions that Ntaganda's cooperation was essential in keeping the peace in the east of the country.)

In light of the escalation of violence in North Kivu, the Council held consultations on 3 May and was briefed by Ladsous. Following the consultations, the Council issued a press statement, urging the DRC to continue efforts to develop and implement a comprehensive national security sector development strategy and stressed the importance of an effective reintegration process. The Council further stressed the importance of the DRC actively seeking and holding accountable those responsible for war crimes and crimes against humanity in the country. The Council urged the DRC to cooperate with the ICC and called upon MONUSCO to assist the DRC, within its mandate, in this regard.

Speaking to the press via teleconference during the daily UN noon briefing on 22

May, Meece reported that Ntaganda had orchestrated the army mutiny, which was countered by a Congolese army operation that eventually contained the rebels to a limited area near Virunga Park, North Kivu. He noted that the fighting has caused displacement and has allowed for other rebel groups to operate freely.

On 14 May, 11 Pakistani MONUSCO peacekeepers were wounded, two of them critically, after villagers opened fire on the troops at a UN base in Bunyakiri, South Kivu. The villagers were protesting after an overnight attack on their village had reportedly killed six people. They claimed that MONUSCO did nothing to protect them from an attack attributed to the Forces démocratiques de libération du Rwanda (FDLR).

On the same day, on the initiative of Pakistan, the Council held consultations and heard a briefing by Ladsous, after which it issued a press release condemning the attacks and expressing concern over the deteriorating security and humanitarian situation in the Kivus.

On 20 April, Council members attended an Arria Formula meeting on security sector reform (SSR) in the DRC, organised by France. Speakers at the meeting were Emmanuel Kabengele of the Congolese Network for Security Sector Reform and Justice, Mvemba Dizolele of the Eastern Congo Initiative and Marta Martinelli of the Open Society Foundations. A focus of the meeting was a recent report titled "Taking a Stand on Security Sector Reform," issued on 16 April by 13 international and Congolese organisations and networks. In order to address the lack of political will in the DRC to conduct SSR, the report recommends that the Council extend the DRC sanctions regime to those individuals impeding reforms, empower MONUSCO to provide support for military reform and increase its SSR resources.

The Council received the Secretary-General's latest report on MONUSCO on 23 May. The report recommends renewing MONUSCO's mandate at its current strength and maintaining its primary focus on protection of civilians. It notes that MONUSCO will discuss with the DRC authorities new approaches to support SSR and that MONUSCO should continue to support the completion of the electoral cycle.

The Council also received an advance copy of the sanctions Group of Experts' interim report in May. Among other things the group recommends updating the sanctions list based on new information it will provide the Sanctions Committee, in particular on alleged child recruiters. The experts called on the Council to strongly condemn the practice of child recruitment in the DRC.

On 14 March, Thomas Lubanga Dyilo, head of the Union of Congolese Patriots (UPC), was convicted by the ICC for recruiting children under the age of 15 who had participated actively on the frontline, which constitutes a war crime. Sentencing hearings are to commence in June.

On 28 April, Kabila announced the formation of his new government, composed of 36 members.

On 14 May, ICC prosecutor Luis Moreno-Ocampo announced his request that the court expand the arrest warrant against Ntaganda to include crimes against humanity and additional counts of war crimes. An application for the arrest of FDLR leader Sylvestre Mudacumura for crimes against humanity and war crimes was also filed with the court.

Human Rights-Related Developments

Assistant Secretary-General for Human Rights Ivan Šimonović visited the DRC for nine days in May. Speaking on 11 May in Kinshasa at the conclusion of his visit, he expressed grave concern about the human rights situation in the country. Šimonović said that he was appalled by the heightened levels of recent violence in Eastern Congo that had resulted in the displacement of 40,600 people since April and human rights violations. An efficient justice system equipped with adequate resources was essential in fighting against impunity and in deterring future human rights violations. Šimonović welcomed joint efforts between MONUSCO, humanitarian actors and the authorities to protect civilians and respond to human rights violations. On 16 May, Šimonović met informally with Council members' DRC experts to brief them on his visit. In addition to the above, he focused on the lack of progress on SSR in the DRC and the

need to establish trustworthy security forces. He noted that there has been no follow-up on post-election violence and human rights violations.

Key Issues

The main issue for the Council is renewing MONUSCO's mandate.

Protection of civilians and keeping a close eye on the escalation of violence in North Kivu and MONUSCO's response remain concerns.

Another issue is re-evaluating MONUSCO's role in assisting the DRC government in the continuing election cycle, with elections for the provincial assemblies and local elections scheduled tentatively for 2013.

An ongoing issue for the Council is the lack of progress on SSR in the DRC.

Lack of accountability for perpetrators of human rights violations and the lack of cooperation with the ICC remain issues.

Options

Options for the Council include:

- renewing MONUSCO's mandate for another year at its current configuration;
- adjusting MONUSCO's role in providing logistical and technical assistance to the provincial and local elections;
- demanding that the DRC cooperate with the ICC and hold violators of human rights accountable;
- reinforcing MONUSCO's role in SSR and other rule of law-related reforms; and
- closely monitoring the events in North Kivu and the preparations for elections and convening additional Council meetings as necessary.

Council Dynamics

Due to divergent views among Council members on the credibility of the election process, the Council was unable to pronounce its view of the November elections. Some members feel that MONUSCO's role in the previous election was inadequate, as it did not help to facilitate a credible process. Also, some feel that there was a lack of real-time and transparent reporting from MONUSCO on election-related developments as they unfolded. In their view, MONUSCO should have been more active in acknowledging reports of election irregularities and keeping the Council aware of the situation.

One possible recalibration of MONUSCO's elections support considered by Council members is a policy of conditional assistance, dependent on the conduct of credible elections by the DRC government. Yet at the same time, some members are worried that such a policy may backfire and result in further irregularities. Council members would also like MONUSCO to have the capability to assess and recalibrate its assistance if necessary as changes occur. Council members are still cautious about an election monitoring or certification role for MONUSCO.

The reintegration of rebel groups into the army and SSR are two main priorities for the Council at this juncture, as lack of progress continues to directly affect the protection of civilians. Though the position of the newly formed government on enhancing SSR efforts is unclear at this point, there seems to be an agreement among Council members that the DRC has lacked the political will to move forward on SSR. In light of this, some Council members are of the view that the renewed mandate should provide for a coordination role on SSR. Such a role can be mandated to MONUSCO or can be taken by some other configuration, such as a Congolese focal point or international contact group on SSR.

The lead country is France.

UN Documents

Security Council Resolutions

- S/RES/2021 (29 Nov 2011) extended the DRC sanctions and the mandate of the group of experts to 30 November 2012.
- S/RES/1991 (28 June 2011) extended the mandate of MONUSCO until 30 June 2012.

Presidential Statement

- S/PRST/2011/11 (18 May 2011) focused on stabilisation efforts in the DRC.

Latest Secretary-General's Report

- S/2012/355 (23 May 2012)

Security Council Meeting Record

- S/PV.6712 (7 February 2012) was the latest briefing by Meece.

Security Council Press Statements

- SC/10647 (14 May 2012) was on the attacks on Pakistani peacekeepers.

- SC/10634 (3 May 2012) followed the events in North Kivu.
- SC/10470 (2 December 2011) was on the election process.
- SC/10441 (8 November 2011) expressed concern over violence in the DRC.

Other Relevant Facts

Special Representative of the Secretary-General and Head of Mission

Roger Meece (US)

MONUSCO Force Commander

Lt. Gen. Chander Prakash (India)

MONUSCO Size, Composition and Cost of Mission

Strength as of 30 April 2012: 17,057 troops, 699 military observers, 1,366 police, 954 international civilian personnel, 2,864 local civilian staff and 606 UN volunteers

Approved budget (1 July 2011-30 June 2012): \$ 1.489 billion

Mission Duration

30 November 1999 to present: mandate expires on 30 June 2012

LRA/UNOCA

Expected Council Action

In June, the Council expects a briefing on the Secretary-General's report on the Lord's Resistance Army (LRA) and the UN Regional Office for Central Africa (UNOCA) by the Special Representative of the Secretary-General and head of UNOCA, Abou Moussa.

An "Arria formula" meeting on the LRA, co-hosted by Portugal and the UK, may take place before the consultations.

The Secretary-General's report was expected by the end of May.

Key Recent Developments

On 14 November 2011, the Council heard a briefing from Moussa on the Secretary-General's first report on UNOCA and the

Secretary-General's report on LRA-affected areas pursuant to Security Council press statement of 21 July (SC/10335). The Secretary-General of the Economic Community of Central African States, Louis Sylvain-Goma, and the Permanent Observer of the AU to the UN, Tété António, also addressed the Council.

Following the meeting, the Council adopted a presidential statement (S/PRST/2011/21) commending the AU's efforts to regionally engage the LRA issue. It further called on the AU to promptly appoint a Special Envoy for the LRA-affected areas (Francisco Caetano José Madeira was appointed as the AU Special Envoy on the LRA on 23 November). The Council requested that the Secretary-General keep it informed on LRA-related developments in a single report on the LRA and UNOCA, to be submitted by 31 May. It also encouraged UNOCA to work with the UN missions and the AU to develop a regional strategy for international humanitarian, development and peacebuilding assistance in the LRA-affected areas.

On 22 November 2011, the AU Peace and Security Council (PSC) authorised the implementation of the Regional Cooperation Initiative for the Elimination of the LRA (RCI-LRA) for an initial period of six months. The initiative was designed to have three components:

- The Joint Coordination Mechanism chaired by the AU Commissioner for Peace and Security and composed of the defence ministers of the affected countries. The mechanism—located in Bangui, Central African Republic—is to be responsible for political and strategic coordination with affected states and other actors.
- The Regional Task Force (RTF), numbering 5,000 soldiers and composed of national contingents from the affected countries. The RTF headquarters comprise 30 officers and will be located in Yambio, South Sudan, and in addition it will designate four liaison officers in the Joint Intelligence and Operations Centre, based in Dungu, Democratic Republic of the Congo.
- The Joint Operations Centre, a component of the RTF, with a total staff component of 30 officers. Under the authority of the RTF commander, it is performing integrated planning and monitoring of the operation.

The PSC also declared the LRA a terrorist group and requested that the Security Council do the same. (The Council has not expressed itself on this issue.)

On 24 March, Moussa and Madeira launched the operational phase of the RCI-LRA in a ceremony in Juba, South Sudan. The following day, the two travelled to Yambio to inaugurate the RTF headquarters. On 8 May, the Joint Coordination Mechanism held its first meeting in Addis Ababa with the participation of UN representatives. The ministers discussed and adopted measures to be taken to set up the RTF.

On 17 April, Germany and the UK co-hosted an expert-level informal meeting on the LRA in which Council members heard an update from the UN Department of Political Affairs, Department of Peacekeeping Operations and the Office for the Coordination of Humanitarian Affairs on the status of the UN strategy requested in its presidential statement. Council members were told that the strategy had yet to be completed but will include goals and recommendations on improving coordination between UN missions and the AU initiative, as well as a gap analysis of the UN's current response. Council members were told that the strategy will be ready prior to June's Council meeting.

On 22 May, the PSC renewed the authorisation of the RCI-LRA for another 12 months. The PSC invited the Security Council and the Secretary-General to assist the initiative through the peacekeeping mission in the region, including by adjusting, if necessary, the mandates of these missions.

On 12 May, the Ugandan military announced that it had captured Caesar Acellam, one of the LRA's top military leaders, in the Central African Republic. Radhika Coomaraswamy, the UN Special Representative for children and armed conflict, called on Uganda to bring Acellam to justice. However, a chief legal adviser to the Uganda Amnesty Commission said Acellam could seek a pardon under the Ugandan Amnesty Act.

On 29 February, the Council adopted resolution 2039 on piracy in the Gulf of Guinea. The resolution requested that UNOCA, together with the UN Office for West Africa (UNOWA), keep the Council informed on

this issue. (On 31 October 2011, the Council unanimously passed resolution 2018, condemning acts of piracy and armed robbery in the Gulf of Guinea region. Since then, the issue has featured regularly on the Council's agenda.)

Key Issues

A key issue for the Council is obtaining adequate information on the implementation of the AU initiative and the UN regional strategy to address the LRA in order to identify the Council's best role in supporting or endorsing AU efforts.

What other steps can be taken to enhance existing peacekeeping missions in the region in response to the LRA is a further issue for the Council to consider.

A related issue is the role UNOCA can play in coordinating UN efforts on the LRA problem.

Options

Options for the Council include:

- issuing a presidential statement or a press statement welcoming recent progress and stressing its intentions to keep a focus on the LRA issue;
- addressing the information provided on the AU regional initiative and requesting the Secretary-General to report to the Council on its particulars as it unfolds;
- endorsing the UN regional strategy or requesting its further elaboration;
- requesting another report on the issue;
- urging better cooperation among countries in the region in prioritising protection of civilians in LRA-affected areas; or
- taking no action at this time.

Council Dynamics

It seems that setting the structures of the AU initiative—in particular its command and control mechanisms—are at their final stages, yet Council members are looking forward to receiving more information on the implementation of the AU-mandated initiative on the ground. At this stage, some Council members are less keen to take a proactive stance on the development and implementation of the RCI-LRA and feel that they should revisit the issue in the fall, when the initiative is fully operational.

Council members are hoping that UNOCA's report and the UN strategy will provide a better understanding of how the Council can play a constructive role in support of an

AU authorised initiative, within a larger UN regional strategy. Some Council members may ask Moussa about ways Council-mandated peacekeeping operations in the region can be better utilised to support the RCI-LRA or bilateral LRA-related efforts within their current resources. They are likely to also discuss those questions among themselves.

The UK is the lead country on the LRA.

UN Documents

Security Council Resolution

- S/2012/2039 (29 February 2012) was on piracy in the Gulf of Guinea.

Security Council Presidential Statement

- S/PRST/2011/21 (14 November 2011) was on the AU efforts regarding the LRA.

Press Statements

- SC/10364 (18 August 2011) was on the role of UNOCA.
- SC/10335 (21 July 2011) was on efforts to address the LRA issue.

Meeting Record

- S/PV.6657 (14 November 2011) was the briefing by Moussa.

Secretary-General's Reports

- S/2011/704 (10 November 2011) was the first report on UNOCA.
- S/2011/693 (4 November 2011) was on the LRA-affected areas.

Other Relevant Documents

AU Decisions

- PSC/PR/COMM. (CCCXXI) (22 May 2012) renewed the authorisation of the RCI-LRA for 12 months by the PSC.
- PSC/MIN/(CCCXXI) (22 May 2012) was the report of the chairperson of the AU Commission to the PSC on the implementation of the RCI-LRA.
- PSC/PR/COMM.(CCXCIX) (22 November 2011) authorised the implementation of the RCI-LRA.

Sudan and South Sudan

Expected Council Action

In June, the Council is due to discuss in consultations the Secretary-General's report on the UN Interim Security Force in Abyei (UNISFA) that it receives every 60 days under the terms of resolution 2047.

The Council will also most likely hold consultations twice during June on the situation between Sudan and South Sudan. This is done in accordance with resolution 2046—which requests the Secretary-General to inform the Council at two-week intervals on the status of compliance by Sudan, South Sudan and the Sudan Peoples' Liberation Movement-North (SPLM-N) with the resolution.

A Council meeting with troop and police-contributing countries to the UN Mission in South Sudan (UNMISS) is also scheduled in late June, prior to the expected renewal of the mission's mandate in early July.

The mandate of UNISFA expires on 17 November.

Key Recent Developments

On 2 May, the Council unanimously adopted resolution 2046 under Chapter VII of the UN Charter to address the deterioration of relations between Sudan and South Sudan. Supporting many elements of the AU communiqué of 24 April, the resolution called on both countries to resume negotiations within two weeks in an effort to resolve key issues separating them, such as oil wealth-sharing, the status of each country's nationals who are living in the other country, demarcation of the border and the status of disputed border regions, including Abyei.

It also maps out strict timelines for Sudan and South Sudan to take concrete actions to de-escalate their conflict, including *inter alia*:

- an immediate cessation of all hostilities, including aerial bombardments, with both sides "conveying their commitment in this respect" to the Chairperson of the AU Commission and the president of the Security Council within 48 hours of the resolution's adoption;
- unconditional withdrawal of their security forces from territory belonging to the other side;
- an immediate end to "hostile propaganda and inflammatory statements in the media";
- establishment within one week of the Joint Border Verification and Monitoring Mechanism and the secure demilitarised zone along the border separating the two countries;
- a cessation by both sides of support for, and harbouring of, rebel groups fighting



- against the other country; and
- redeployment of security forces of both sides from Abyei within two weeks.

Regarding the situation in Blue Nile and South Kordofan states in Sudan, the resolution also decided that Sudan and the SPLM-N should fully cooperate with the AU High-Level Implementation Panel (AUHIP) and the chair of the Intergovernmental Authority on Development (IGAD) to come to a negotiated settlement. It further strongly urged both Sudan and the SPLM-N to accept the AU-UN-League of Arab States tripartite agreement, which details a plan for the provision of humanitarian aid to civilians in both government- and rebel-controlled territories.

If the parties fail to comply with the resolution, the Council expressed its intention "to take appropriate measures under Article 41 of the Charter as necessary." (Article 41 includes non-military coercive measures of Chapter VII, such as, for example, the "complete or partial interruption of economic relations," as well as "the severance of diplomatic relations.")

In a 3 May letter to the Council (S/2012/293), South Sudan expressed its commitment to cease fighting and resume negotiations with Sudan in accordance with resolution 2046. However, South Sudan has indicated that it does not agree with the resolution's statement that the map used by the AUHIP should serve as a basis for negotiations on border security mechanisms.

On 14 May, the parliament of Sudan announced that it had accepted the resolution, but only with certain "reservations". (For example, the parliament dismissed the resolution's decision that Sudan should negotiate with rebels in South Kordofan and Blue Nile, an issue that it considers to be a domestic matter.) The ruling National Congress Party also appointed a special committee to review the resolution.

Reports of hostilities between Sudan and South Sudan continued in the days following the adoption of the resolution. On 3

May, South Sudan said that Sudan had dropped bombs on Lalop and Panakuch in Unity state, wounding two people. It also alleged that Sudan had launched an artillery attack on Teshwin, also in Unity state. South Sudan further alleged additional air strikes by Sudan on 7 and 8 May on South Sudan's Unity, Upper Nile, and Western Bahr el-Ghazal states. On 4 May, while indicating that it was committed to the Council's resolution, Sudan accused South Sudan of occupying certain areas inside Sudan's Darfur border, adding that it had a right to repel these incursions.

Fleeing the violent conflict and food insecurity in South Kordofan and Blue Nile states, an influx of refugees continued to swell refugee camps across the border in South Sudan. On 10 May, UNHCR reported that an average of 550 refugees, many malnourished, were arriving at the Yida refugee camp in Unity state each day, a rate six times greater than in March. Meanwhile, aid workers were struggling to serve the approximately 37,000 refugees residing in the Jamam refugee camp in Upper Nile state.

The Council held consultations on Sudan and South Sudan on 16 May in accordance with resolution 2046. Haile Menkerios, Special Envoy of the Secretary-General on Sudan and South Sudan, briefed the Council via videoconference. He indicated that the level of violence between the parties had appeared to decrease since the Council's adoption of resolution 2046. (At press time, the next round of consultations on Sudan and South Sudan was scheduled for 31 May.)

On 17 May, the Council adopted resolution 2047, renewing the mandate of UNISFA for an additional six months. In early May, South Sudan withdrew the approximately 700 police that it had in Abyei, a measure welcomed by the resolution. In a letter to the Council on 15 May (S/2012/322), Sudan expressed a commitment to withdraw its security forces from Abyei, although it indicated that it needed to discuss monitoring and verification in the region with AUHIP chair Thabo Mbeki.

Although South Sudan accused Sudan of aerial bombardments on its territory in Western Bahr El Ghazal, Northern Bahr El Ghazal and Unity States, it appeared that some progress was made toward deescalating tensions between Sudan and South

Sudan in the last days of May. The two countries began a new round of negotiations in Addis Ababa on 29 May to discuss their adherence to resolution 2046. Also on 29 May, Sudan withdrew military forces from Abyei, although Sudanese armed police remained.

Key Issues

Among key issues related to Abyei are:

- the fact that Sudanese police remain in Abyei, although Sudan has withdrawn its troops from the region;
- whether thousands of displaced persons who fled Abyei when Sudan attacked the region in May 2011 will return to the region in light of reports that Sudanese troops have withdrawn (or whether the continuing presence of Sudanese police in Abyei will continue to deter them from returning); and
- the lack of progress by the parties in establishing border security mechanisms.

Key issues related to Sudan-South Sudan more broadly include:

- the Council's need to maintain pressure on the parties to comply with resolution 2046, (especially since many of the deadlines established for compliance in the resolution have passed without action by the parties);
- Mbeki's efforts to reinvigorate the negotiating process, which was largely dormant throughout April and most of May;
- the treatment of the roughly 500,000 people of southern origin who remain in Sudan, many of whom are facing social and economic discrimination; and
- the ongoing humanitarian crisis in South Kordofan and Blue Nile, and the lack of progress in convincing Sudan to permit humanitarian access to civilian populations affected by conflict in the two states. (Sudan has expressed its concern that aid could find its way into rebel hands and accuses South Sudan of supporting the rebels.)

Options

With respect to UNISFA, options could include:

- requesting a briefing on recent developments in Abyei and activities of the mission by Lt. Gen. Tadesse Werede Tesfay, the Force Commander and Head of UNISFA; and
- adopting a presidential statement that welcomes the withdrawal of Sudanese

troops and South Sudanese police from Abyei, calls on Sudan to withdraw its police from the region, and reiterates prior requests for border security mechanisms to be activated.

Regarding Sudan-South Sudan issues, an option is using the Working Group on Conflict Prevention and Resolution in Africa as a forum to generate strategies that help facilitate progress in the negotiations between Sudan and South Sudan and consider follow up measures to resolution 2046.

As unresolved border delimitation issues, beyond the Permanent Court of Arbitration (PCA) ruling on Abyei in 2009, continue to be a source of contention, the Council could consider invoking underutilised Article 36(3) of the UN Charter and recommend that both parties refer the matter to the International Court of Justice or alternatively to the PCA.

Council Dynamics

Concerning Abyei, many Council members believe that UNISFA has been doing an effective job. Nonetheless, they remain concerned by lack of progress by both parties in resolving several issues that impact on the mission's work. For example, border security mechanisms, which UNISFA is mandated to support, have yet to be activated. Although encouraged by South Sudan's withdrawal of police from Abyei and Sudan's withdrawal of troops from the area, some Council members seem concerned that Sudanese police remain in Abyei.

With respect to Sudan-South Sudan relations more generally, although Council members are encouraged that the parties have returned to the negotiating table, they understand the challenging nature of the negotiations. While the Council expresses its intention to take appropriate action "as necessary" under article 41 of the UN Charter (including sanctions and other non-military measures) in resolution 2046 in the event of non-compliance by the parties, some members appear to be more reluctant than others to consider sanctions as a viable option. These members appear to view sanctions as potentially counterproductive in an environment in which the Council is trying to promote negotiations between the parties.

The US is the lead country on UNISFA.

Ambassador Daffa-Alla Elhag Ali-Osman (Sudan) also addressed the Council in December. He said that Ocampo's remarks contained "baseless accusations" and ignored improved security conditions in Darfur. Ali-Osman also noted that Ocampo had not mentioned the Doha Document for Peace in Darfur, which he said reflected the Sudanese government's desire for peace.

On 1 March, the ICC issued an arrest warrant for Hussein for crimes against humanity and war crimes allegedly committed in Darfur between August 2003 and March 2004. (Ocampo had requested the pre-trial chamber to issue the warrant for Hussein's arrest, on 2 December 2011.)

On 20 April, a formed police unit that had been patrolling a camp for internally displaced persons in Western Darfur was fired upon while returning to base. Four Togolese peacekeepers were wounded in the assault, and one later died. The Council adopted a press statement (SC/10623) on 24 April condemning the attack and calling on the Sudanese government to bring those responsible to justice.

The Council was last briefed on the situation in Darfur by Hervé Ladsous, Under-Secretary-General for peacekeeping operations, on 26 April. During the briefing, he said that the potential for a resumption of negotiations between the Sudanese government and rebel movements that have not signed the Doha Document did not look favourable. He explained that the Justice and Equality Movement and the Sudan Liberation Army-Minni Minawi have indicated a desire to discuss national economic and political reforms, while the Sudan Liberation Army-Abdul Wahid has said that it will only negotiate when the government deals with the underlying sources of the conflict. (The Sudanese government has said that it is only willing to discuss the situation in Darfur, and in this respect, only particular elements of the Doha Document related to security arrangements and political appointments.)

UN Documents

Security Council Resolutions

- S/RES/2047 (17 May 2012) renewed UNISFA's mandate.
- S/RES/2046 (2 May 2012) was on Sudan-South Sudan relations.
- S/RES/1990 (27 June 2011) established UNISFA.

Latest Secretary-General's Report

- S/2012/175 (23 March 2012) was on UNISFA.

Letters

- S/2012/352 (22 May 2012) was from South Sudan to the Council accusing Sudan of bombings and ground incursions on its territory.
- S/2012/326 (15 May 2012) was from Sudan to the Council regarding a map of South Sudan.
- S/2012/322 (15 May 2012) was from Sudan to the Council expressing its commitment to withdraw its forces from Abyei.
- S/2012/315 (11 May 2012) was from South Sudan to the Council indicating that it had withdrawn its police from Abyei.
- S/2012/295 (4 May 2012) was from South Sudan to the Council reiterating its commitment to cease hostilities with Sudan, while accusing Sudan of bombings and ground incursions on its territory.
- S/2012/293 (3 May 2012) was from South Sudan to the Council expressing its commitment to cease hostilities with Sudan.

Other Relevant Facts

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

Haile Menkerios (South Africa)

Chair of the AU High-Level Implementation Panel

Thabo Mbeki (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 30 April 2012: 3,881 total uniformed personnel (including

3,799 troops and 82 military observers) and 1 UN volunteer; as of 29 February 2012, the mission also includes 35 international civilian personnel and 12 local civilian staff.

Troop contributor: Ethiopia

Sudan/Darfur

Expected Council Action

In early June, the Council is scheduled to receive the biannual briefing from Prosecutor Luis Moreno-Ocampo on the work of the International Criminal Court (ICC) in Sudan. Ocampo is expected to deliver his report in a public meeting of the Council, followed by a private meeting. (This will be his final briefing to the Council as ICC Prosecutor, as he is expected to leave his post mid-month. He will be succeeded by Fatou Bensouda of Gambia.)

Key Recent Developments

Ocampo last briefed the Council on the work of the ICC in Sudan on 15 December 2011. He outlined the evidence that the ICC had mustered against the various Sudanese officials and rebels that it had indicted. He also noted that only days prior to the briefing his office had requested an arrest warrant for Sudan's Minister of Defence, Abdelrahim Mohamed Hussein, for crimes against humanity and war crimes he allegedly committed while serving as Interior Minister and Special Representative of the President in Darfur. In particular, Ocampo said that Hussein "played a central role in coordinating the crimes, including in recruiting, mobilizing, funding, arming, training and deploying the militia/Janjaweed as part of the Government of Sudan forces, with the knowledge that these forces would commit crimes."

Ocampo also emphasised the importance of implementing ICC arrest warrants and respecting Security Council resolutions. He called for the AU and the Arab League to play a key part in helping to find a solution that respects the authority of the Council and the decisions of ICC judges.

Regarding the situation in Darfur more generally, Ocampo said that, despite numerous requests from the Council, aerial bombardments continued and the Janjaweed (a pro-Khartoum militia) had not been disarmed.

Ladsous also delineated the findings of the review of the AU/UN Hybrid Mission in Darfur (UNAMID) uniformed personnel that the UN Secretariat conducted earlier this year in consultation with the AU in accordance with resolution 2003. He noted that the review recommended reductions of 3,260 military personnel, 770 police personnel, and more than 1,000 individuals participating in UNAMID in various technical capacities (e.g. reconnaissance, engineering and aviation). According to Ladsous, the review further indicated that a large number of UNAMID infantry could be redeployed from the Chadian and Libyan borders with Darfur to the relatively populous belt of territory that goes through the centre of Darfur from Chad to Kordofan state. (The rationale for this recommendation, according to Ladsous, is that Sudan's relations with Chad and Libya have improved, as has security along its border with these countries.)

Key Issues

An ongoing key issue is the Council's unwillingness to act on requests by the ICC Prosecutor to take measures against states parties to the Rome Statute that do not fulfil their responsibilities and how this failure to act erodes the effectiveness of the Court and the credibility of the Council's own binding resolutions. (The ICC has informed the Council of visits of Sudanese President Omar al-Bashir, who has been indicted by the ICC for alleged war crimes, crimes against humanity and genocide, to Chad, Djibouti, Kenya and Malawi—all parties to the Rome Statute—without a response from the Council.)

Another key issue is whether the ICC indictments of key Sudanese officials hinder the prospects for constructive diplomacy and negotiations and, if these indictments do have such an effect, whether the desire for justice and ending impunity should take precedence. A related issue is whether a compromise solution can (or should) be found that balances penalties and inducements in a way that does not make the so-called "peace versus justice" debate a zero-sum proposition for either side.

Options

One option would be to listen to the briefing and not take action at the current time.

Another option would be to hold an informal interactive dialogue on the role of the ICC in Sudan that includes the participation of

regional organisations such as the AU and the Arab League, as well as members of the AU Peace and Security Council.

While unlikely, the Council could also remind all UN member states that resolution 1593, which referred the situation in Darfur to the ICC, is binding and indicate the Council's intention to follow up on any instance of non-compliance.

Council Dynamics

The majority of the Council's current members are not parties to the Rome Statute. Regarding the ICC's work in Sudan, there are differences of opinion on the Council, especially between those that are signatories of the Rome Statute and those that appear to be critical of the Court's pursuit of Bashir. In recent years, some members of the Council have argued for a deferral of the case against Bashir under article 16 of the Rome Statute. (Article 16 allows for a one-year suspension of investigation or prosecution of a case so long as the Council adopts a resolution for this purpose, one that could be renewed annually.) Others on the Council have been opposed to such a deferral.

The UK is the lead country on Darfur.

UN Documents

Security Council Resolutions

- 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.

Secretary-General's Reports

- S/2012/231 (17 April 2012) was the most recent quarterly report of the Secretary-General on UNAMID.
- S/2012/166 (19 March 2012) contained the Framework for AU and UN facilitation of the Darfur peace process.
- S/2011/252 (15 April 2011) was on implementation of the Darfur Political Process.

Meeting Records

- S/PV.6762 (26 April 2012) was the Council's discussion of the Secretary-General's last report on UNAMID.
- S/PV.6688 (15 December 2011) was the latest briefing by the ICC Prosecutor.

Other

- SC/10623 (24 April 2012) was a Council press statement condemning an attack on UNAMID peacekeepers.

Guinea-Bissau

Expected Council Action

In June, the Council is expected to hold consultations on the implementation of the measures set out in resolution 2048 of 18 May on Guinea-Bissau, including a travel ban on five members of the Military Command, and on an initial Secretary-General's report on steps taken in the country to restore constitutional order. Under-Secretary-General for Political Affairs B. Lynn Pascoe will likely brief the Council.

It is likely that the list of those targeted for sanctions will be expanded. It is also likely that additional measures, including an embargo on arms and asset freezes, will be added.

The mandate of the UN Integrated Peacebuilding Office in Guinea-Bissau (UNIOGBIS) expires on 28 February 2013.

Key Recent Developments

On 18 May, the Council adopted resolution 2048, imposing a ban on foreign travel on army leaders who seized power in Guinea-Bissau on 12 April. The soldiers called themselves the Military Command, and their coup aborted preparations for run-off presidential elections slated for 22 April. The five soldiers named in the resolution are Gen. António Injai (a.k.a. António Indjai), Maj. Gen. Mamadu Ture (a.k.a. N'Krumah), Gen. Estêvão Na Mena, Brig. Gen. Ibraima Camará (a.k.a. "Papa Camará") and Lt. Col. Daba Nualna (a.k.a. Daba Na Walna).

The resolution decided to establish a new sanctions committee to monitor the implementation of the sanctions which could review "on a case-by-case basis" requests for the travel ban to be suspended or lifted if "an exemption would further the objectives of peace and national reconciliation in Guinea-Bissau and stability in the region." (At press time, the committee has not yet been constituted.)

On 21 May, Council members visiting West Africa held a high-level meeting on Guinea-Bissau with the Economic Community of West African States (ECOWAS) in Abidjan, Côte d'Ivoire, under the framework of the AU Peace and Security Council-UN partnership.

Key Issues

The key issue for the Council remains the speedy restoration of the constitutional

order and the completion of the electoral process begun in March.

Other issues include combating the stranglehold of drug trafficking and organised crime networks on the military and political elite, as well as undertaking a comprehensive security sector reform process.

Options

Options for the Council include:

- expanding the list of individuals banned from travelling to include several more figures, including civilians, who are helping the Military Command; and
- adding additional measures, including asset freezes, to those in resolution 2048.

Council Dynamics

Though there may be disagreement among Council members about approach, there seems to be unanimous agreement about ending the military regime in Guinea-Bissau and restoring some form of constitutional order. Council members have been divided as to the respective roles and leads to be assigned to ECOWAS and the Community of Portuguese Speaking Countries, and as to the terms offered by ECOWAS to the Military Command in a year-long transition plan that was discussed with the military in two rounds of negotiations in Banjul, The Gambia and Dakar, Senegal on 29 April and 3 May respectively.

Togo is leading on this issue though Portugal sponsored resolution 2048.

UN Documents

Security Council Resolution

- S/RES/2048 (18 May 2012) imposed travel bans on coup leaders and set up a new sanctions committee.

Presidential Statement

- S/PRST/2012/15 (21 April 2012) was on the coup in Guinea-Bissau.

Latest Secretary-General's Report

- S/2012/280 (30 April 2012) was a special report of the Secretary-General on the latest developments in Guinea-Bissau.

Press Statement

- SC/10640 (8 May 2012) was issued after the 7 May briefing by Joseph Mutaboba and Ambassador Maria Luiza Viotti (Brazil).

Central African Republic

Expected Council Action

In June, the Council expects a briefing on the situation in the Central African Republic (CAR) by Margaret Vogt, the Secretary-General's Special Representative and head of the UN Integrated Peacebuilding Office in CAR (BINUCA), followed by consultations. The Council is likely to issue a press statement after the consultations.

BINUCA's mandate, renewed by resolution 2031 in December 2011, ends on 31 January 2013.

Key Recent Developments

On 21 May, a government official announced that armed men believed to be from Chad burned down two villages in the CAR, killing three people. The Secretary-General's November 2011 report on BINUCA (S/2011/739), had warned that the presence of the Chadian rebel group *Front populaire pour le redressement*, led by Baba Laddé, on the territory of the CAR posed serious security risks and threatened peace consolidation efforts. It noted that the national security and defence forces, "which should function as primary security providers in the remote areas of the country, are under-resourced and largely incapable of fulfilling their responsibilities."

(The Secretary-General's report noted that on 13 June 2011, Laddé signed a communiqué with the 'National Mediators' of Chad and the CAR, committing his group to lay down its weapons and enter into discussions towards the signing of a peace agreement within a month, with the understanding that this would lead to the repatriation to Chad of some 400 to 500 of its members. But the process stalled shortly after the signing over the issue of security guarantees for the return of Laddé to Chad.)

In May, the government announced positive developments with respect to the difficult process of disarmament, demobilisation and reintegration (DDR) of former rebel fighters of the *Armée populaire pour la restauration de la démocratie* (APRD) led by Jean-Jacques Démafouth. More than 1,000 of the fighters reportedly began to be demobilised.

The DDR process—in the context of a broader security sector reform (SSR)—



remains one of the most critical issues in the CAR. Resolution 2031 underlined the national strategy for the reintegration of former combatants, drafted with the support of BINUCA on 8 July 2011, and urged the government to "redouble its efforts towards ensuring national ownership and full implementation of the strategy, in line with the wider security sector reform, and to define a timeline and draw up specific reintegration programmes in order to be able to seek support from bilateral and multilateral partners."

Briefing the Council on 14 December 2011, Vogt had raised alarm at the lack of funding to complete the DDR process and to launch phase two of the SSR process, saying that the situation could put the country back on the "brink of disaster." She noted that the CAR government needed \$3 million to complete the disarmament process and \$19 million for the reintegration process.

On 4 April, the government and BINUCA held a hastily arranged donors conference to raise the money. The conference, however, was not successful: commitments were made by only two countries—Australia (\$200,000) and Luxembourg (\$100,000)—amounting to \$300,000. Donors expressed concern at the lack of movement on key political issues, including reform of the electoral law and the continued detention of opposition figures.

Of great concern is the continuing foraging activity of the Lord's Resistance Army (LRA), a formerly Uganda-based group that now operates mainly in the CAR, the Democratic Republic of Congo and South Sudan. The advocacy group ENOUGH reported in May that LRA leader Joseph Kony, might be in northern CAR. (CAR Prime Minister Faustin Archange Touadera told the Council on 14 December 2011 that the activities of the LRA, among others, pose a grave risk to his country.) The ENOUGH report noted that despite the deployment of US military advisers to assist government troops in the region, the LRA remains active, carrying out more than 50 attacks and displacing nearly 450,000 people in the first three months of

2012. (For more details about the LRA, please see a separate brief in this issue of the Forecast.)

Developments in the Peacebuilding Commission (PBC)

In April, Ambassador Jan Grauls (Belgium), the chair of the PBC's country-specific configuration for the CAR, notified the PBC that he was leaving the position on 1 June. He had been chair since 12 June 2008. On 18 November 2011, the CAR configuration adopted the conclusions and recommendations of the second review of the Strategic Framework for Peacebuilding in the Central African Republic (PBC/5/CAF/3). The review noted that "progress, albeit slow, has been achieved on various fronts, and that peacebuilding, as a process, has moved in the right direction, despite setbacks and challenges." However, the SSR process "essentially came to a standstill after the October 2009 security sector reform round table, which did not result in new donor commitments," it noted.

Grauls last briefed the Council on 14 December 2011, calling the lack of financing for DDR efforts a "major and pressing" challenge. He reported on his visit to the CAR in October 2011, noting that it was the promise of support for reintegration that had enabled the government to disarm and demobilise the rebels in the west of the country. Implementation of that pledge was important. The Peacebuilding Fund and World Bank should consider ways to contribute to that, he added.

Key Issues

The key issue is the need for progress on the DDR process, particularly completing the disarmament and reintegration of former rebel combatants.

The desperate lack of funding and how Council members could help remedy this situation, are related issues.

Another important issue for the Council is the threat to stability posed by the foraging activity of the LRA and determining how the Council can best assist the CAR in addressing this problem in the context of its overall strategy against the LRA.

Underlying Problems

Throughout the election period in 2011—voting took place on 23 January and 27 March 2011—the government, for no clear reason, prevented key opposition figures such as Nicolas Tiangaye, Martin Ziguélé and Ange-Félix Patassé from travelling out of the country. The Constitutional Court annulled close to 20 percent of the results of the legislative elections on grounds of irregularities. On 4 September 2011, by-elections were held peacefully in 14 constituencies, but the opposition, including the coalition known as the *Front pour l'annulation et la reprise des élections* 2011, boycotted those polls.

Options

One option for the Council is to issue a press statement calling for more support for the DDR process and for more political openness by the government.

Another option for the Council is to issue a presidential statement emphasising the need for greater coordination of efforts between the PBC and BINUCA going forward.

Council Dynamics

CAR is not a contentious item on the Council's agenda. Council members seem to be in general agreement on the need to support the peacebuilding process in the CAR. Following Graul's resignation, there is likely to be greater interest among some Council members in monitoring developments, particularly the relationship between the leadership of BINUCA and the chair of the PBC country-specific configuration, more closely.

France is the lead country on the CAR in the Council.

UN Documents

Security Council Resolution

- S/RES/2031 (21 December 2011) extended the mandate of BINUCA until 31 January 2013.

Presidential Statements

- S/PRST/2011/21 (14 November 2011) condemned the LRA's role in the Central African region.
- S/PRST/2010/26 (14 December 2010) extended the mandate of BINUCA until 31 December 2011.

Meeting Records

- S/PV.6687 (14 December 2011) was the Council briefing by Vogt and Grauls.
- S/PV.6575 (7 July 2011) was Vogt's briefing to the Council.

Secretary-General's Report

- S/2011/739 (28 November 2011) was the Secretary-General's report on BINUCA.
- S/2011/693 (4 November 2011) was on the LRA-affected areas.

PBC-Related Document

- PBC/5/CAF/L.1 (28 October 2011) contained the draft conclusions and recommendations of the second biannual review of the strategic framework for peacebuilding in CAR.

Other Relevant Facts

Special Representative of the Secretary-General and Head of BINUCA

Margaret Vogt (Nigeria)

Liberia

Expected Council Action

In June, the Council is likely to discuss the special report of the Secretary-General on the UN Mission in Liberia (UNMIL), submitted in April. The Council will likely be briefed in closed consultations by the Department of Peacekeeping Operations. The Council will also likely consider the midterm report of the Panel of Experts (PoE) monitoring the implementation of the Liberia sanctions regime, due by end of May. A key consideration in this respect could be a review of the list of individuals banned from travel and subject to asset freezes. There may also be consideration with respect to the eventual drawdown of UNMIL's military component and the beefing up of the police component.

UNMIL's mandate expires on 30 September.

Key Recent Developments

On 30 May, Charles Taylor, Liberia's former President, was sentenced to 50 years in prison by the UN-mandated Special Court for Sierra Leone for aiding and abetting the commission of war crimes by Sierra Leone's Revolutionary United Front (RUF) rebels during that country's civil war.

On 19 and 20 May, Council members, led by Ambassador Susan Rice (US) and

Ambassador Mohammed Loulichki (Morocco), visited Liberia to assess the overall security challenges in the country, especially the capability of Liberia's internal defence mechanisms. Of particular interest to Council members are the security-capability gaps along the Ivorian border, including the need for continued attention to illicit weapons flows in the region and exploring methods to strengthen regional cooperation. The mission was also intended to review progress made so far in implementing UNMIL's mandate as set out in resolution 2008.

Council members met with President Ellen Johnson-Sirleaf and her cabinet, as well as with representatives of civil society organisations, to discuss national reconciliation and governance issues. The meetings gave Council members a better understanding of issues of concern in Liberia, including participation of women, the conviction of former President Charles Taylor by the Special Court for Sierra Leone, reconciliation and corruption. Among other activities, Council members also met with UNMIL and the UN country team in Liberia and participated in a meeting with the heads of the Justice Ministry, Liberian National Police, the Bureau of Immigration and Naturalisation and the UN Police (UNPOL). The Council's last visit to Liberia was in 2009.

Just before the Council visit, from 13 to 18 May, the chair of the sanctions committee and the PoE visited Liberia. The delegation also met with government and UNMIL officials, civil society, representatives of regional organisations, and law-enforcement officials.

Resolution 2008, which was adopted on 16 September 2011, called on the government of Liberia to continue work on developing "national security and rule of law institutions that are fully and independently operational." It also encouraged "coordinated progress on the implementation of all Security and Justice Development Plans." The resolution also called on the government of Liberia and UNMIL to "continue to make progress in the transition planning process, particularly in addressing critical gaps that need to be filled in order to facilitate a successful transition," and requested the Secretary-General to deploy a technical assessment mission to Liberia after the inauguration of

the new president. The technical mission was to focus on "the security transition, and also develop detailed proposals for the next stages of UNMIL's drawdown, based on a thorough review of progress made towards the transition benchmarks, with a view to providing timelines and recommendations for the further reduction of UNMIL's military component."

On 16 January, Johnson-Sirleaf, who was re-elected to a second term in largely peaceful, free and fair elections in November 2011, was inaugurated. On 20 February, the Secretary-General deployed the assessment mission, led by the Department of Peacekeeping Operations. The mission stayed until 2 March and submitted a detailed report (S/2012/230) to Council members on 16 April. The report noted that the peace in Liberia is fragile and the significant economic and political gains made so far are "vulnerable to disruption." (For more details, please refer to our *May 2012 Forecast*.)

Among key recommendations of the report are: a very careful adjustment of UNMIL's security presence over the next three years (UNMIL's total troop strength at present is 7,952; the report recommends the repatriation of 4,200 troops in three phases between August and July 2015, leaving the mission's military strength at approximately 3,750 troops for the foreseeable future); and adding three formed police units to UNMIL's police component over the next three years (its current strength is 498 advisers and 845 officers in seven formed units).

Developments in the Peacebuilding Commission (PBC)

In March, the PBC published its first review of progress in implementing the Statement of Mutual Commitment, which was adopted on 15 November 2010. Covering the period 1 November 2010 to 31 July 2011, the review reported that "while the professional capacity of the justice and security systems are being developed, greater attention will need to be paid to ensuring that underlying these efforts is a vibrant political society to better guarantee the legitimacy of these institutions."

Ambassador Prince Zeid Ra'ad Zeid Al-Husseini (Jordan), stepped down as



chair of the PBC's Liberia country-specific configuration in March and on 17 April, the configuration elected Ambassador Staffan Tillander (Sweden) as the new chair. Sweden has a significant field presence in Liberia.

Key Issues

The key issue for the Council continues to be how best to assist Liberia in consolidating its peace, with the goal that its national institutions are able to maintain order and stability independently of UNMIL.

A related issue is to ensure an eventual smooth transition of UNMIL from a large peacekeeping mission to a possible successor presence, probably a small political office similar to the UN Integrated Peacebuilding Office in Sierra Leone (UNIPSIL). Striking a balance between the need to wind down the mission and doing it at a time when the gains from UNMIL's work have taken root, will be particularly important.

Options

- Regarding sanctions, an option would be significantly revising the list of individuals sanctioned with travel ban and asset freezes, in view of progress in peace-consolidation made so far, as well as the recent Taylor conviction by the Special Court for Sierra Leone.
- Regarding UNMIL, starting discussions on reducing the number of troops for the mission and increasing the police component would be an option.

Council Dynamics

Council members generally appear to be impressed by the significant economic gains made by the country since 2006, but concerns remain about the lack of movement on issues relating to national reconciliation. There seems to be a growing concern among some Council members about entrenching a feeling of dependency in Liberia as a result of UNMIL's prolonged existence, but also fear that the timeline set for UNMIL's military drawdown may be unrealistic. Council members are concerned about the slow pace of development

of Liberia's internal security mechanisms and by extension UNMIL's transition. Council members are keenly aware of the salience of the issues relating to the mission in Liberia for regional peace and security, in particular the illicit movement of arms across the border between Liberia and Côte d'Ivoire. In this respect, Council members appeared impressed during the visit to West Africa about the inter-mission cooperation between UNMIL and the UN Operation in Côte d'Ivoire.

The US leads on Liberia in the Council.

UN Documents

Security Council Resolutions

- S/RES/2025 (14 December 2011) renewed the sanctions regime and the mandate of the PoE monitoring the sanctions for 12 months.
- S/RES/2008 (16 September 2011) extended the mandate of UNMIL until 30 September 2012.
- S/RES/1521 (22 December 2003) established the PoE as part of a sanctions regime.

Secretary-General's Reports

- S/2012/230 (16 April 2012) was the special report on UNMIL requested by Resolution 2008.
- S/2011/497 (5 August 2011) was a regular report, covering developments in Liberia since 14 February 2011.

Latest Report of the Panel of Experts

- S/2011/757 (30 November 2011)

Other Relevant Facts

UNMIL Special Representative of the Secretary-General

Karin Landgren (Sweden)

UNMIL Force Commander

Major General Muhammad Khalid (Pakistan)

Chairman of the Sanctions Committee

Abdullah Hussain Haroon (Pakistan)

Panel of Experts on Liberia

Augusta Muchai (Kenya), arms and coordinator; Caspar Fithen (UK), natural resources and Christian Dietrich (US), finance

Useful Additional Source

Security Council Visit to Liberia: Terms of Reference (15 May 2012)

Consultations with the AU Peace and Security Council

In June, Council members expect to hold the annual consultative meeting with the AU's Peace and Security Council (PSC) at UN headquarters in New York. A communiqué is a likely outcome.

Key Recent Developments

Members of the two Councils have been meeting annually since 2007, alternating between their respective headquarters. The last consultative meeting was held in Addis Ababa on 21 May 2011. Whereas in previous years, process issues had largely dominated the meetings with relatively little time devoted to substance, the 2011 consultations were mostly focused on substantive issues, including Côte d'Ivoire, Libya, Somalia and Sudan. The communiqué adopted at the end of the meeting contained detailed sections on each of those situations. It also expressed the members' interest in the upcoming reports from the Chairperson of the AU Commission and the UN Secretary-General on their respective strategic visions of the partnership between the two organisations.

During its presidency of the Council in January, South Africa organised an open debate on strengthening the relationship and used the publication of the two reports (both released just prior to the 12 January debate) to focus the debate. During the summit-level debate presided over by South African President Jacob Zuma, the Council adopted resolution 2033, reiterating the importance of establishing a more effective relationship between the Security Council and the AU PSC. The resolution called for elaboration of "further ways of strengthening relations between the two Councils, including through achieving more effective annual consultative meetings, the holding of timely consultations, and collaborative field missions of the two Councils". It furthermore reflected the decision "to follow up on the Communiqués of the annual consultative meetings of the two Councils, including through its Ad-hoc Working Group on Conflict Prevention and Resolution in Africa." This was the first resolution on the relationship since the adoption of resolution 1809 in April 2008, which addressed a broad range of issues, with a particular focus on UN support for AU peacekeeping.

Key Issues

The key situation-specific issues that are likely to be the focus of the June discussions include the Sudan-South Sudan developments, Somalia and the recent unconstitutional changes of government in Guinea-Bissau and Mali.

A key overarching issue for the Council is how best to use the comparative advantages of the two organisations in addressing the peace and security issues in Africa.

A related issue is whether the annual meetings, rather than being discreet events with last-minute preparations and little follow-up, can become part of a process leading up to greater effectiveness in the maintenance of peace and security on the African continent.

Options

An option for the Security Council could be to establish a timetable for the follow-up to, and implementation of, the understandings included in the communiqué, which is likely to be issued at the end of the meeting. This could be done through a press statement or a note from the President of the Council.

A further option could be to set a date by which the Council wishes to receive and then discuss the analysis of lessons learned from practical cooperation between the AU and the UN, in particular with regard to the AU/UN Hybrid Operation in Darfur (UNAMID) and the AU Mission in Somalia (AMISOM), as requested in resolution 2033.

Council and Wider Dynamics

The PSC is the only body with which members of the Security Council have had regular meetings. But this relationship has experienced its share of tensions and frustrations. The PSC has sometimes been disappointed that the Security Council has not been responsive when it has sought political support for preventive diplomacy and crisis management or when the Security Council has hesitated to provide the degree of practical and material support for peacekeeping that the PSC has requested. Some Security Council members have been worried by the desire on the part of the AU side for the Security Council to defer to the position of regional organisations. Some members have also worried that regional groupings in certain situations have difficulty being impartial and may be part of the problem rather than the solution.

During the 2011 meeting, sharp divisions emerged on the topic of Libya, with several of the PSC members being very critical of the approach taken by the Council in resolutions 1970 and 1973. The annual meetings have tended to be hastily prepared and have lacked a follow-up.

During the period since the first meeting in 2007, the African members of the Security Council have had the lead on Africa-related thematic issues, including the annual consultative meetings.

UN Documents

Security Council Resolutions

- S/RES/2033 (12 January 2012) called for elaboration of “further ways of strengthening relations between the two Councils” and asked the Secretary-General in consultation with the AU to conduct a comprehensive analysis of lessons learned from practical cooperation between the UN and the AU.
- S/RES/1809 (16 April 2008) encouraged increased engagement between the AU and the UN and welcomed the Secretary-General’s proposal to set up an AU-UN panel to consider the modalities of how to support AU peacekeeping operations established under a UN mandate.

Communiqués from Previous Consultative Meetings

- S/2011/350 (8 June 2011) was a letter from the Permanent Representative of South Africa with an annex containing the communiqué from the 21 May 2011 consultative meeting.
- S/2010/392 (20 July 2010) was a letter from the Permanent Representatives of Gabon, Nigeria and Uganda with an annex containing the communiqué from the 9 July 2010 consultative meeting.
- S/2009/303 (11 June 2009) was a report from the Security Council mission to Africa, with an annex containing the communiqué from the 16 May 2009 consultative meeting.
- S/2008/263 (18 April 2008) was a letter from the Permanent Representative of South Africa with an annex containing the joint communiqué from the 17 April 2008 consultative meeting.
- S/2007/421 (11 July 2007) was a

report from the Security Council trip to Africa with an annex containing a joint communiqué from the first consultative meeting, held in Addis Ababa on 16 June 2007.

Other

- S/2012/20 (10 January 2012) was a letter from the Permanent Representative of South Africa containing the AU Chairperson’s report on the partnership between the AU and the UN on peace and security.
- S/2011/805 (29 December 2011) was the report of the Secretary-General on UN-AU cooperation in peace and security

Membership and the Rotating Chairmanship of the PSC

- Angola – April 2012
- Cameroon – May 2012
- Congo – June 2012
- Côte d’Ivoire – July 2012
- Djibouti – August 2012
- Egypt – September 2012
- Equatorial Guinea – October 2012
- The Gambia – November 2012
- Guinea – December 2012
- Kenya – January 2013
- Lesotho – February 2013
- Libya – March 2013
- Nigeria – April 2013
- Tanzania – May 2013
- Zimbabwe – June 2013

Afghanistan

Expected Council Action

In June, the Council expects to receive a briefing and hold a debate on developments and the Secretary-General’s most recent quarterly report on Afghanistan. No outcome is anticipated.

The mandate of the UN Assistance Mission in Afghanistan (UNAMA) expires on 23 March 2013.

Key Recent Developments

A NATO Summit, focusing largely on Afghanistan, was held on 20-21 May in Chicago. At the meeting, NATO reiterated its commitment to transition to Afghan responsibility for the country’s security. According to the communiqué released at the conclusion of the summit, “all parts of Afghanistan will have begun transition and the Afghan



forces will be in the lead for security nationwide” by mid-2013, with NATO “gradually and responsibly drawing down its forces to complete its mission by 31 December 2014.” Furthermore, after 2014, NATO’s role in Afghanistan will consist of training and advising Afghan forces.

UN Secretary-General Ban Ki-Moon, addressing the summit participants, said that the UN would “continue to support the Afghan government to the maximum of our ability.” However, he added that the UN could not “fill all the gaps” and that the “enduring commitment of every leader” at the summit would be “critical” to help Afghanistan meet its security and development challenges.

On the margins of the summit, François Hollande, the recently elected President of France, reasserted his campaign promise to remove the bulk of France’s approximately 3,400 troops in Afghanistan by the end of 2012. Some will remain behind to help with training and protecting equipment, as France has 900 vehicles and 14 helicopters that need to be withdrawn.

Valerie Amos, Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator, visited Afghanistan from 8 to 11 May. While in Afghanistan, Amos met with Vice President Mohammad Karim Khalili. In addition to witnessing what she described as the “shocking conditions” at one of the dozens of informal settlements in Kabul, Amos met internally displaced families in Balkh province in the north of the country. There she saw the impact that riverbank erosion was having on local communities.

On 17 May, Amos briefed the Council in consultations on her trip. During the consultations, it seems that Amos highlighted the difficult living conditions faced by the inhabitants of informal settlements, especially women and children. It also appears that she emphasised the need for enhanced investment in Afghanistan’s efforts to mitigate the impact of natural disasters on the country.

In early March, Afghanistan's leading religious council (the Ulema Council) issued a statement saying that women should not work or attend school with men and should not travel unless accompanied by a male relative. Afghan President Hamid Karzai endorsed the statement during a Kabul press conference. In late April, the water supply in a school for girls and young women in Rostaq, in the north of the country, was poisoned by those opposed to education for women and girls. While no deaths were reported, more than 170 students fell ill.

Two separate recent incidents soured US-Afghan relations. On 11 March, a US soldier left his base in Kandahar's Panjwai district and shot dead 16 civilians, nine of them children. On 18 April, a photo released to the press showed US soldiers and Afghan police posing with the body parts of an insurgent, while an additional photo showed a US soldier posing with a deceased insurgent.

Despite tensions between the two countries, Afghanistan and the US finalised several key agreements in recent months. On 9 March, the two countries agreed on a memorandum of understanding calling for the transfer of detained insurgents from US custody to Afghan custody. As part of the agreement, the US retains the right to veto decisions by Afghan officials regarding the release of detainees.

On 8 April, Afghan and US officials also agreed on a memorandum of understanding on night raids. According to the memorandum, Afghanistan has assumed responsibility for approving and conducting night raids. The US is expected to support the raids with intelligence, medical evacuation, fire-support and airlift capacity.

Karzai and US President Barack Obama signed a strategic partnership agreement on 1 May in Kabul, outlining the future relationship between their countries. The agreement commits the US and Afghanistan "to strengthen long-term strategic cooperation in areas of mutual interest, including: advancing peace, security, and reconciliation; strengthening state institutions; supporting Afghanistan's long-term economic and social development; and encouraging regional cooperation."

In a televised address from the Bagram military base shortly after signing the agreement, Obama highlighted five key messages:

- Afghan forces are taking increased responsibility for their security;
- Afghan forces are receiving training from NATO to enhance their capacity;
- NATO's commitment to Afghanistan is longstanding, focusing on strengthening democracy and fighting terrorism;
- reconciliation with the Taliban will be pursued, so long as the Taliban renounces violence, cuts ties with Al Qaida and adheres to Afghan laws; and
- a global consensus is being generated to support stability and peace in South Asia.

Insurgents conducted several violent attacks in recent months. On 10 April, suicide bombings claimed the lives of 18 people in Herat and Helmand. A government centre was targeted in the Herat attack, while a district police headquarters was attacked in Helmand.

A series of coordinated attacks in Jalalabad, Kabul and Logar and Paktia provinces—all in the eastern part of the country—on 15 and 16 April led to 38 deaths and more than two dozen injuries. Characterised by extended firefights with Afghan security forces, the assaults appear to have been orchestrated by the Haqqani terrorist network. The Council adopted a press statement on 17 April condemning these attacks and commending the Afghan security forces for "their effective action" in response to them.

On 2 May, suicide bombers detonated the vehicle they were driving, which was laden with explosives, at a residential compound for foreigners. Eight people, including seven Afghans, died in the attack; seventeen other people were wounded.

The reconciliation process with the Taliban suffered serious setbacks. On 15 March, the Taliban closed its Qatar office, which it had opened in January to pursue peace talks with the US. It seems this decision was largely fuelled by a US refusal to release five high-level members of the Taliban imprisoned in Guantanamo Bay. On 13 May, Arsula Rahmani, a leading figure in Afghanistan's High Peace Council and erstwhile Taliban deputy minister, was assassinated in Kabul. (The

Afghan government established the High Peace Council in 2010 to promote reconciliation with the insurgency.)

Human Rights-Related Developments

In a statement on 12 May, UNAMA voiced serious concern over reported attacks on schools and education officials by anti-government groups in recent weeks, describing the raids as a "serious violation of international humanitarian law and of the right to education." And in a joint press release issued ahead of the NATO Summit held in Chicago, UNAMA, the UN Population Fund and UN Women urged NATO and the Afghan government to fulfil resolution 1325, which requires all parties to take special measures to protect women and girls in armed conflict. The UN bodies stressed that such protection during and after the transition requires that the Afghan National Police be fully resourced, trained and sensitised to dealing with cases of violence against women and girls.

Key Issues

A key issue continues to be the fragile security situation in Afghanistan and how well Afghan security forces will perform as NATO transfers to them enhanced security responsibilities.

A further important issue is how to reinvigorate reconciliation efforts in the aftermath of the Taliban's decision to halt negotiations with the US and the death of Rahmani.

Another key issue is what impact the Kabul conference, scheduled for 14 June, will have on strengthening regional cooperation, and what level of support will be mustered at the Tokyo conference, scheduled for 8 July, to aid development efforts in Afghanistan. (The Kabul and Tokyo conferences are the follow-on meetings to the Istanbul conference [November 2011] and the Bonn conference [December 2011] respectively).

A further key issue is the challenge of promoting women's rights, especially in light of the Ulema Council's March declaration.

Another important issue is the challenging humanitarian situation in the country, including issues underscored by Amos during and after her trip to Afghanistan, such as the

poor living conditions in settlements, the plight of displaced persons and the need to mitigate the impact of natural disasters (e.g. floods and droughts) on the population.

Options

The Council may choose to receive the briefing and take no action at the current time.

Other options for the Council could include the following:

- inviting, under rule 39 of the provisional rules of procedure, a representative from NATO to brief the Council on the draw-down of troops and the training of Afghan security forces;
- adopting a statement welcoming the commitment made in Chicago by International Security Assistance Force (ISAF) countries to a successful transition to Afghan-led security;
- including in the statement language welcoming positive outcomes from the Kabul conference and encouraging strong financial support for Afghanistan's development at the upcoming Tokyo Conference; and
- requesting from the Secretary-General a strategic plan for UN support for reconciliation efforts.

Council Dynamics

There is widespread support in the Council for UNAMA's mandate, particularly as it relates to supporting such issues as human rights, development, the rule of law and national reconciliation. Council members are likewise broadly in favour of promoting greater Afghan ownership of security institutions, especially as ISAF draws down.

However, there appears to be apprehension among several Council members about the fragile security environment and what implications this could have on UNAMA's effectiveness moving forward, especially if Afghan security forces are unable to provide adequate protection as they assume greater responsibility for security. Some members also seem to be worried about the recent setbacks to the reconciliation process, notably the assassination of Rahmani.

Certain members seem to have clearly defined concerns about the situation in Afghanistan. Russia has consistently expressed unease about the drug trade from

Afghanistan and civilian casualties in the conflict, while India seems particularly sensitive to the terrorist threat posed by extremists in Afghanistan. Pakistan has pledged its commitment to a stable, peaceful and economically successful Afghanistan, while suggesting that it has been unjustly accused of not doing enough to combat extremists along its border with Afghanistan. Pakistan also has noted the growing financial strain that it faces by hosting large numbers of Afghan refugees, adding that more of them should be repatriated.

With regard to human rights, Germany and Portugal have highlighted the importance of protecting the rights of women and girls, while Guatemala has underscored the need to enhance efforts to defend the rights of women and children.

Germany is the lead country in the Council on Afghanistan.

UN Documents

Security Council Resolutions

- S/RES/2041 (22 March 2012) renewed UNAMA's mandate until 23 March 2013.
- S/RES/2011 (12 October 2011) extended ISAF's mandate until 13 October 2012.
- S/RES/1401 (28 March 2002) created UNAMA.

Latest Secretary-General's Report

- S/2012/133 (5 March 2012)

Other

- S/PV.6735 (20 March 2012) is the record of the most recent debate on Afghanistan.

DPRK (North Korea)

Expected Council Action

The Council in June is expected to extend the mandate of the Panel of Experts (PoE) that assists the 1718 Sanctions Committee dealing with the DPRK (Democratic People's Republic of Korea). The PoE's present mandate expires on 12 June.

By early June, the Committee is expected to have discussed the PoE's final report, which was provided to the Committee in mid-May. After this discussion, under the terms of resolution 1985, the PoE is then



requested to submit the report to the Council "upon termination of its mandate."

Key Recent Developments

On 2 May, Portugal—as chair of the 1718 Committee—submitted a report to the Council President, in accordance with the presidential statement (S/PRST/2012/13) of 16 April. (The statement strongly condemned the failed 12 April launch by the DPRK of a satellite into space, determining it a violation of resolutions 1718 and 1874.)

The Committee's report stated that it had undertaken the tasks that the Council had directed it to: adding designations and updating existing sanctions on the DPRK. Specifically, the Committee designated three additional entities—companies based in Pyongyang—to be subject to the sanctions regime. The activities of the three corporations, which are closely connected to companies already subject to sanctions, relate to financing the DPRK's sales of conventional weapons and ballistic missiles, including potentially supplying missile-related goods to Iran.

The Committee, as instructed by the Council, also updated the information contained on two lists of technical items that are prohibited from transfer to and from the DPRK. The first list relates to sensitive ballistic missile technology that could be used to advance the DPRK's ballistic missile programme and the second relates to nuclear technology.

As scheduled, the Committee's chair, Ambassador José Filipe Moraes Cabral (Portugal), briefed the Council in consultations on the Committee's work on 17 May. During the consultations, it seems that the US emphasised that the Council should be prepared to respond quickly if there are further violations by the DPRK of the sanctions regime. (The consultations took place amid continuing concerns that the DPRK might undertake a third nuclear test, as it did following missile launches in both 2006 and 2009.)

On 13 May, the president of the Republic of Korea (ROK), Lee Myung-bak, met with Chinese Premier Wen Jiabao and Japanese Prime Minister Yoshihiko Noda in Beijing. “Our three countries agreed that we will not accept further nuclear tests or further provocations from North Korea,” Lee told reporters following the meeting. Wen called on the involved parties to “use their wisdom, keep patient, and display goodwill to the greatest extent so as to ease confrontation and return to the right track of dialogue and negotiations.”

Trilateral talks also took place between the US, the ROK and Japan on 21 May in Seoul. US Special Envoy Glyn Davies told reporters that the main message that the countries wanted to convey to Pyongyang was that it should “not miscalculate again and engage in any future provocation.” Warning that further provocative action would be “met with similar united action by the world community,” Davies said that the three countries expected the DPRK to “make a different set of decisions” and stop devoting its resources to its nuclear programme. (On 23 May, the ROK reiterated that the DPRK was “technically ready” to conduct another nuclear test.)

On 17 May, Reuters reported that the PoE’s latest report, which has not yet been finalised or submitted to the Council, states that the DPRK continues to actively defy Council sanctions against it. The wire service also indicated that the PoE was investigating reports of possible DPRK weapons-related shipments to Syria and Myanmar.

Key Issues

A key issue for the Council is ensuring that tensions on the Korean Peninsula do not escalate. Of particular concern to Council members is the DPRK’s propensity to undertake nuclear tests or further provocative actions in violation of Council resolutions after conducting a missile launch.

At the Committee level, a key issue is ensuring that the Committee can continue to work constructively now that the gridlock that existed prior to its recent agreements has been eased. (The designations in the Committee’s 2 May report were the first such additions it had agreed to since July 2009.)

A key issue at present is the wording of the PoE’s mandate renewal. Both resolutions, 1874 (2009) establishing the PoE and 1928 (2010) renewing its mandate, requested that it provide a final report “to the Council” no later than thirty days prior to the termination of its mandate. (The PoE’s final report was published in 2010, but the 2011 report has not been published.) After negotiations last year, resolution 1985 — again renewing the PoE’s mandate — requested it to submit its final report first to the Committee and then, “after a discussion with the Committee”, to the Council.

Options

One option for the Council is to extend the mandate of the PoE under the same conditions for another year. (The PoE comprises seven experts: one from each of the P5, as well as one each from Japan and the ROK.)

Another option is to revise the reporting provision in the mandate by asking the PoE to report “through the Committee”—language used for sanctions monitoring mechanisms established prior to 2009.

One further option might be for the Council itself to address the issue of publication of the PoE’s 2011 report and take a procedural vote on the matter.

Council and Wider Dynamics

The Council’s presidential statement of 16 April and the Committee’s follow-up action were seen by several members as significant; they broke the gridlock that had often prevented the Committee from reaching agreement. Yet strong divisions are likely to remain. Divergences have traditionally related to differing opinions as to the best means of inducing Pyongyang to comply with Council resolutions. The US, the UK and other European members in particular have been in favour of exerting pressure on the DPRK not to engage in provocative behaviour, including through strengthening existing measures when violations occur. China, on the other hand, seems to favour a “proportional” response and emphasises that engaging the DPRK in dialogue is more likely to yield positive results.

At the Committee level, a point of difference has been the conduct of the PoE’s work. China, in particular, has argued that the PoE should work within its mandate and has reiterated that its sources must be

credible. Such concerns raised by China have prevented the publication of the May 2011 report. Others on the Committee have asserted that the report should be published without further delay. These members reiterate that all UN members pay for the PoE’s work and are entitled to see its recommendations.

One issue that could impact the negotiations over the text is whether the latest report will again be stalled. Several Council members have reasserted that ownership of the report remains with the PoE, and while the Committee can suggest that it make amendments, the Committee itself cannot alter the report.

The US is the lead on DPRK issues in the Council.

UN Documents

Security Council Resolutions

- S/RES/1985 (10 June 2011) extended the mandate of the Panel of Experts until 12 June 2012 and requested it to provide its final report to the Committee a month before it is submitted to the Council.
- S/RES/1874 (12 June 2009) condemned the DPRK’s 25 May 2009 underground nuclear test, expanded the sanctions regime and established a PoE with a mandate to “provide an interim report on its work to the Council no later than 90 days after adoption of this resolution, and a final report to the Council no later than 30 days prior to termination of its mandate with its findings and recommendations.”
- S/RES/1718 (14 October 2006) expressed grave concern over the DPRK’s nuclear test, imposed sanctions and set up the 1718 Committee.

Presidential Statement

- S/PRST/2012/13 (16 April 2012) strongly condemned the DPRK’s launch as a serious violation of resolutions 1718 and 1874 and directed the Committee to update and strengthen the sanctions regime.

1718 Committee Letter

- S/2012/287 (2 May 2012) contains the Committee’s report designating additional entities and items and updating the Committee’s list, in accordance with S/PRST/2012/13.

Expected Council Action

The mandate of the Panel of Experts (PoE) that assists the Iran Sanctions Committee (1737 Committee) expires on 9 June. The Council is expected to adopt a resolution renewing the PoE's mandate for one year in early June.

Later in the month, the Council is expected to receive a regular quarterly briefing from the chair of the 1737 Committee, Ambassador Néstor Osorio (Colombia).

On 31 May, the Committee was expected to have discussed the PoE's final report, which was distributed to Committee members earlier in the month. (After this discussion, the PoE is requested to submit its final report to the Council.)

Key Recent Developments

On 23-24 May, a second round of talks was held in Baghdad between Iran and the so-called P5+1 (comprising China, France, Russia, the UK, the US and Germany) on Iran's nuclear programme. The negotiations followed talks in Istanbul that concluded on 14 April, which were the first such meeting in 15 months between the two sides. Catherine Ashton—the EU High Representative for Foreign Affairs and Security Policy, who leads the P5+1 delegation—described the Istanbul talks as “constructive and useful”, while Iran's chief negotiator, Saeed Jalili, said they were “very successful”. The key outcome of the meeting appeared to be that the two sides would meet again.

A primary objective of the P5+1 for the Baghdad talks was securing agreement from Iran that it would halt its enrichment programme of higher-grade uranium, which it launched in 2010. Iran considered the removal of sanctions against it an important outcome of any negotiated deal. Iran also sought recognition of its right to enrichment. The two days of talks were “intense,” according to Ashton, but “significant differences” remained. A new round was announced, to take place in Moscow on 18-19 June.

The talks in Baghdad followed closely on the heels of a visit by the IAEA Director General Yukiya Amano to Tehran for discussions on 21 May with senior Iranian government

representatives, including Jalili. It seemed that some progress was made during the visit towards reaching a deal that would allow IAEA inspectors to visit Iran's military facility at Parchin, southeast of Tehran. (The IAEA has sought access to this and other sites to assess whether Iran is engaging in activities relevant to the development of nuclear weapons.) Amano said that a “decision was made by me and Mr. Jalili to reach an agreement,” although “remaining unspecified differences” prevented a deal being signed immediately. The outcome from Amano's visit was met with scepticism from those seeking tangible signs that Iran is fully cooperating with the international community.

On 25 May, the IAEA's latest report on Iran became available and stated that IAEA inspectors had found traces of uranium being enriched at 27 percent at Iran's Fordow site, a higher level of enrichment than previously found.

The timing of the present talks is notable. On 1 July, the EU is scheduled to implement a complete ban on Iranian oil imports. Additional US sanctions are also due to be imposed by the end of June. On 21 May, the US Senate approved a new bill targeting Iran's Islamic Revolutionary Guard Corps (IRGC) through additional sanctions.

Earlier, on 2 May, during a meeting on the Nuclear Non-Proliferation Treaty in Vienna, Iran's Deputy Foreign Minister Mohammad Mahdi Akhondzadeh reiterated that nuclear weapons have no place in Iran's defence doctrine and accused “certain” states of double standards and hypocrisy.

In developments at the UN, on 18 April the 1737 Committee agreed to designate two additional Iranian individuals and one entity (an Iranian company) to be subject to sanctions, including a travel ban and assets freeze. In a statement on 20 April, Ambassador Susan Rice (US) said that the listed individuals had “helped plan a weapons shipment—intercepted by Nigeria in 2010—in violation of existing UN sanctions.” Both individuals and the company, which the Committee lists as having “played a key role in Iran's illicit transfer of arms to West Africa,” are reportedly linked to the Qods Force of the IRGC. The designations were the first additions to the sanctions list since June 2010.



On 16 May, Reuters published details of the PoE's latest report, although the report itself was still to be discussed by the Committee and is not public. The wire service reported that the PoE had investigated three large illegal shipments of Iranian weapons over the last year. Two of these cases reportedly involved Syria and the third shipment was bound for Taliban fighters in Afghanistan.

The PoE comprises eight experts: one from each of the P5 members, including a coordinator from France, as well as one national each from Germany, Japan and Nigeria.

Key Issues

The key issue for the Council is Iran's compliance with resolutions concerning its nuclear programme and its obligations to cooperate fully with the IAEA.

An overarching issue is regional stability. Ensuring that Iran's nuclear programme is for non-military purposes is significant in reducing both the threat of nuclear proliferation in the Middle-East and the prospects of regional conflict.

A key issue for the Council in June is the language renewing the PoE's mandate. (This is pertinent given the objection to last year's report being published.) Whereas resolution 1929 (2010) requested the PoE to submit its final report “to the Council,” resolution 1984 last year stipulated that the final report should first go to the Committee and then “after a discussion with the Committee,” the PoE should submit it to the Council.

Options

One option for the Council is to adopt a resolution renewing the PoE's mandate without modifications for a further year.

Another option is for Council members to revise the PoE's mandate, possibly setting out more specifically what its work should involve or the process of its reporting.

Looking ahead to the Committee chair's briefing in June, Council members could make statements in their national capacities,

but—as in the past—take no action. (One further option might be for the Council itself to address the issue of publication of the PoE's 2011 report, including by taking a procedural vote on the matter.)

Council and Wider Dynamics

There have been clear divisions among permanent members since the Council adopted resolution 1929 (2010), which imposed the most recent round of sanctions on Iran. These differences have also manifested themselves at the Committee level, where the agreement of all 15 members is required to make a decision. In the past, Russia has been vocal in asserting that the PoE remain within its mandate. (Its concerns about the the 2011 final report have thus far prevented it from being published.) This inability to reach consensus, including on implementing the recommendations of the May 2011 report, seems to have irked the P3, Germany and others, who have asserted that the PoE's work is objective and credible and that the wider membership has a right to consider its findings.

Despite the differing opinions among the P5 as to the utility of sanctions vis-à-vis Iran, there are some indications that the countries are working more constructively together behind closed doors. At the Committee level, members' agreement to sanction additional entities proposed by the UK in April would seem to be a positive sign, considering the gridlock that has existed in recent years. Council members will be following the next round of the P5+1 talks with Iran closely. There is little talk of further Council sanctions at this time (any attempt would be likely to induce a veto from Russia and perhaps China). The existing sanctions applied by the EU and the US could already be interpreted as being successful in bringing Iran back to the negotiating table.

The US is the Council lead on Iran.

UN Documents

Security Council Resolutions

- S/RES/1984 (9 June 2011) extended the mandate of the PoE that supports the 1737 Committee for one year.
- S/RES/1929 (9 June 2010) imposed a fourth round of sanctions on Iran, and established a PoE.
- S/RES/1803 (3 March 2008) reiterated

existing measures against Iran and imposed additional ones.

- S/RES/1747 (24 March 2007) established a ban on Iran's arms exports and added names to the list of people and entities subject to assets freeze.
- S/RES/1737 (23 December 2006) banned trade with Iran of certain items related to nuclear activities and weapon-delivery systems, imposed an asset freeze on certain persons and entities and established a Sanctions Committee.

Latest IAEA Report

- GOV/2012/23 (25 May 2012)

Security Council Meeting Record

- S/PV.6737 (21 March 2012) was the quarterly briefing by the chair of the 1737 Committee.

UNDOF (Golan Heights)

Expected Council Action

The Council is expected to extend for six months the mandate of the UN Disengagement Observer Force (UNDOF), established in May 1974 to monitor the ceasefire between Israel and Syria.

The Department of Peacekeeping Operations is expected to brief Council members in consultations on the Secretary-General's UNDOF report, due on 11 June.

The Council is also expected to meet with troop-contributing countries to UNDOF prior to adopting the mandate renewal. The current mandate expires on 30 June.

Key Recent Developments

On 21 December 2011, the Council adopted resolution 2028, extending the UNDOF mandate through 30 June. The resolution was a joint text by Russia and the US and noted that conditions in the region could impact UNDOF and also requested implementation of the Secretary-General's recommendation to upgrade its equipment and infrastructure.

On 1 March there were clashes in the area of separation, which media reports indicate included gun battles between Syrian authorities and Syrian civilians. Plain-clothed Syrian troops reportedly entered the area of separation where neither Syrian nor Israeli military presence is allowed.

The forthcoming June report is expected to highlight concerns that Syrian soldiers are entering the area of separation and that there are continuing Syrian restrictions on UNDOF's access to carry out its monitoring tasks in the area of limitation on the Syrian side. Such incidents, which appear to be related to the current conflict in Syria, have been recurrent since April 2011 and are reportedly increasing. Instances of ongoing Israeli restrictions in the area of limitation on the Israeli side are also expected to be included in the report along with an unusual incident of an overflight by an Israeli civilian plane. However, the report is anticipated to state that, despite these incidents, the disengagement between Israel and Syria is being maintained, the ceasefire is holding and the situation is generally quiet.

Human Rights-Related Developments

On 22 March the Human Rights Council adopted a resolution by a vote of 33 in favour, one against (the US) and 13 abstentions on human rights in the occupied Syrian Golan. The resolution included a call on Israel to desist from its continuous building of settlements and imposing Israeli citizenship on Syrian citizens and to allow the Syrian population of the occupied Syrian Golan to visit their families (A/HRC/19/L.3). Explaining its negative vote, the US said that it did not recognise Israel's annexation of the Golan nor did it accept settlement activity there but did not regard the situation of citizens in the Golan as equivalent to the urgent plight of Syrian citizens in Syria.

Also on 22 March the Human Rights Council adopted another resolution on Palestine and other Occupied Arab Territories by a vote of 36 in favour, one against (the US) and ten abstentions. It asked Israel to cease all of its settlement activities, including in the occupied Syrian Golan (A/HRC/19/L.35).

Key Issues

A key issue is whether the crisis in Syria is excessively affecting UNDOF's ability to operate.

Another key issue is reports of Syrian forces entering UNDOF's area of separation and concerns in that regard for the potential to destabilise the long-held ceasefire and the security of UN personnel.

The issue from previous years of whether to adjust the mandate renewal cycle from six to 12 months is unlikely to foster attention in June.

Options

One option is a simple rollover of UNDOF's mandate for six months.

A more proactive option is for strengthened language in the renewal resolution, reflecting that the deteriorating situation in Syria is affecting UNDOF's ability to operate and also:

- calling for full and unimpeded freedom of movement as required to fulfil the mandate;
- emphasising the concern about safety of UN personnel; and
- underscoring the changing regional dynamic's impact on the Israel-Syria peace track.

Another option is to request the Secretary-General to provide more regular and in-depth reporting.

Council Dynamics

There is consensus that UNDOF remains useful in the absence of a peace agreement between Israel and Syria. (Regarding the Israel-Syria peace track, the last attempt at talks was mediated by Turkey, which suspended its efforts after Israeli incursions into Gaza in December 2008. Previously, the last attempt was in 2000.)

It is unlikely that the Council members who in the past seemed interested in a one-year mandate period will renew that push at this moment. There seems to be greater impetus to keep the Israel-Syria track under more regular review in light of the Syrian crisis and its potential for spill-over effects into UNDOF's area of operations and the subsequent possibility for a destabilising regional impact.

Russia and the US have shared the lead in the Council on the last two UNDOF renewals.

UN Documents

Security Council Resolutions

- S/RES/2028 (21 December 2011) renewed UNDOF until 30 June 2012.
- S/RES/350 (31 May 1974) established UNDOF.
- S/RES/338 (22 October 1973) called for a ceasefire and comprehensive peace.

- S/RES/242 (22 November 1967) called for the withdrawal of Israeli forces from the occupied territories.

Latest Secretary-General's Report

- S/2011/748 (30 November 2011)

Other Relevant Facts

UNDOF Force Commander

Maj. Gen. Natalio C. Ecarma
(Philippines)

Size and Composition of Mission (as of 30 April 2012)

1,035 troops assisted by 76 military observers of the UN Truce Supervision Organisation's Observer Group Golan
Troop contributors: Austria, Canada, Croatia, India, Japan and the Philippines

Approved Budget

1 July 2011 to 30 June 2012: \$50.5 million (A/C.5/66/14)

Iraq

Expected Council Action

The funding for the activities of the High-level Coordinator who advises the Council on the Iraq-Kuwait missing persons and property issue, is due to expire in mid-June. The Council is expected to receive a report on the issue, pursuant to paragraph 14 of resolution 1284, and a briefing in consultations by the coordinator, Gennady Tarasov. The Council is likely to issue a press statement on the coordinator's activities and supporting the extension of the coordinator's funding.

The Council is also expecting the second report of the Secretary-General, pursuant to paragraph 6 of resolution 1956, on the post-Development Fund for Iraq (DFI) mechanism. At press time it was not clear if the Council would consider the report in June.

The mandate of the UN Assistance Mission for Iraq (UNAMI) expires on 28 July.

Key Recent Developments

On 10 April, Martin Kobler, head of UNAMI, last briefed the Council. Kobler stated that "Iraq's political situation is heightening communal tensions in the country." However, he commended "the Kuwaiti and Iraqi Governments for their efforts to improve bilateral relations."



In other significant Iraq-Kuwait related developments, Nasser Hussain Bandar, head of Iraq's civil aviation authority, said on 5 April that Iraq had agreed to the request of Kuwait's Jazeera Airways to operate flights to Iraq, more than 20 years after direct flights between the two countries were halted.

On 16 and 17 April in Kuwait, a delegation from the Iraqi Ministry of Foreign Affairs transmitted Kuwaiti currency, documents, keys for safes belonging to the Central Bank of Kuwait, and 15 microfilm cassettes containing the archives of Al Anba newspaper, to the Kuwaiti authorities. On 20 May in Baghdad, Iraqi Foreign Minister Hoshiyar Zebari met Tarasov and highlighted these developments. According to the Iraqi Ministry of Foreign Affairs' website, Zebari also highlighted Iraq's "serious efforts to find the remains of the Kuwaiti Missing in Action" and his country's keenness to getting out of Chapter VII.

On 29 April, Sabah al-Khalid al-Hamad al-Sabah, Kuwait's Deputy Prime Minister and Minister of Foreign Affairs, attended the second meeting of the joint Iraq-Kuwait Committee, in Baghdad. Following the meeting, Zebari told reporters that the two sides had reached important agreement on cooperation.

In other developments regarding the compensation, on 26 April, the UN Compensation Commission (UNCC) made a payment of \$1.02 billion to six claimants. (The Geneva based UNCC was established through Council resolution 692 in 1991, to process claims and pay compensation for losses resulting from Iraq's invasion of Kuwait in 1990.)

In a 4 May letter to the President of the Council, the President of the Governing Council of the UNCC highlighted Iraq's contribution to the Compensation Fund stating that "the outstanding balance of \$16 billion could be paid in full as early as April 2015." Furthermore, the letter noted "satisfaction with the continued transfer of 5 per cent of

Iraqi oil revenues to the [Compensation] Fund since the transfer of the oversight over Iraqi oil revenues to the Committee of Financial Experts.”

Human Rights-Related Developments

After a meeting in Baghdad on 25 April with Iraqi Minister of Human Rights Mohammed Shi'a Al-Sudani to review the situation of human rights in Iraq, Kobler welcomed Iraq's intentions to place greater attention on social, economic and cultural rights, while also remaining committed to promoting and protecting political and civil rights. Noting that human rights are “a cornerstone of every democratic state,” Kobler said that UNAMI would continue its support to the Minister of Human Rights as a key player in ensuring that Iraq meets its international human rights obligations.

Key Issues

A key issue before the Council is the extension of the High-level Coordinator's activities to help resolve the issue of missing Kuwaiti persons and property.

Another issue for the Council is whether the post-DFI mechanism is functioning in a satisfactory fashion.

Options

On Iraq-Kuwait issues the Council could release a press statement that:

- acknowledges the recent positive developments;
- encourages Iraq to make further progress on resolving outstanding issues (including borders, missing persons and property);
- supports the Secretary-General's intention to extend the activities of the High-level Coordinator for an additional six months or longer; and
- reiterates the need to resolve outstanding issues between Iraq and Kuwait before the removal of any further Chapter VII measures imposed during the regime of Saddam Hussein.

On the post-DFI issues the Council could take no action at present while continuing to monitor the progress of the post-DFI mechanism until the audit is conducted. (The first report of the Secretary-General pursuant to paragraph 6 of resolution 1956 [S/2011/795] notes the appointment of the

firm Ernst & Young to conduct the 2011 audit of the DFI and its successor account.)

Council and Wider Dynamics

Most Council members are overall pleased with the recent progress on Iraq-Kuwait issues. Several members feel that it is important for Iraq to make further efforts to fulfil its obligations to Kuwait but they do acknowledge that the recent developments on this issue are encouraging.

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 that 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/2012/185 (29 March 2012) was the latest Secretary-General's report on UNAMI.
- S/2011/795 (22 December 2011) was the first report of the Secretary-General pursuant to paragraph 6 of resolution 1956 (2010) about the UN Compensation Fund.

Selected Letters

- S/2012/332 (4 May 2012) was from the president of the Governing Council of the UN Compensation Commission to the president of the Council.

- S/2012/309 (10 May 2012) was from Iraq's Ambassador Hamid al-Bayati to the president of the Council, updating him on the handover of some of the missing Kuwaiti belongings.

Meeting Record

- S/PV.6747 (10 April 2012) was Kobler's briefing to the Council.

Security Council Press Statements

- 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.
- SC/10307 (30 June 2011) welcomed the Iraqi government's assumption of autonomy over the DFI.
- SC/10289 (22 June 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

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

Gennady Tarasov (Russia)

Protection of Civilians

Expected Council Action

In June, the Council is scheduled to hold its biannual open debate on the protection of civilians in armed conflict. Under-Secretary-General for Humanitarian Affairs, Valerie Amos, and High Commissioner for Human Rights, Navi Pillay, are expected to brief. It is also possible that the Secretary-General will speak.

The debate is likely to focus on the Secretary-General's recent report on protection of civilians, which was circulated to Council members on 29 May. No outcome is expected.

(For a more detailed analysis of the Council's recent work on protection of civilians both thematically and in country-specific situations, please refer to our 31 May *Cross-Cutting Report on Protection of Civilians in Armed Conflict*.)

Key Recent Developments

The Council held its most recent open debate on the protection of civilians on 9 November 2011. It was chaired by the President of Portugal, Aníbal Cavaco Silva, and featured briefings by the Secretary-General, Pillay, Assistant Secretary-General for Humanitarian Affairs Catherine Bragg and the International Committee of the Red Cross director, Philip Spoerri. Nearly 30 member states also spoke in addition to all Council members.

Ahead of the debate, Portugal and the Office for the Coordination of Humanitarian Affairs (OCHA) co-hosted a workshop on “Accountability and Fact-finding Mechanisms for Violations of International Humanitarian Law and Human Rights Law: The Role of the Security Council—Past and Future.” Portugal, in its then-capacity as President of the Council, also invited Council members to address in their statements ways to enhance accountability for such violations.

The Secretary-General, in his statement during the debate, recalled the five core challenges identified in his past two reports to the Council on the protection of civilians:

- enhancing compliance with international human rights and humanitarian law;
- more consistent and effective engagement with non-state armed groups in order to improve their compliance with the law;
- strengthening protection by peacekeepers;
- improving humanitarian access; and
- enhancing accountability.

He urged the Council to study the recommendations of the workshop on accountability and also emphasised the importance of prevention of conflict as a means to ensure the protection of civilians.

Pillay focused on the work of the Office of the High Commissioner for Human Rights (OHCHR) in a number of country-specific situations, including in Afghanistan, Côte d’Ivoire, the Democratic Republic of the Congo (DRC), Gaza, Iraq, Libya, Somalia, South Sudan, Syria, Yemen and the disputed Abyei region between Sudan and South Sudan, highlighting the work of recent commissions of inquiry.

Similarly, Bragg focused her briefing on the protection challenges in specific

situations, including Afghanistan, Colombia, Darfur, DRC, Gaza and southern Israel, Libya, Somalia, South Sudan, Syria, Yemen and regions affected by the Lord’s Resistance Army, and also highlighted some of the issues discussed at the workshop co-hosted with Portugal, including the possible development of a checklist of issues for the Council to consider when making referrals to the International Criminal Court, Council support for national authorities in conducting investigations and prosecutions, the use of fact-finding missions and reparations mechanisms.

Spoerri raised three major concerns: the growing violence against health-care facilities and personnel, which he characterised as “one of the most serious yet neglected humanitarian issues of the day”; the vulnerability of migrants living in or crossing through countries affected by violence; and the impact on civilians related to the conduct of hostilities. Spoerri also expressed concern about “all measures that effectively hamper contact by humanitarian agencies with organised non-state armed groups.”

Brazil, an elected Council member at the time, introduced “responsibility while protecting” in its statement during the debate as a new concept aimed at further developing the consensus on responsibility to protect with regard to the use of force. More specifically, Brazil proposed a set of principles to guide the international community when exercising its responsibility to protect and called for “enhanced Council procedures” to monitor and assess how resolutions are interpreted and implemented to ensure responsibility while protecting. It circulated a concept note with more details.

On 19 January, the Council held an open debate on the promotion and strengthening of the rule of law in the maintenance of international peace and security and adopted a presidential statement on justice and the rule of law as “an indispensable element for peaceful coexistence and the prevention of armed conflict.” Among other things, the statement recalled resolution 1894 and reiterated the Council’s call on all parties to armed conflict to comply with the obligations applicable to them under international humanitarian law and take all required steps to protect civilians. The Council also reaffirmed its strong opposition to impunity



for serious violations of international humanitarian law and human rights law and stressed states’ responsibility in this regard.

On 23 February, the Council held an open debate on the Secretary-General’s annual report on conflict-related sexual violence. It adopted a presidential statement that commended the work of the Secretary-General’s Special Representative on Sexual Violence and among other things, stressed the need for continued data collection under the monitoring, analysis and reporting arrangements on sexual violence in armed conflict and other situations.

The Council’s informal expert group on the protection of civilians continued to meet regularly. While there were no major changes in the way the group operates, it developed one new practice by inviting OCHA, on 7 February, to give its first thematic briefing. This focused on humanitarian access, addressing such issues as the legal framework relating to humanitarian access, key challenges, types of access constraints, most significant recent constraints and global best practices. Two other meetings were held this year: one in March on the UN Assistance Mission in Afghanistan and one in May on the UN Interim Security Force in Abyei.

Key Issues

A key issue for the debate in June is how to respond to the Secretary-General’s report. The report provides an update on progress in responding to the five core protection challenges referred to above and lays out a number of specific recommendations for further action by the Council, UN member states and others.

An additional issue is whether to consider any of the so-called “emerging protection issues”, such as mitigating the impact on civilians of explosive weapons of war, tracking civilian casualties and making amends to victims of lawful combat operations (for more details on these issues, please refer to our 31 May *Cross-Cutting Report*).

A longer-term issue for the Council is the continued implementation of the existing normative framework on protection of civilians in general, including resolution 1894, in country-specific situations. A related issue is how to ensure that the Council is comprehensive and consistent in its approach to protection challenges. A further related issue is how to make sure thematic principles are translated into actual protection on the ground.

A further issue is the Council's own working methods and the tools at its disposal, such as the informal expert group on protection, and whether these can be improved.

Options

The main option in June is simply to organise the open debate as an opportunity for Council members and others to express their views on the Secretary-General's report and other issues, such as:

- key protection challenges in country-specific situations;
- ways to enhance accountability for violations of international humanitarian and human rights law as recommended by the 1 November workshop; and
- the emerging protection issues.

Another option would be to adopt a presidential statement welcoming the Secretary-General's report and its recommendations, reaffirming the Council's commitment to the protection of civilians and requesting a report from the Secretary-General in another 18 months.

Council Dynamics

It seems that the general climate for discussing protection issues in the Council, which deteriorated in the aftermath of the controversy surrounding the implementation of the protection mandate under resolution 1973 on Libya, is still considered difficult.

Because the scope for advancing the thematic agenda is seen as limited, there were no plans at the time of writing to have any outcome from the June debate. Council members who are normally supportive of a more ambitious approach seem concerned that any attempt to advance the normative framework would only result in push-back from those who favour more limited Council involvement and that it would be very difficult to agree on a text. There is also a sense that the real challenge is to ensure

implementation on the ground of what has already been agreed at the normative level and that another thematic Council decision would not add much value at this stage.

Members are aware, however, that if the Council wants the Secretary-General to produce another report on the protection of civilians within the normal 18-month timeframe, it will have to agree on a specific request to this effect some time later this year. The previous reports have been requested either through a resolution or a presidential statement.

The UK is the lead country in the Council on protection of civilians and chairs the informal expert group.

UN Documents

Security Council Resolution

- S/RES/1894 (11 November 2009) was the most recent resolution on the protection of civilians.

Presidential Statements

- S/PRST/2012/3 (23 February 2012) was on sexual violence.
- S/PRST/2012/1 (19 January 2012) was on justice and the rule of law.
- S/PRST/2010/25 (22 November 2010) endorsed an updated aide-mémoire on protection of civilians and requested a report from the Secretary-General by May 2012.

Latest Secretary-General's Report

- S/2012/376 (29 May 2012)

Latest Meeting Record

- S/PV.6650 and Res. 1 (9 November 2011)

Other

- S/2012/373 (29 May 2012) was a letter from Portugal submitting the report from the 1 November 2011 workshop on accountability.
- S/2011/701 (9 November 2011) was a letter from Brazil submitting its concept note on "Responsibility while Protecting."

International Criminal Tribunals

Expected Council Action

In June, the Council will hold a debate on the international criminal tribunals. The

presidents and prosecutors of the International Criminal Tribunal for the former Yugoslavia (ICTY) and the International Criminal Tribunal for Rwanda (ICTR) are expected to brief the Council.

A resolution is expected on the extension of four ICTR judges' terms. If the ICTY's president submits a technical request relating to the extension of judges' mandates, the Council may adopt an additional resolution responding to the request.

The Council working group on international tribunals may also hear a briefing from the presidents and prosecutors prior to their appearance in the Council and continue to discuss practical arrangements for the International Residual Mechanism for Criminal Tribunals.

Key Recent Developments

On 7 December 2011, the presidents of the ICTY and the ICTR, Judge Theodor Meron and Judge Khalida Rachid Khan respectively, and the prosecutors of both tribunals, Serge Brammertz and Hassan Bubacar Jallow, briefed the Council. They emphasised that staff retention and lack of state cooperation in certain areas threatened the successful completion of the tribunals' work. (All four also attended the meeting of the Council's informal working group on international tribunals on 6 December.)

On 21 December 2011, the Council adopted resolution 2029, extending the terms of four trial judges and eight ad litem judges at the ICTR until 30 June 2012 or sooner if their trials were completed.

On 29 February, the Council adopted resolution 2038, appointing Jallow as prosecutor of the residual mechanism for a term of four years, starting 1 March. Jallow will continue to hold his current position as ICTR prosecutor alongside his new one.

On 20 October 2011, the Secretary-General sent the Council a list of judicial nominees for the roster of the residual mechanism. On 16 November, the president of the Council sent a letter to the President of the General Assembly with 36 nominees. In accordance with the statute of the mechanism, on 16 and 20 December, the General Assembly voted and finalised the roster of 25 judges.

On 9 April, the Secretary-General transmitted to the Council two letters from the president of the residual mechanism,

Judge Meron, and the newly appointed president of the ICTR, Judge Vagn Joensen. The judges requested the Council to adopt a resolution allowing for the prospective appeals in three cases currently pending at the ICTR to be heard by the appeals chamber of the ICTR rather than the residual mechanism. (According to Article 2[2] of the statute of the mechanism annexed to resolution 1966, appeals on ICTR judgments filed after the ICTR branch of the mechanism becomes operative on 1 July shall be heard by the mechanism.) According to the judges, such a decision would serve organisational efficiency as the appeals phase of these cases was calculated within the ICTR's budgetary projections.

The working group held three recent meetings—on 30 March, 30 April and 10 May. During the meetings, Council members submitted written and oral comments on the rules of procedure of the residual mechanism. Around the end of the month, the UN Office of Legal Affairs will send all the comments and suggestions back to the tribunals to be finalised before 1 July. According to the statute of the residual mechanism, the Council may alter the final version of the rules of procedure if it so chooses.

Another issue discussed in the working group was the letters by judges Meron and Joensen. The working group also discussed the draft bulletin prepared by the Secretary-General on the classification, secure handling and provision of authorised access to records and information entrusted to or produced by the tribunals and soon-to-be-operative residual mechanism. Article 27 of the statute of the mechanism stipulates that the mechanism shall be responsible for the management of, and access to, the ICTR and ICTY document archives.

At press time, the Council has received an advanced copy of the ICTR report. The report states that in December 2011, the appeals chamber upheld a decision to refer an ICTR case to Rwandan courts for the first time. A decision on the referral of the last accused person remaining in pre-trial custody to Rwandan courts is expected in early June, and if that case is referred, all ICTR trial work is expected to

be completed by the end of 2012. Additionally, the report requests the extension of four judges' terms.

Key Issues

The immediate issue for the Council will be the possible requests from the tribunals' presidents relating to the extension of judges' mandates and other procedural issues that may arise.

Another issue is the continuing work of the tribunals working group on practical arrangements for the residual mechanism.

Options

Options for the Council include:

- adopting a technical resolution extending the judges' terms for the ICTR and responding to a possible request submitted by the ICTY; and
- laying out solutions or options the Secretariat should employ to address the staffing issues.

Council Dynamics

At press time, the Council had received a request from the ICTR to extend four judges' terms. Only if such a request is out of the ordinary will it require substantive discussion in the working group.

The request by judges Meron and Joensen to allow for appeals commencing after 1 July to be heard before the ICTR, brought about a split in the working group. Some members thought the Council should take measures to grant the request as a matter of efficiency. Other Council members were against creating an exception to the residual mechanism's statute as a matter of principle since in their view such action undermines the Council's authority over the tribunals and the mechanism. Given the lack of consensus, the judges withdrew their request and Council members will not have to take a formal decision on the matter, though the issue may arise again when the presidents meet with the working group in June.

UN Documents

Security Council Resolutions

- S/RES/2038 (29 February 2012) appointed Jallow as the prosecutor of the residual mechanism.
- S/RES/1966 (22 December 2010) established the residual mechanism.



Security Council Letters

- S/2012/349 (22 May 2012) transmitted the latest report of the ICTR to the Council.
- S/2012/218 (9 April 2012) was from judges Meron and Joensen on the appeals process in the ICTR.
- A/66/564 (16 November 2011) was from the President of the Council to the President of the General Assembly containing the nominees for the judges roster of the residual mechanism.
- S/2011/716 (15 November 2011) transmitted the latest report of the ICTY to the Council.
- S/2011/659 (20 October 2011) was from the Secretary-General on the nominees for the judges roster of the residual mechanism.

Security Council Meeting

- S/PV.6678 (7 December 2011) was the latest Council briefing by the presidents and prosecutors of the ICTY and ICTR.

Other

- GA/11199 (20 December 2011) was the General Assembly's final round of voting on the judges roster of the residual mechanism.
- GA/11197 (16 December 2011) was the General Assembly's first two rounds of voting.

Other Relevant Facts

Chair of the Working Group on International Tribunals

Gert Rosenthal (Guatemala)

ICTY

- One accused awaiting trial, 17 on trial and 20 at the appeals stage

ICTR

- Nine accused at large, of which three are considered high-ranking
- One accused awaiting trial, eight on trial and 15 at the appeals stage

Notable Dates for June

Report Due	Reports for Consideration in June	Requesting Document
16 April	<i>SG report on UNMIL (Liberia)</i>	S/RES/2008
18 May	<i>DRC Sanctions Committee's Group of Experts report</i>	S/RES/2021
23 May	<i>SG report on MONUSCO (DRC)</i>	S/RES/1991
24 May	<i>SG report on UNISFA (Abyei)</i>	S/RES/1990 and S/RES/2047
25 May	<i>SG report on Protection of Civilians</i>	S/PRST/2010/25
26 May	<i>SG report on BINUCA (CAR)</i>	S/RES/2031
30 May	<i>SG report on UNOCA/LRA (Central Africa)</i>	S/PRST/2011/21
by end of May	<i>Liberia Sanctions Committee Panel of Experts Report</i>	S/RES/2025
by early June	<i>SG report on the restoration of constitutional order in Guinea-Bissau</i>	S/RES/2048
2 June	<i>Iraq/Kuwait High-level Coordinator report on missing persons and property</i>	S/RES/1284
11 June	<i>SG report on UNDOF (Golan Heights)</i>	S/RES/2028
15 June	<i>Iraq/DFI report</i>	S/RES/1956
mid June	<i>DPRK Sanctions Committee Panel of Experts final report</i>	S/RES/1985
mid June	<i>Iran Sanctions Committee Panel of Experts final report</i>	S/RES/1984
20 June	<i>SG report on UNAMA (Afghanistan)</i>	S/RES/2041
23 June	<i>SG report on UNSMIS (Syria)</i>	S/RES/2043

Mandates Expire	Relevant Document
9 June	<i>Iran Sanctions Committee Panel of Experts</i>
12 June	<i>DPRK Sanctions Committee Panel of Experts</i>
30 June	<i>MONUSCO (DRC)</i>
30 June	<i>UNDOF (Golan Heights)</i>

Other Important Dates

31 May-1 June	<i>Turkey will host an international conference on Somalia in Istanbul under the theme "Preparing Somalia's future: Goals for 2015."</i>
2 June	<i>The Arab League will meet in Doha on the Syrian situation.</i>
7 June	<i>UN-Arab League Joint Special Envoy for Syria, Kofi Annan, will brief Council members on his mediation efforts.</i>
7 June	<i>Parliamentary elections are scheduled in Timor-Leste.</i>
13 June	<i>The Security Council will hold a joint meeting with the AU Peace and Security Council.</i>
14 June	<i>The Kabul Conference on international cooperation is scheduled in support of Afghanistan.</i>
15 June	<i>The funding for the activities of the High-Level Coordinator on Iraq-Kuwait missing persons and property is due to expire.</i>
18-19 June	<i>Another round of talks between the P5+1 and Iran is scheduled to take place in Moscow.</i>
19 June	<i>Legislative elections are slated for Libya.</i>
26 June	<i>The Council is expected to hold an open debate on Protection of Civilians.</i>
30 June	<i>The ICTR judges' terms expire.</i>

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