

Monthly Forecast

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Supplement

The Permanent Members and the Use of the Veto

31 October 2013

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Overview

China will preside over the Security Council in November.

A debate on [Kosovo](#), with a briefing by Farid Zarif, the Secretary-General's Special Representative and head of the UN Interim Administration Mission in Kosovo, is scheduled. Another debate on [Bosnia and Herzegovina](#), with a briefing by High Representative Valentin Inzko, is also planned.

Briefings are expected on:

- the implementation of the [regional strategy on the Lord's Resistance Army](#) by Abou Moussa, Special Representative of the Secretary-General and head of the UN Regional Office for Central Africa;
- the casework of the [ICC in Libya](#) by ICC Prosecutor Fatou Bensouda; and
- the work of the three [counter-terrorism committees](#) by Ambassador Gary Quinlan (Australia), chair of the 1267/1989 Al-Qaida Sanctions Committee; Ambassador Mohammed Loulichki (Morocco), chair of the 1373 Counter-Terrorism Committee; and Ambassador Oh Joon (Republic of Korea), chair of the 1540 Committee concerning the non-proliferation of weapons of mass destruction. (The briefing may be followed by a debate.)

Briefings, followed by consultations, are likely on:

- the overall [situation in the Middle East](#), likely by the head of the Department of Political Affairs, Jeffrey Feltman;
 - the situation in [Guinea-Bissau](#) and the work of the [UN Integrated Peacebuilding Office in Guinea-Bissau](#) by its head and the Secretary-General's Special Representative, José Ramos-Horta;
 - the [UN Mission in South Sudan](#) by Under-Secretary-General for Peacekeeping Operations Hervé Ladsous; and
 - the work of [UN Assistance Mission for Iraq](#) by its head and the Secretary-General's Special Representative, Nickolay Mladenov.
- Briefings in consultations are likely on:
- the first monthly report on the [implementation of resolution 2118](#), which required the

verification and destruction of Syria's chemical weapons, most likely by Sigrid Kaag, the Special Coordinator of the OPCW-UN Joint Mission;

- the [implementation of resolution 1701](#), which called for a cessation of hostilities between Hezbollah and Israel in 2006, most likely by Special Coordinator Derek Plumbly;
 - compliance by [Sudan, South Sudan and the Sudan People's Liberation Movement-North \(SPLM-N\)](#) with resolution 2046; one most likely by Feltman and another one by an official from the Department for Peacekeeping Operations;
 - the work of the [751/1907 Somalia/Eritrea Sanctions Committee](#), by its chair, Ambassador Oh Joon (Republic of Korea);
 - the work of the [1591 Sudan Sanctions Committee](#) by its chair, Ambassador María Cristina Perceval (Argentina);
 - the work of the [1718 Democratic People's Republic of Korea Sanctions Committee](#), by its chair, Ambassador Sylvie Lucas (Luxembourg); and
 - developments in [Yemen](#), by the Secretary-General's Special Advisor, Jamal Benomar.
- Formal sessions will be needed to adopt resolutions to renew:

- the mandate of [UN Interim Security Force for Abyei](#);
- the authorisation of the EU-led multinational stabilisation force (EUFOR ALTHEA) in [Bosnia and Herzegovina](#);
- the authorisation of international anti-piracy measures with respect to [Somalia](#); and
- possibly also to modify the mandate of the [AU Mission in Somalia](#).

The President of the Council will present its [annual report](#) to the General Assembly in late November.

An Arria formula briefing on the human rights and humanitarian situation in the [Central African Republic](#) has been jointly planned by France and Rwanda. The [annual Council workshop with newly elected members](#) organised by Finland is also planned in November.

In Hindsight: The Veto

For two years—until the passage of resolution 2118 on 27 September requiring the verification and destruction of Syria’s chemical weapons—the veto blocked Security Council action on Syria, where a brutal civil war has claimed over 100,000 lives and prompted 2.2 million Syrians to flee into neighbouring countries. Joint China-Russia vetoes on three draft Syria resolutions have sparked discussion on and condemnation of the use of the veto, including by other permanent members.

Permanent members use the veto to defend their national interests, or to uphold a tenet of their foreign policy, such as the principle of sovereignty. Sometimes the sponsor(s) of a draft resolution may suspect that it will be vetoed, but put the draft to a vote as a means to symbolically demonstrate support for an issue while publicly outing and recording opposition within the Council. There have also been cases when a draft resolution is vetoed, even though its sponsor(s) believed that it would be adopted.

The veto has been used publicly 271 times since the Union of Soviet Socialist Republics (USSR) cast the first veto on 16 February 1946 on a draft resolution regarding the withdrawal of foreign troops from Lebanon and Syria (S/PV.23). In total, 226 draft resolutions or parts thereof have been vetoed. The veto was most recently employed on 19 July 2012 by China and Russia on a draft resolution threatening sanctions on Syria (S/2012/538). (See the accompanying Insert on “The Permanent Members and the Use of the Veto: An Abridged History”.)

Certain patterns have emerged over the years. The USSR/Russia (128) and the US (83) have used the veto more often than the other permanent members: the UK (32); France (18); and China (10), nine of which were cast by the People’s Republic of China (PRC) after it replaced the Republic of China (ROC) on 25 October 1971.

There have been 33 cases in which multiple vetoes have been cast during a vote. The USSR/Russia and the PRC have cast joint vetoes six times. Five of these have occurred

since 2007: on Myanmar (S/2007/14), Zimbabwe (S/2008/447) and Syria (S/2011/612, S/2012/77 and S/2012/538). France, the UK and the US have concurrently vetoed 13 draft resolutions, all of them during the Cold War, ten of which blocked condemnation of or measures against the apartheid regime in South Africa. In addition, the UK and the US have jointly cast 10 vetoes, also all during the Cold War, while France and the UK have only twice jointly cast vetoes, both during the 1956 Suez crisis (S/3710 and S/3713/Rev.1). France and the USSR cast one joint veto on 26 June 1946 on the question of whether the “Spanish Question” was a substantive or procedural issue (S/PV.49).

In the early years, the veto was used primarily by the USSR. By the time the US cast its first veto on 17 March 1970, 112 draft resolutions or parts thereof had already been vetoed. The USSR was responsible for 108 of these, and in all cases but one, it cast the sole veto. A considerable number of these vetoes (51) were used to block the admission of new member states as the USSR sought to maintain East-West equilibrium in the UN during the Cold War. Other permanent members have been more restrained in using the veto to block admission, with the US doing so six times and the ROC and PRC once each. The application for membership of the Socialist Republic of Vietnam was the last to be vetoed, by the US, on 15 November 1976 (S/12226).

The US cast the first of its 83 vetoes on 17 March 1970 (S/9696 and Corr. 1 and 2). Since then it has used the veto far more than any other permanent member, with the USSR/Russia falling to a distant second with 20 vetoes in the same time period. The US has cast 42 sole vetoes to stop condemnation of or measures against Israel or block support for Palestine. In the post-Cold War era, issues related to Israel/Palestine have been one of very few areas in which France, the UK and the US have demonstrated significant voting divergence.

Some other recent trends are worth noting. Neither France nor the UK has publicly used

the veto since they last did so on 23 December 1989 (S/21048) in tandem with the US to prevent condemnation of the US invasion of Panama. China, which has historically used the veto the least, has become increasingly active on this front casting seven of its nine vetoes since 1997. These include its five joint vetoes with Russia since 2007, as well as sole vetoes on 10 January 1997 (S/1997/18) and 25 February 1999 (S/1999/201) regarding Guatemala and FYR-Macedonia, respectively, due to the diplomatic recognition accorded to Taiwan by both countries.

In the run up to the 2005 Summit Outcome Document, the High-Level Panel on Threats, Challenges and Change called on “the permanent members, in their individual capacities, to pledge themselves to refrain from the use of the veto in cases of genocide and large-scale human rights abuses.” Following up on this recommendation, the Small 5 (S5) advocated for permanent members to “refrain [...] from using a veto to block Council action aimed at preventing or ending genocide, war crimes and crimes against humanity.”

To date, only France has hinted at this possibility with Foreign Minister Laurent Fabius making informal reference to a possible “code of conduct” to rein in the veto under such dire circumstances. In an op-ed published in *The New York Times* on 4 October, Fabius proposed that “(i)f the Security Council were required to make a decision with regard to a mass crime, the permanent members would agree to suspend their right to veto...[except]...where the[ir] vital national interests...were at stake.” Although the three China-Russia vetoes on Syria have been described by UK Foreign Secretary William Hague as “inexcusable and indefensible”, and “despicable” by then US Secretary of State Hillary Clinton, it seems highly unlikely at present that such a commitment will gain traction among any of the permanent members.

Status Update since the October Forecast

Maldives

On 2 October, the Council was briefed under “any other business” by Assistant Secretary-General for Political Affairs Oscar Fernández-Taranco on tensions in the Maldives following the delay of the second round of presidential elections.

Visiting Mission

Between 4–8 October, Council members undertook a visiting mission to the Great Lakes Region and Addis Ababa (S/2013/579). While in the Democratic Republic of the Congo (DRC), Council members visited Kinshasa and Goma to meet with key interlocutors, including President Joseph Kabila, as well as the leadership of MONUSCO. Council members met President Paul Kagame in Rwanda and President Yoweri Museveni in Uganda to focus on the Ugandan-mediated Kampala talks between the March 23 rebel group and the DRC. The final stop was in Addis Ababa for the annual consultation with the members of the AU Peace and Security Council and the adoption of a joint communiqué (S/2013/611). While in Addis Ababa, Council members also met with the AU chair to discuss issues related to the ICC, in particular the possibility of a request to defer the Kenya case under Article 16 of the Rome Statute. On 21 October, the Security Council was briefed by the lead countries: Morocco on the DRC leg which was co-led with France; the US and UK on the Rwanda and Uganda legs respectively; and Rwanda on the Addis Ababa leg which was co-led with Azerbaijan (S/PV.7045).

Haiti

On 10 October the Council adopted resolution 2119 extending the mandate of MINUSTAH until 15 October 2014 (S/PV.7040). The resolution authorised a reduction in MINUSTAH’s troop strength from 6,270 to 5,021 while maintaining the size of the police component at 2,601 as recommended by the Secretary-General in his most recent report (S/2013/493). It also urged Haiti to complete all steps required for the holding of elections in accordance with the constitution. In an explanation of vote after the adoption, the UK expressed concern that MINUSTAH was still performing tasks that could be better managed by other parts of the UN system, and questioned in particular the continuation of quick impact projects. It also expressed support for a

more accelerated drawdown of the mission, in particular with regard to engineering personnel.

Afghanistan

On 10 October, the Council adopted resolution 2120, extending the authorisation of the International Security Assistance Force in Afghanistan until 31 December 2014 (S/PV.7041).

Central African Republic

Following a set of recommendations from the Secretary-General (S/2013/557), on 10 October the Council unanimously adopted resolution 2121 (S/PV.7042) updating the BINUCA mandate in five areas: implementation of the transition process; conflict prevention and humanitarian assistance; stabilisation of the security situation; human rights; and coordination of international actors. The resolution also encourages member states to support the African-led International Support Mission in the CAR and requests a report from the Secretary-General within 30 days outlining specific options in this regard.

Mali

On 16 October, The Council was briefed by Albert Gerard Koenders, the Special Representative and head of MINUSMA, followed by consultations (S/PV.7043). Koenders presented the latest report of the Secretary-General on the situation in Mali (S/2013/582) highlighting the challenges MINUSMA is facing to reach its full operational capacity and how recent terrorist attacks were “an important *wake-up call*” over security. On 23 October, Council members issued a press statement condemning the attack against MINUSMA in Tessalit (SC/11157).

Security Council Elections

On 17 October, the General Assembly elected five new non-permanent members—Chad, Chile, Lithuania, Nigeria and Saudi Arabia—to the Security Council for the 2014–2015 term. On the following day, Saudi Arabia issued a statement announcing that it would not accept membership of the Security Council until it is reformed. Saudi Arabia alleged that “the manner, the mechanisms of action and double standards” in the Council prevented it from performing its duties and responsibilities towards preserving international peace and security, specifically referring to its handling

of Israel–Palestine and Syria and its failure to make the Middle East a zone free of all weapons of mass destruction. At press time, Saudi Arabia had yet to send a formal letter to the President of the General Assembly regarding its decision not to accept the Council seat.

Women, Peace and Security

On 18 October, the Security Council adopted resolution 2122 to address the persistent gaps in the implementation of the women, peace and security agenda, as highlighted in the most recent Secretary-General’s report (S/2013/525). Following the adoption, the Council held its open debate on this thematic issue (S/PV.7044) focusing on the theme of women, rule of law and transitional justice in conflict-affected situations (S/2013/587). The Secretary-General, the new head of UN Women, Phumzile Mlambo-Ngcuka, and UN High Commissioner for Human Rights Navi Pillay briefed as well as Brigitte Balipou, founder of the Association of Women Jurists of the Central African Republic, who briefed on behalf of the NGO Working Group on Women, Peace and Security.

DRC

On 21 October, the Council was briefed (S/PV.7046) by Special Representative Martin Kobler on the Secretary-General’s most recent MONUSCO report (S/2013/581), and by Special Envoy Mary Robinson on the report on the implementation of the Peace, Security and Cooperation Framework (PSC Framework) (S/2013/569). The briefing was followed by consultations where Council members continued discussion of what key signatories of the PSC Framework—such as the DRC, Rwanda and Uganda—were doing to implement their commitments; the status of the Uganda-mediated Kampala talks between the March 23 rebel group and the DRC; and the impact of MONUSCO’s intervention brigade on the eastern DRC. (These issues were also the focus of the Council visiting mission to the DRC on 4–5 October.) At press time, fighting had resumed near Goma in eastern DRC, following the suspension of the Kampala talks. Council members were briefed on the situation by peacekeeping head Hervé Ladsous under “any other business” on 25 October and again by Kobler in consultations on 28 October. On 28 October, Council members issued a press statement condemning the M23 attacks

Status Update since our October *Forecast* (con't)

against MONUSCO that resulted in the death of a peacekeeper and also addressed shells that had landed in Rwandan territory (SC/11163).

Israel/Palestine

On 22 October, the Council was briefed by Jeffrey Feltman, Under-Secretary-General for Political Affairs, prior to its quarterly open debate on the Middle East (S/PV.7047). Feltman urged taking advantage of the opening presented by resumed talks between Israel and Palestine to achieve the two-state solution. He also addressed developments in Lebanon, Syria and the Golan Heights.

Guinea

On 23 October, Council members received a briefing in consultations under “any other business” from Under-Secretary-General for Political Affairs Jeffrey Feltman on developments since the 28 September legislative elections in Guinea. The following day, Council members issued a press statement commending Guinea for the electoral process and urging all political stakeholders to pursue legal recourse for the resolution of any electoral disputes. Council members also expressed their strong support for the continued facilitation efforts led by Special Representative for West Africa Said Djinnit (SC/11159).

Côte d’Ivoire

On 24 October, Council members were briefed in consultations by Ambassador Gert Rosenthal (Guatemala), chair of the 1572 Côte d’Ivoire Sanctions Committee, on the midterm report of the Group of Experts (S/2013/605). The report observed progress related to exemption requests and notification procedures on the arms embargo. It also reported concern over the flow of weapons and ammunition in Côte d’Ivoire and the increased military power of the former *Forces Nouvelles*.

It noted that diamonds continued to be smuggled and reported that the Group was investigating the reforms underway in Côte d’Ivoire related to natural resources and their impact with regards to arms embargo violations. The Group of Experts had presented its report and recommendations to the 1572 Sanctions Committee on 11 October.

Cooperation with Regional and Subregional Organisations

On 28 October, the Council held a briefing (S/PV.7050) on cooperation between the UN and regional and subregional organisations in maintaining international peace and security, focusing on the Organisation of Islamic Cooperation (OIC). OIC Secretary-General, Ekmeleddin Ihsanoglu briefed the Council, along with UN Secretary-General Ban Ki-moon. The meeting was chaired by the Foreign Minister of Azerbaijan, Elmar Mammadyarov, and interventions focused on the issues raised in the concept note circulated by Azerbaijan earlier in the month (S/2013/588). The Council adopted a presidential statement acknowledging the “continuing dialogue between the UN and the OIC in the fields of peacemaking, preventive diplomacy, peacekeeping and peacebuilding” (S/PRST/2013/16).

ICJ

On 28 October, the Council convened for a private meeting to receive a briefing from the President of the ICJ, Peter Tomka (Slovakia). The briefing, which has been held annually since the practice was first established in 2000, coincided with the presentation of the annual report of the ICJ to the General Assembly (A/68/4), which took place on 31 October. (The last briefing took place on 25 October 2011, as the 2012 briefing was cancelled due to the closure of the UN as a result of Hurricane Sandy.) Tomka discussed the

overall activities of the Court, including an overview of pending contentious cases, its role in the peaceful settlement of disputes and maintenance of international peace and security, and its relationship with the Council.

Working Methods

On 29 October, the Security Council held its annual debate on working methods (S/PV.7051). Ambassador María Cristina Perceval (Argentina), the chair of the Informal Working Group on Documentation and Other Procedural Questions, opened the debate. Azerbaijan circulated a concept note earlier in the month to help guide discussion (S/2013/613).

Annual Report of the Security Council

At press time, the annual report of the Security Council was to be adopted on 30 October. Following practice in recent years, the US will address the Council as it drafted the report’s introduction. (The Council member who holds the presidency of the Security Council in July of any given year drafts the introduction.)

Western Sahara

At press time, Council members were expected to be briefed on 30 October in consultations by the Secretary-General’s Personal Envoy, Christopher Ross, as well as the Special Representative and head of MINURSO, Wolfgang Weisbrod-Weber. During the briefing, Ross is expected to share the findings that emerged from his recent visit to North Africa.

Kenya

At press time, Council members were expected to meet with an AU Contact Group in an interactive dialogue on 31 October to discuss a request to defer the Kenya case, currently before the ICC, under Article 16 of the Rome Statute (S/2013/624).

Sudan and South Sudan

Expected Council Action

In November, the Council is expected to hold one (or two) meetings, likely in consultations, on compliance by Sudan, South Sudan and the Sudan People’s Liberation

Movement-North (SPLM-N) with resolution 2046. (Meetings on Sudan-South Sudan have been semi-monthly since May 2012, although Council members have discussed reducing the frequency of these meetings to

once per month, with no final determination made at press time.)

The Council also expects to adopt a resolution renewing the mandate of the UN Interim Security Force for Abyei (UNISFA),

UN DOCUMENTS ON SUDAN AND SOUTH SUDAN Security Council Resolution S/RES/2104 (29 May 2013) renewed the mandate of UNISFA until 30 November 2013. Security Council Press Statement SC/11145 (11 October 2013) urged Sudan and the SPLM-N to hold a polio vaccination campaign in South Kordofan and Blue Nile. Secretary-General’s Report S/2013/577 (27 September 2013) was the most recent Secretary-General’s report on UNISFA.

Sudan and South Sudan (con't)

prior to its 30 November expiration.

Key Recent Developments

Large protests broke out in Sudan on 23 September, after the government cut fuel subsidies, with thousands marching in Khartoum and other cities throughout the country. While the initial spark was economic, the protests took on a political dimension, with many of the protestors calling for regime change. The unrest died down by the second week of October after Sudan violently repressed the protests, with casualty figures varying from over 60 according to official sources to about 200 according to some human rights organisations. (The government asserts that its forces did not commit the killings.)

Members of the UN Security Council and the AU Peace and Security Council (PSC) convened in Addis Ababa for their annual consultative meeting on 8 October. The joint communiqué issued during the meeting focused in part on Sudan-South Sudan relations but did not mention the protests that had been gripping Sudan (S/2013/611). Among its elements, the communiqué:

- welcomed the progress in Sudan-South Sudan relations;
- stressed the need for them to resolve outstanding issues, including the final status of Abyei and other disputed border areas;
- encouraged the parties to resume discussions on the 21 September 2012 proposal by the AU High-Level Implementation Panel (AUHIP), which calls for a referendum in Abyei;
- called on Sudan and the SPLM-N to cease hostilities and resume negotiations towards a political settlement in South Kordofan and Blue Nile states; and
- called on them to resolve technical challenges so that a polio vaccination campaign for children can be conducted in South Kordofan and Blue Nile states.

On 10 October, the Council held consultations of Sudan-South Sudan issues and UNISFA with briefings by Under-Secretary-General for Peacekeeping Operations Hervé Ladsous and UNISFA Force Commander Yohannes Tesfamariam (via videoconference). Tesfamariam expressed concern about the security situation in Abyei, noting that the Ngok-Dinka community residing in the area continued to make unilateral preparations for a referendum in Abyei. Ladsous noted

the urgency of conducting a polio vaccination campaign for children in South Kordofan and Blue Nile states. No mention in the meeting was made of the domestic turmoil in Sudan.

On 11 October the Council issued a press statement (SC/11145) that, *inter alia*:

- expressed concern about the threat of polio spreading throughout South Kordofan;
- called on Sudan and the SPLM-N to resolve their differences regarding the technical aspects of implementing the polio vaccination campaign so that it can begin on 5 November; and
- encouraged the Secretary-General to “engage with both sides to ensure full vaccination in the coming weeks”.

At press time, the parties had reportedly not come to terms on the vaccination’s delivery. While both sides have agreed to the campaign in principle, they still must resolve important issues including the terms of a cessation of hostilities and who will have responsibility for delivering the vaccination, as the SPLM-N is reluctant for Sudan to participate in the delivery process.

In a 9 October letter to the AU Commission, President Salva Kiir of South Sudan said that Sudan and South Sudan would be unable to come up with a solution to Abyei’s final status. He asked that the PSC endorse the AUHIP proposal and facilitate creation of a referendum commission so that the vote could take place in October.

On 18 October, the Ngok-Dinka community issued a statement declaring its “intent to conduct...the Abyei Area Community Referendum”. The statement asserted that the 23 September PSC communiqué—which reiterated the 21 September 2012 AUHIP proposal—“offers nothing to the Ngok Dinka”. (The Ngok-Dinka are frustrated that a referendum has yet to take place, as envisaged in the 2005 Comprehensive Peace Agreement and originally scheduled for 9 January 2011.)

A PSC press statement (PSC/PR/BR.[CDI]) issued on 21 October reiterated that the 21 September proposal represents “a fair, equitable and workable solution to the dispute between the two countries,” while also stressing “the urgency of establishing the Abyei Area Referendum Commission.”

Kiir met with President Omar al-Bashir of Sudan in Juba on 22 October. While they did

not make progress on the final status of Abyei, they, *inter-alia*, agreed in a joint communiqué:

- to expedite the establishment of the Abyei temporary administrative institutions (Abyei Area Administration, Abyei Area Council and Abyei Police Force);
- to continue to advocate for debt relief development support for Sudan and South Sudan and the lifting of economic sanctions on Sudan; and
- to strengthen cooperation between the central banks of both countries.

Council members held consultations on Sudan-South Sudan on 24 October during which they agreed to press elements that *inter-alia*:

- reiterated grave concern about the volatile situation in Abyei and called on all parties to refrain from unilateral actions;
- welcomed the 22 October summit and the commitment by Bashir and Kiir to expedite establishment of the Abyei administrative institutions; and
- recalled that resolution 2046 decided that the parties had to resume negotiations at once on Abyei’s final status.

The PSC had planned to visit Abyei on 26-27 October, but Sudan postponed the trip, claiming that it could not ensure a secure environment. On 26 October, the PSC adopted a communiqué (PSC/PR/COMM.[CDIII]) which:

- expressed disappointment that it could not visit Abyei “due to the insistence of Sudan that the visit be postponed for contrived security reasons”;
- rescheduled the trip to 5-6 November;
- warned stakeholders in Abyei to refrain from unilateral actions; and
- reiterated its “full acceptance of, and support to” the AUHIP’s 21 September 2012 proposal, while urging the UN Security Council to do likewise.

On 27 October, the Ngok-Dinka community initiated its own referendum in Abyei without official endorsement from Sudan or South Sudan. The vote was expected to last for three days and the results announced on 31 October. AU Chairperson Nkosazana Dlamini-Zuma issued a statement on 28 October condemning the exercise as “unacceptable and irresponsible.”

Human Rights-Related Developments

On 25 September, the Human Rights Council

Sudan and South Sudan (con't)

(HRC) held an interactive dialogue with the Independent Expert on the situation of human rights in the Sudan, Mashood Adebayo Baderin. Baderin undertook two missions to Sudan, in February and June, but was unable to visit South Kordofan due to the security situation in the region (A/HRC/24/31). Baderin noted that the human rights situation remains precarious and highlighted his concern vis-à-vis the curtailment of the activities of civil society organisations, press censorship, arbitrary arrest, the limitation on freedom of religion and the persistence of sexual and gender-based violence. On 27 September, the HRC renewed the mandate of the independent expert for a period of one year.

The Office of the High Commissioner for Human Rights and Baderin, on 27 September and 3 October respectively, condemned the use of excessive force by the government against peaceful protestors. Baderin also expressed deep concern at the mass arrests and the heavy censorship on local media. He urged the government to charge all those arrested with a recognisable offence or immediately release them and called for detainees to be granted access to their families, legal representation and medical care.

Key Issues

With respect to UNISFA and the situation in Abyei, key issues include:

- how to maintain calm in Abyei, given the Ngok-Dinka decision to go ahead with a unilateral referendum;
- how to expedite UNISFA's progress in its deployment and establishing the Joint Border Verification and Monitoring Mechanism (JBVMM) along the Sudan-South Sudan border; and
- how to break the deadlock in establishing the temporary administrative institutions in Abyei.

Other key issues on Sudan-South Sudan include:

- how to nurture the apparent thaw in relations between Sudan and South Sudan since the summit meeting between Bashir and Kiir on 3 September;
- how to persuade Sudan and the SPLM-N to work through the challenges of

vaccination delivery in SPLM-N-controlled areas of South Kordofan and Blue Nile; and

- whether the Council should play a role in addressing domestic unrest in Sudan and if so, what that role should be.

Options

One option is for the Council to renew UNISFA's mandate for one year, as recommended by the Secretary-General and as a departure from the current six-month duration of the mandate. (Although UNISFA is meant to be an interim force, many of the unresolved challenges that face Sudan and South Sudan with respect to Abyei continue to prove intractable, a rationale for the longer mandate.)

Another option is to renew the mission for the standard six months, which may signal the importance of expediting the deployment of the additional troops mandated by resolution 2104 and fully operationalising the JBVMM.

Other options regarding Abyei and UNISFA include:

- condemning the unilateral conduct of the referendum in Abyei while emphasising Sudan's CPA commitment to holding a referendum;
- requesting a briefing from members of the PSC on their visit to Abyei, assuming they travel to the area in November; and
- holding an Arria formula meeting with Ngok-Dinka and Misseriya leaders (via videoconference, if required) to learn about the situation on the ground and to get their perspectives on final-status discussions.

On other Sudan-South Sudan issues, the Council may consider inviting Thabo Mbeki, chair of the AUHIP, to engage with Council members in an informal interactive dialogue, as Mbeki has not briefed the Council since 27 March.

The Council could also request that the Secretary-General, in collaboration with the AU.

Commission, produce a report outlining options for harmonising the efforts and mandates of Mbeki; UN Special Envoy for Sudan and South Sudan, Haile Menkerios; and AU-UN Joint Special Representative for Darfur Mohamed Ibn Chambas. This could provide ideas for how to promote the more holistic, strategic approach on Sudan-South Sudan issues that some analysts believe is needed.

Council Dynamics

There is widespread unease among Council members about the tense situation in Abyei and the lack of any progress in negotiations on its final status. Council members are united in their belief that the Ngok-Dinka decision to hold a unilateral referendum in Abyei could greatly exacerbate the situation on the ground, although some members emphasise that Sudan should honour the commitment it made in the 2005 Comprehensive Peace Agreement to hold a referendum. Likewise, some members support the AUHIP's 21 September proposal, while others do not, likely because it has not been mutually agreed upon by the parties. (South Sudan supports the proposal, while Sudan does not.)

The Council largely ignored the internal unrest that gripped Sudan in late September and early October. However, while some members have noted that this unrest is an internal issue, others appear to be concerned about the level of government repression. It seems that some members also believe that the protests, which were initially sparked by the removal of fuel subsidies, bolster their argument that debt relief and a removal of economic sanctions on Sudan should be seriously considered.

The US is the penholder on Sudan-South Sudan issues.

Sudan (Darfur)

Expected Council Action

In November, Ambassador María Cristina Perceval (Argentina), chair of the 1591 Sudan Sanctions Committee, is expected to provide the quarterly briefing in consultations on the Committee's work.

Key Recent Developments

The security situation remains volatile in Darfur with significant inter-communal violence continuing throughout the region, as well as violence between government forces and rebel groups. The Reizegat and Ma'alia communities engaged in fighting related to a cattle-raiding incident in Bakhit, Eastern Darfur on 18 September, reportedly leaving 21 dead and 53 wounded. In late September, members of the Misseriya and Salamat communities clashed, apparently over water resources, in Central Darfur, with 45 killed according to OCHA.

On 11 September, Sudan Revolutionary Front rebels attacked a checkpoint of the Sudan Armed Forces (SAF) in Um Hashaba, North Darfur, killing one SAF soldier and wounding seven.

Four peacekeepers from the AU/UN Hybrid Operation in Darfur (UNAMID) were killed in two separate attacks in Darfur on 11 October and 13 October. On 14 October, the Council issued a press statement condemning these attacks and calling on Sudan to investigate them and bring those responsible to justice (SC/11146).

The Implementation Follow-Up Commission on the Doha Document for Peace in Darfur (DDPD) held its sixth meeting in Doha on 23 September. During the meeting, Special Representative of the Secretary-General and head of UNAMID Mohamed Ibn Chambas said that the challenging security environment could hinder implementation of the DDPD and delay projects that are part of the Darfur Development Strategy.

On 12 October, the AU issued a decision reiterating its "concern on [sic] the politicization and misuse of indictments against African leaders by the ICC" and deciding that "no charges shall be commenced or continued before any International Court or Tribunal against any serving AU Head of State or Government or anybody acting or entitled to act in such capacity during their term of office".

(Although primarily focused on the ICC's proceedings against President Uhuru Kenyatta and Deputy President William Samoei Ruto of Kenya, the decision is also relevant for President Omar al-Bashir of Sudan, who has been indicted by the ICC for allegedly committing war crimes, crimes against humanity and genocide.)

The Council held a briefing on UNAMID followed by consultations on 23 October. During the briefing, Chambas told Council members that he met with key figures from the Justice and Equality Movement—Gibril Ibrahim and Sudan Liberation Army—a Minni Minawi rebel groups between 22 and 27 August in Arusha, Tanzania. He said that the groups were committed to a "negotiated political settlement...in the context of a holistic solution to Sudan's problems." He also noted that Sudan had said that any negotiation with the rebels should be done in the context of the DDPD. Under-Secretary-General for Peacekeeping Operations Hervé Ladsous addressed the Council after Chambas, referring to the limited progress in the peace process, the difficult security environment and the ongoing need for humanitarian assistance in Darfur. Finally, Ambassador Daffa-Alla Elhag Ali Osman of Sudan expressed concern at what he called "the inability of UNAMID military personnel to defend...themselves" in reference to the recent attacks on UNAMID peacekeepers.

Key Issues

An underlying key issue is how the Sanctions Committee can ensure that violations of the arms embargo do not continue, as reported by the Panel of Experts assisting the Committee.

Another key issue is the continuing inter-communal violence in Darfur. The UN Secretary-General has pointed to fighting over land and natural resources as the immediate cause of this fighting, while some human rights organisations have reported that government forces have played a role in some of the inter-communal violence over the past year. It has likewise been argued that members of the Sudanese Central Reserve Police and the Border Intelligence Brigade, which have absorbed some of the former Janjaweed militia, have perpetrated violent acts as part of tribal militias.

Another ongoing issue is the lack of progress

in implementing the DDPD and the absence of a number of the Darfur rebel movements from the peace process.

Options

One option is for Council members to receive the briefing without taking action at this time.

The Council may also consider adopting a resolution that:

- imposes sanctions on the rebel groups that have failed to engage meaningfully in the Doha process;
- reiterates the obligations of member states to comply with the arms embargo in Darfur; and
- deplores the heightened inter-communal violence against civilians in Darfur.

Council Dynamics

There is widespread concern among Council members about the deteriorating security situation in Darfur, including violence against civilians and the related widespread displacement.

Regarding the lack of progress in implementing the DDPD, some members largely fault the non-signatory rebel groups for their failure to engage in meaningful negotiations with Sudan and believe that imposing sanctions on these groups under the 1591 regime might compel them to join the peace process. There is also a growing belief in the Council that the dire economic situation facing Khartoum makes it very difficult for it to implement the DDPD, and some members support the idea of removing bilateral economic sanctions on Sudan and offering debt relief. Others, however, are more inclined to blame the government for what they perceive as a lack of commitment to implementing the DDPD. These members appear to oppose removing economic sanctions on Sudan.

The Council is divided on the issue of the ICC notwithstanding its referral of the situation in Darfur to the ICC in resolution 1593. Some members support the ICC's work in Darfur, while others are concerned that the pursuit of Bashir and others is motivated largely by political interests.

The UK is the penholder on Darfur, while Argentina chairs the 1591 Sudan Sanctions Committee.

UN DOCUMENTS ON SUDAN (DARFUR) [Security Council Resolutions S/RES/2113](#) (30 July 2013) extended UNAMID's mandate until 31 August 2014. [S/RES/2091](#) (14 February 2013) extended the Darfur Sanctions Committee's mandate until 17 February 2014. [Security Council Press Statement SC/11146](#) (14 October 2013) condemned recent attacks on UNAMID peacekeepers. [Secretary-General's Report S/2013/607](#) (14 October 2013) was the most recent quarterly UNAMID report. [Security Council Meeting Record S/PV.7048](#) (23 October 2013) was the Council's latest UNAMID briefing.

South Sudan

Expected Council Action

In November, the Council expects to hold a briefing and consultations on the UN Mission in South Sudan (UNMISS). Under-Secretary-General for Peacekeeping Operations Hervé Ladsous is expected to brief the Council on the Secretary-General's report on UNMISS, due out in early November. The mission's mandate expires on 15 July 2014.

Key Recent Developments

Special Representative and head of UNMISS Hilde Johnson briefed the Council on 8 July (S/PV.6993) and then met with Council members in consultations. While noting that most of South Sudan was stable, Johnson highlighted the troubling security situation in Jonglei state, where conflict between South Sudan's army, the Sudan People's Liberation Army (SPLA), and David Yau Yau's rebel South Sudan Democratic Movement/Army (SSDM/A) had displaced thousands of civilians. Johnson said that UNMISS had enhanced its military presence in Jonglei in response to the unrest there but that the mission was suffering from a mobility crisis limiting its capacity to fulfil its mandate to protect civilians. She also expressed concern about human rights violations committed by the SPLA, including arbitrary detentions and arrests, abuse and killings. Echoing options presented in the Secretary-General's report (S/2013/366), Johnson pointed to "aerial surveillance capability, deterrence and supplementary heavy-lift and riverine capabilities" as areas of need.

President Salva Kiir dissolved the cabinet, dismissing all ministers and deputy ministers, on 23 July. He appointed a new cabinet within a week but delayed for a month the appointment of a new vice president, a post that was vacated when Kiir dismissed political rival Riek Machar. On 23 August, Kiir appointed a political ally, James Wannu Igga, as vice president. Other key appointments included the naming of Kuol Manyang Juuk, governor of the turbulent Jonglei state, as defence minister, and Barnaba Marial Benjamin, formerly information minister, as foreign minister.

There have been varying interpretations of the cabinet reshuffle. Some analysts have argued that the dismissals are indicative of authoritarian tendencies and that the reshuffle was designed to shore up Kiir's standing

in the ruling party, the Sudan People's Liberation Movement (SPLM), in advance of its convention currently scheduled for March 2014. On the other hand, some have argued that the new cabinet is both more competent and more favourably inclined to negotiations with Sudan than the previous one.

In July, inter-ethnic violence between the Lou Nuer and Murle communities engulfed parts of Jonglei. (Inter-ethnic clashes involving these groups also claimed hundreds of lives in late 2012 and early 2013.) According to Jonglei Boyoris, a member of the Jonglei State Assembly, more than 320 Murle, mainly women and children, died as a result of this violence.

Human Rights Watch has reported that between December 2012 and July 2013 the SPLA killed 74 civilians in Jonglei who were likely targeted because they were Murle. (The most powerful rebel group in Jonglei, the SSDM/A, consists of Murle fighters. It should also be noted that a high number of the SPLA in the area are from another ethnic community, the Nuer.)

On 20 August, South Sudan announced that a high-ranking commander, Brigadier General James Otong, had been arrested and would be prosecuted for human rights abuses committed by his troops in Pibor County, Jonglei. (The investigation is underway). He is reportedly one of 31 SPLA soldiers arrested for their role in the Jonglei violence. The SPLA announced on 24 October that five of these soldiers had been convicted of murder and sentenced to death.

The Council issued a press statement (SC/11103) on 23 August on South Sudan that, *inter alia*:

- condemned the violence against civilians in Jonglei;
- noted that South Sudan holds the primary responsibility to protect civilians;
- expressed concern with human rights violations committed in Jonglei by armed groups and the SPLA; and
- emphasised the importance of holding perpetrators of such acts accountable for their actions.

On 28 September, South Sudan announced that about 200 rebels led by Ayuok Agot and Gordon Kuong in Upper Nile state had accepted an amnesty offer, surrendering to the SPLA.

On 20 October, at least 70 people were killed in an assault in Twic East county, Jonglei, while scores were wounded, children were kidnapped and hundreds of cattle were stolen. South Sudan has accused the SSDM/A of carrying out the attack although Yau Yau denies involvement.

On 25 October, Under-Secretary-General for Peacekeeping Operations Hervé Ladsous briefed Council members in consultations on this last bout of violence. (The briefing had been requested the day before by Russia.) Ladsous said that the attacks were likely carried out by Murle and that the victims were members of the Dinka community. While some reports indicated that Yau Yau was responsible, he said that this could not be confirmed. He added that UNMISS and its UN partners were assessing the humanitarian and human rights implications of the attacks, while reinforcing the area to provide added protection to civilians.

Key Issues

A key issue is how to strengthen efforts to prevent inter-communal violence and promote inter-communal reconciliation in Jonglei and elsewhere in South Sudan.

A related important issue is the need to enhance the aerial assets (e.g., helicopters) available to UNMISS and ensure that they are used effectively for surveillance and heavy lift purposes.

Another key issue is the involvement of the SPLA in human rights violations in Jonglei and what role the Council and UNMISS can play in supporting government efforts to professionalise the army.

Options

One option is to receive the UNMISS briefing and discuss it in consultations but take no action at the current time.

The Council may also request a briefing from the Secretariat on the potential use of unmanned aerial vehicles (drones) for early-warning surveillance in conflict-prone areas of South Sudan.

The Council could also make a special request to member states to provide additional military helicopters to UNMISS.

Another option is to hold an Arria formula meeting with NGO experts and others

South Sudan (con't)

familiar with the situation in Jonglei to get their perspectives on the sources of the violence there and how the Council can best address the conflict.

Council Dynamics

Most Council members share the view

that protection of civilians is a priority for UNMISS. Given the recurring violence in South Sudan—particularly in Jonglei where the SSDM/A has been active—several Council members are interested in exploring how the mission can strengthen its role in protecting civilians, although they emphasise that this

is the primary responsibility of South Sudan. There is also an understanding that UNMISS needs enhanced air assets to improve its monitoring of the situation on the ground and increase its heavy lift capacity, especially given the lack of roads in the country.

The US is the penholder on South Sudan.

UNOCA/LRA

Expected Council Action

In November, the Security Council expects a briefing by Abou Moussa, Special Representative of the Secretary-General and head of the UN Regional Office for Central Africa (UNOCA), on the Secretary-General's report on UNOCA and the implementation of the regional strategy on the Lord's Resistance Army (LRA). Either a presidential or a press statement is a possible outcome.

UNOCA's mandate expires on 28 February 2014.

Key Recent Developments

The Council last discussed UNOCA and the LRA on 29 May (S/PV.6971), when Moussa briefed on the 20 May UNOCA/LRA report of the Secretary-General (S/2013/297). Moussa emphasised a number of issues of regional significance: UNOCA's capacity-building work with the Economic Community of Central African States, efforts toward deploying the AU Regional Task Force (AU-RTF), increasing insecurity in the Central African Republic (CAR) and the cross-border implications of Nigeria's counter-insurgency against *Boko Haram*, an Islamist rebel group based in northern Nigeria. (For example, there have been recent media reports of increasing *Boko Haram* activity in the CAR, which has likely exacerbated sectarian violence.) The Council issued a presidential statement welcoming the implementation plan for the UN's anti-LRA strategy and reiterating its condemnation of the LRA's human rights abuses and violations of international humanitarian law (S/PRST/2013/6).

On 17 June, the AU released a report of the Chairperson on the AU-led Regional

Cooperation Initiative for the Elimination of the LRA (RCI-LRA) noting that progress had been made toward full deployment and operation of the AU-RTF. Out of an envisaged 5,000 troops, 3,350 had been contributed as follows: Uganda, 2,000; Democratic Republic of the Congo (DRC), 500; South Sudan, 500; and CAR, 350 (although the CAR contingent disintegrated shortly after deployment due to renewed offensives by *Séléka* rebels in that country). The report highlighted the problems posed by the 24 March *Séléka* seizure of power in the CAR, particularly with respect to the need for the AU-RTF to suspend anti-LRA operations as the *Séléka* immediately called for the withdrawal of all foreign forces. In line with the recommendations in the report, the AU Peace and Security Council (PSC) issued a communiqué on 17 June renewing the mandate of the RCI-LRA until 22 May 2014.

According to press reports on 3 October, Uganda announced that its AU-RTF troops had resumed operations in the CAR after prolonged negotiations with the transitional government in the CAR. On 9 October, the US commended Uganda for its contribution to the effort and reiterated its continued support for the AU-RTF (100 US special forces troops serve in an advisory and training capacity).

On 10 October, the Council adopted resolution 2121 concerning the CAR, the African-led International Support Mission in the CAR (now known by its French acronym MISCA) and the UN Integrated Peacebuilding Office in the CAR (BINUCA) (S/PV.7042). The resolution expressed concern at the continued operation of the LRA in the CAR and called on all countries in the region and subregional and

regional organisations to further their efforts and enhance their coordination—including through the AU-RTF and UN regional strategy—to address the threat posed by the LRA.

Key Issues

The Council will be focused on an update and analysis regarding implementation of the UN regional anti-LRA strategy, particularly regarding the five strategic goals:

- full operationalisation of the RCI-LRA and AU-RTF;
- enhanced efforts to promote protection of civilians;
- geographic expansion of disarmament, demobilisation, repatriation, resettlement and reintegration to cover all LRA-affected areas;
- coordinated humanitarian and child protection response; and
- supporting peacebuilding, human rights, rule of law and development to regional governments in order to facilitate establishment of their authority.

Options

One option for the Council is issuing a press statement or presidential statement in support of UNOCA and the RCI-LRA.

Another option would be to request member states to contribute more resources toward anti-LRA efforts while also stressing the importance of regional cooperation.

Council and Wider Dynamics

Council members are largely in agreement on LRA-related issues and strongly support the UN regional anti-LRA strategy, particularly

UN DOCUMENTS ON UNOCA/LRA Security Council Resolution S/RES/2121 (10 October 2013) was on the Central African Republic. Security Council Presidential Statement S/PRST/2013/6 (29 May 2013) welcomed the development of an implementation plan for the UN LRA strategy and reiterated its condemnation of LRA attacks. Secretary-General's Report S/2013/297 (20 May 2013) concerned UNOCA/LRA. Security Council Letters S/2013/240 (19 April 2013) was from the Secretary-General transmitting a report on implementation of the UN LRA strategy. S/2012/481 (25 June 2012) was from the Secretary-General transmitting a report on the UN LRA strategy. Security Council Meeting Records S/PV.7042 (10 October 2013) was a briefing on the Central African Republic. S/PV.6971 (29 May 2013) was a briefing on UNOCA/LRA. **ADDITIONAL USEFUL RESOURCES** Report of the Chairperson of the Commission on the Implementation of the African Union-Led Regional Cooperation Initiative for the Elimination of the Lord's Resistance Army, AU PSC, 17 June 2013. Communiqué, AU PSC, 17 June 2013.

UNOCA/LRA (con't)

the need to grasp a window of opportunity to eradicate the LRA, whose combined forces now number an estimated 500 rebels at most. There is also a recognition that conflicts within the region must be effectively dealt with in order to deny territory for the LRA to regroup.

Difficult regional relations have been a conspicuous obstacle to a better-coordinated and more aggressive LRA counter-insurgency. For example, the LRA is thought to be present in

areas controlled by the Sudan Armed Forces in South Darfur, where AU-RTF troops are not allowed to deploy. Likewise, from April through September, Ugandan AU-RTF contingents ceased to operate in the CAR as the *Séléka*-led government called for the expulsion of all foreign forces. While Ugandan troops have since resumed operating in the CAR, they remain unauthorised to conduct cross-border LRA operations into the DRC, where

the *Forces Armées de la République Démocratique du Congo* has been ineffectual. Moreover, the collapse of state authority and the armed forces in the CAR following the *Séléka* takeover has exacerbated security voids in the CAR. Thus, while there has been progress in making the AU-RTF a more effective force, the LRA has intermittently benefitted from *de facto* safe havens within the region.

The UK is the penholder on the LRA.

Guinea-Bissau

Expected Council Action

In November, the Council expects to be briefed by the Special Representative of the Secretary-General and head of the UN Integrated Peacebuilding Office in Guinea-Bissau (UNIOGBIS), José Ramos-Horta. It is also expected that Ambassador Antonio de Aguiar Patriota (Brazil), chair of the Peacebuilding Commission (PBC) country-specific configuration for Guinea-Bissau, will address the Council, as well as representatives of the Economic Community of West African States (ECOWAS) and the Community of Portuguese-Speaking Countries (CPLP). Earlier in the month, the Council will receive concurrent reports from the Secretary-General on Guinea-Bissau: the 180-day report on the activities of UNIOGBIS and the 90-day report on the restoration of constitutional order. A press statement is possible as an outcome.

Key Recent Developments

On 5 September, Ramos-Horta addressed Council members in consultations on the last quarterly report on the restoration of constitutional order (S/2013/499). The Special Representative told the Council that national elections scheduled for 24 November could again be delayed, mostly due to a lack of progress in implementing a voter registration system. According to Ramos-Horta, there were two options for manual voter registration: a less expensive option could make elections possible in February, and a more costly but secure option would allow for elections in May (both would be after the previously agreed deadline

of 31 December for the end of the transitional period). He noted that the government had expressed a preference for the second option.

Ramos-Horta also told the Council that Transitional President Manuel Serifo Nhamadjo would be sending letters to the Secretary-General requesting the UN to establish two commissions of inquiry: one to investigate past political violence in Guinea-Bissau and the other to document drug trafficking in the country. At press time, Council members were not aware of whether the Secretary-General had received these letters.

On 11 September, the Council issued a press statement urging Guinea-Bissau to hold presidential and legislative elections by 31 December (SC/11118).

On 18 September, in a press release, the AU called for urgent international financial support for the elections. President Alassane Outtara of Côte d'Ivoire echoed this call, as chair of ECOWAS, in the General Assembly on 25 September.

Seven of the eight foreign ministers of the CPLP (excluding Guinea-Bissau) met on 25 September on the margins of the General Assembly. The consensus from their discussions on Guinea-Bissau was that conditions did not exist in the country for free, fair and transparent elections, and, in particular, security conditions were insufficient. Nhamadjo, however, told the General Assembly on 26 September that the transitional government intended to meet the 24 November date for elections.

In other developments, an amnesty bill for

the 12 April coup leaders failed to pass in the National Assembly on 10 September. The bill received the backing of 40 members, falling short of the 51 votes required for adoption.

On 8 October, mobs in Bissau attacked Nigerian nationals and threw stones at Nigeria's embassy. One Nigerian was killed. The ECOWAS Mission in Guinea-Bissau (ECOMIB) eventually assisted the police in restoring order. The attacks followed several recent kidnappings in Bissau, with the 8 October incident triggered by the abduction of a seven-year-old boy, whose kidnappers were rumoured to be Nigerian. Nigeria's Minister of State for Foreign Affairs, according to press reports, claimed that accusations against Nigerians were politically motivated by individuals seeking to undermine the ECOWAS mission. ECOWAS military chiefs of staff travelled to Guinea-Bissau to meet with transitional authorities about the incident.

ECOWAS and the EU condemned the attacks in separate statements. ECOWAS, on 11 October, reaffirmed its commitment to conclude the transition period by 31 December, while the EU condemned intimidation of civilians by the military.

Timor-Leste announced on 24 October that it was sending an electoral support mission to Guinea-Bissau, with funding of \$6 million, to assist in preparations for the elections.

Following an ECOWAS regional summit on October 25, it was reported that Nhamadjo, who attended the meeting, would hold consultations in Guinea-Bissau to determine a new election date.

UN DOCUMENTS ON GUINEA-BISSAU [Security Council Resolutions S/RES/2103](#) (22 May 2013) revised the mandate and structure of UNIOGBIS and extended it for one year. [S/RES/2048](#) (18 May 2012) imposed travel bans on coup leaders and set up a new sanctions committee. [Security Council Presidential Statement S/PRST/2012/15](#) (21 April 2012) was on the coup in Guinea-Bissau. [Secretary-General's Reports S/2013/499](#) (21 August 2013) was on the restoration of constitutional order in Guinea-Bissau. [S/2013/262](#) (6 May 2013) was a consolidated report on UNIOGBIS and the restoration of constitutional order in Guinea-Bissau. [Security Council Press Statement SC/11118](#) (11 September 2013) urged credible and transparent presidential and legislative elections to be held within the established transitional period.

Guinea-Bissau (con't)

Key Issues

The principal issue for the Council is learning when the elections will be held. Since it appears that the elections will need to be delayed (voter registration has not started), members will want to know a precise timeframe for rescheduling them. It seems that Ramos-Horta has been pushing for a February date.

A closely related issue is finalising an agreement on the type of manual voter registration system and progress towards its implementation.

Obtaining donor support to finance the elections is a related issue. The electoral climate, such as freedom of expression and the security of candidates, is also important.

Council members will be very interested in learning whether the Secretary-General has received the letters that, according to Ramos-Horta, Guinea-Bissau was planning to send requesting UN commissions of inquiries.

Other issues include progress by ECOMIB in its security sector reform efforts, as well as the problems of drug trafficking and organised crime. UNIOGBIS was given a new anti-drug

component when the Council revised its mandate in May. Members may want an update on the status of this work.

Ramos-Horta's dialogue with the military and its assurances that it will stay out of politics is another area of interest. The humanitarian situation, which has deteriorated since the 12 April 2012 coup, is also of concern.

Options

The Council may wish to consider the following options:

- issuing a presidential or press statement that reiterates the need for Guinea-Bissau to hold elections as soon as possible;
- issuing a statement to endorse any new date for elections that ECOWAS and Guinea-Bissau agree to;
- issuing a statement with a specific date for holding national elections; or
- issuing a statement that endorses commissions of inquiries into past political crimes and drug trafficking, if Guinea-Bissau requests them.

Council and Wider Dynamics

Although the CPLP and ECOWAS had divergent views on Guinea-Bissau after the 12 April 2012 coup, which filtered into the Security Council, there is now a high degree of unity within the Council on Guinea-Bissau as all members want elections to be held as soon as possible. Moreover, the Council tends to follow the lead of ECOWAS. If ECOWAS announces a new date for elections, including beyond the 2013 transition period, the Council is likely to acquiesce.

For ECOWAS, a delay beyond the transition period would be the second time that the bloc has missed its scheduled deadline for restoring constitutional order and could be embarrassing. At the same time, Council members and other stakeholders seem to realise that the situation requires some flexibility.

Council members continue to be impressed by Ramos-Horta's performance and support his strategy, though there might be growing concern that some of his predictions have not materialised.

Togo is the penholder on Guinea-Bissau.

Libya

Expected Council Action

In November, the Council will receive the semi-annual briefing by ICC Prosecutor Fatou Bensouda on recent developments concerning cases in Libya.

The mandates of the UN Support Mission in Libya (UNSMIL) and the Panel of Experts (PoE) assisting the 1970 Libya Sanctions Committee expire on 14 March and 16 April 2014, respectively.

Key Recent Developments

In his 16 September briefing to the Council, the Special Representative of the Secretary-General, Tarek Mitri, highlighted how security problems are still, arguably, the predominant concern in Libya. On 2 October, an armed mob attacked the Russian embassy in Tripoli, resulting in intrusions into the diplomatic

premises that caused serious damage. Several attacks targeting the military in the last two months resulted in more than 20 casualties, a bomb attack severely damaged the Benghazi branch of the Ministry of Foreign Affairs and on 10 October, Prime Minister Ali Zeidan was kidnapped for several hours by an armed militia. On 21 October, NATO agreed to Zeidan's request to provide advice on defence institution-building through the establishment of a small advisory team.

The political situation remains tense. In early September, the Muslim Brotherhood-affiliated Justice and Construction Party threatened to pull its five ministers from the government. On 26 September, Fezzan declared itself an autonomous federal province, following a similar move by the Cyrenaica region in June. In mid-October, Cyrenaica opened its own

independent parliament in Benghazi. Oil production continued to be disrupted for most of the reporting period, with oil revenues rising at a slow pace. The US capture of Abu Anas al-Libi, who is listed under the 1267/1989 Al-Qaida sanctions regime, in Libya on 5 October fueled political tensions in the country. Against this backdrop, in late August the government announced the launch of a national dialogue initiative and the preparations for elections for the constitutional-drafting assembly.

In a 20 October press conference, Zeidan highlighted the challenges posed by the proliferation of weapons and the difficulties in making the militias abide by the rule of law. As mentioned by Mitri during his recent briefing, the situation of many of the estimated 8,000 conflict-related detainees remains problematic.

Relations between Libya and the ICC

UN DOCUMENTS ON LIBYA Security Council Resolutions S/RES/2095 (14 March 2013) extended the mandates of UNSMIL and the PoE. S/RES/1970 (26 February 2011) referred the situation in Libya to the ICC and established a Sanctions Committee for the arms embargo, travel ban and assets freeze imposed by the resolution. **Secretary-General's Report S/2013/516** (5 September 2013) was the latest report on UNSMIL. **Security Council Meeting Records S/PV.7031** (16 September 2013) was the latest briefing on Libya. S/PV.6962 (8 May 2012) was the fifth briefing by the Prosecutor of the ICC on Libya. **Security Council Press Statement SC/11140** (4 October 2013) condemned the attack against the Russian embassy in Libya. **General Assembly Document A/68/314** (13 August 2013) was a report by the ICC on its activities for 2012/2013. **OTHER RELEVANT FACTS** **Special Representative of the Secretary-General and Head of UNSMIL** Tarek Mitri (Lebanon) **UNSMIL Strength as of 31 August 2013**: 145 international civilians; 68 local civilians; 6 police officers, two UN volunteers **UNSMIL Duration** 16 September 2011 to present

Libya (con't)

have been tense following the decision by the ICC to try Saif Al-Islam Qaddafi and former intelligence chief Abdullah Al-Senussi in The Hague, as per the ICC referral in resolution 1970. On 31 May, ICC Pre-Trial Chamber I rejected Libya's challenge to the admissibility of the case against Qaddafi, citing lack of sufficient evidence to demonstrate that Libya was investigating the same case as that before the Court, and reminded Libya of its obligation to surrender him. The ICC Appeals Chamber came to the same conclusion in July, after Libya requested that his surrender be suspended. Qaddafi appeared in court in Zintan on 19 September to face charges related to his alleged attempt to escape and to endangering national security. The militia holding him refused to transfer him to Tripoli for a pre-trial hearing on war crimes proceedings against 38 former regime figures.

Regarding Al-Senussi, Libya filed a challenge to the admissibility of the case before the ICC on 2 April 2013, claiming that it had started proceedings against al-Senussi in 2012. In an 11 October decision, Pre-Trial Chamber I concluded that the case against Al-Senussi was being investigated by Libya, thus making it inadmissible before the ICC.

In her 8 May [briefing](#) to the Council, Bensouda expressed concern about the alleged crimes committed by rebel forces during the revolution, including the expulsion of residents of Tawergha and the destruction of the city, the on-going alleged persecution of ethnic groups perceived to have been affiliated with the Muammar Qaddafi regime and specific incidents as yet unaccounted for. She also mentioned her investigations of other serious crimes committed by former Qaddafi officials, some of whom are now outside Libya.

Human Rights-Related Developments

In October, UNSMIL and the Office of the High Commissioner for Human Rights jointly released a report underlining widespread concerns in many detention centres that torture and ill treatment in Libya are ongoing. Since late 2011, UNSMIL has recorded 27 deaths in custody where there is significant information to suggest that torture was the cause of death, including 11 cases between January and June 2013. The report notes that the armed brigades that emerged during the 2011 revolution are in effective control of most detention facilities where torture takes place. Despite government efforts to bring armed brigades under state authority, torture continues and is most frequently used upon arrest and during the first days of interrogation. The report observed that a proper handover of detention facilities to trained officers of the Judicial Police usually results in improved conditions and better treatment of detainees. The report recommended swift action to transfer detainees to the effective control of state authorities and interim measures to protect the detainees against ill treatment.

Key Issues

A key issue for the Council is the conflicting views of Libya and the ICC regarding the trial of Qaddafi. (According to article 87 of the Rome Statute, if a state fails to cooperate with the ICC and prevents it from exercising its functions and powers, the Court may refer the matter to the Council.)

An overarching issue is the fragile security situation due to the existence of militias that challenge the state's monopoly on the legitimate use of force. As signalled by the interim report of the PoE, arms proliferation beyond Libya's borders, including trafficking of arms and ammunition to Syria, is a related issue.

A pressing issue is ensuring respect for the rule of law and reforming the legal institutions (justice system, law-enforcement mechanisms

and correctional facilities) to generate trust in the political and legal system and to prevent retaliatory actions aimed at taking revenge on alleged wrongdoers.

Options

Although receiving a briefing and taking no action seems the most likely option, the Council could issue a statement:

- encouraging the government to develop a comprehensive strategy aimed at putting an end to crime and impunity in Libya;
- reaffirming its call for armed militias to disarm and accept the authority of the state, including transferring Qaddafi to the custody of the state; and
- taking note of the ongoing ICC investigations into serious crimes committed by other former Qaddafi officials as well as rebel forces during the revolution.
- Although unlikely, the Council could threaten measures against armed militias and other spoilers that significantly undermine state authority and its monopoly over the legitimate use of force.

Council Dynamics

The overall deterioration of the security situation and the fragility of the political transition are sources of concern for Council members.

Regarding the tension over the trial of Qaddafi, it seems unlikely that—unless the ICC refers the case to the Council—the Council will take a strong stance on this. Controversies over the ICC in recent months show how, even though seven Council members are parties to the Rome Statute, there is no political appetite to tackle this issue in Libya.

The UK is the penholder on Libya.

Somalia

Expected Council Action

In November, the Council is likely to consider adoption of two resolutions on Somalia: one

reauthorising international anti-piracy measures, which are due to expire on 21 November, and another revising the mandate of the AU

Mission in Somalia (AMISOM), reauthorised on 6 March until 28 February 2014. Ambassador Oh Joon (Republic of Korea), chair of

UN DOCUMENTS ON SOMALIA [Security Council Resolutions S/RES/2102](#) (2 May 2013) created UNSOM and authorised its deployment for one year as of 3 June 2013. [S/RES/2093](#) (6 March 2013) reauthorised AMISOM until 28 February 2014 and partially lifted the arms embargo. [S/RES/2077](#) (21 November 2012) reauthorised international anti-piracy measures in Somalia and its territorial waters for a period of one year. [Secretary-General's Report S/2013/623](#) (21 October 2013) was the most recent report on piracy off the coast of Somalia. [Security Council Letters S/2013/620](#) (18 October 2013) transmitted a communiqué that had been adopted by the AU PSC on 10 October. [S/2013/606](#) (14 October 2013) was from the Secretary-General endorsing the recommendations of the joint AU-UN mission to Somalia. [Security Council Meeting Record S/PV.7030](#) (12 September 2013) concerned the briefing on UNSOM. [Security Council Press Statements SC/11129](#) (21 September 2013) condemned the terrorist attack by *Al-Shabaab* in Nairobi, Kenya. [SC/11121](#) (13 September 2013) expressed support for the agreement regarding the Interim Jubba Administration as well as other recent developments. **OTHER RELEVANT FACTS Size and Composition of AMISOM** *Authorised strength: 17,731 total uniformed personnel. The main contingents are from Uganda, Burundi, Kenya, Djibouti and Sierra Leone (in descending order).* **USEFUL ADDITIONAL RESOURCE** [Report of the Chairperson of the Commission on the Joint AU-UN Benchmarking Exercise and the Review of the African Union Mission in Somalia](#), AU PSC, 10 October 2013.

Somalia (con't)

the 751/1907 Somalia-Eritrea Sanctions Committee, is also scheduled to provide a 120-day briefing to Council members.

Key Recent Developments

As of press time, Deputy Secretary-General Jan Eliasson was scheduled to brief the Council on 30 October, to be followed by consultations. Eliasson is expected to discuss the report of the joint AU-UN mission on benchmarks for a UN peacekeeping operation and assessment of AMISOM and the Somali National Security Forces (SNSF), which was transmitted to the Council in a letter from the Secretary-General on 14 October (S/2013/606). Eliasson is also expected to brief the Council on the Secretary-General's 21 October report regarding international anti-piracy measures in Somalia and its territorial waters (S/2013/623). It seems that a report from the government of Somalia following up on modification of the arms embargo, which was due on 7 October as specified in resolution 2093, has not been submitted on time and thus may not be covered in the briefing.

The joint AU-UN report proposes a number of policy options regarding AMISOM, the SNSF and UN operational security. With respect to AMISOM, which is currently authorised at a ceiling of 17,731 troops and police, the report recommends the following: adding 1,845 support-unit troops and increasing combat troops by 2,550 for a period of 18 to 24 months. It also raises the options of adding 1,000 troops for a guard force and increasing formed police units by 840 personnel. If all measures were approved, AMISOM's authorisation would rise by 6,235 to 23,966. The report also recommends providing non-lethal assistance to the SNSF through UN-assessed contributions. One alternative to AMISOM providing UN security would be to deploy a UN Guard Force similar to the model used in Iraq. Both the AU Peace and Security Council (PSC), in its 10 October communiqué, and the UN Secretary-General, in his 14 October letter transmitting the AU-UN report to the Council, have endorsed the recommendations contained in the joint mission report.

Perhaps signifying a resurgence in Western military intervention in the Horn of Africa following the 21-24 September attack by

Al-Shabaab on the Westgate Mall in Nairobi, US special forces conducted a raid on the insurgent stronghold of Baraawe, Somalia, on 5 October. The target of the attack was Abdikadar Mohamed Abdikadar, also known by his nom de guerre Ikrima, an Al-Shabaab senior military planner of Kenyan origin. Ikrima is thought to have been associated with the terrorist attack on the UN compound in Mogadishu on 19 June. The raid was unsuccessful, as the US special forces ultimately withdrew without being able to apprehend Ikrima. More recently, a drone strike on 28 October in Jilib (120 kilometres north of Kismayo) reportedly killed Ibrahim Ali Abdi, a commander, and one other Al-Shabaab member.

On 25 October, the AU PSC visited Mogadishu. Special Representative of the AU Mahamat Saleh Annadif urged the Council to act quickly on the AU PSC request for more troops, financing and equipment for AMISOM.

The following day, Eliasson also arrived in Mogadishu. He held meetings with President Hassan Sheikh Mohamud, Speaker of the Federal Parliament Mohammad Sheikh Osman Jawari and Prime Minister Abdi Farah Shirdon.

Key Issues

The principal issue for the Council is whether it needs to take the far reaching steps, recommended in the report, aimed at reducing the threat posed by *Al-Shabaab* and improving overall security in Somalia.

A recurring issue of concern for the Council is determining what types of measures should be adopted for the UN to manage a dangerous operational environment.

Another key issue is piracy off the coast of Somalia, although this has been significantly reduced in magnitude compared to the previous years.

Options

Regarding AMISOM, approving measures similar to those recommended in the joint AU-UN report, such as increasing AMISOM's troop ceiling and providing non-lethal assistance to the SNSF through UN-assessed contributions is a likely option.

Other options for the Council relate to how to ensure security for UN staff operating in Somalia, such as authorisation of a UN

Guard Force or further increasing AMISOM troop numbers specifically for the purpose of providing security for the UN.

On piracy, the likely option is for the Council to reauthorise existing international anti-piracy measures with regard to Somalia and its territorial waters.

Council and Wider Dynamics

The 21-24 September terrorist attack by *Al-Shabaab* in Nairobi is likely to be a catalyst to build momentum among Council members for authorising increased military capacity for AMISOM and the provision of non-lethal assistance to the SNSF. The AU PSC has long argued that AMISOM lacks the troops and force multipliers (e.g., armoured personnel carriers and helicopters) required to achieve its mandate, while the recent AU-UN joint assessment mission has concluded that counter-insurgency is now at a standstill. Under the present circumstances, it seems probable that Council members will be largely in agreement about approving measures similar to those proposed in the joint AU-UN report, endorsed by the AU PSC, and supported by the Secretary-General (although one area of potential disagreement may be regarding whether the UN or the AU provides the Guard Force).

However, there are also some factors that may dampen this nascent trend toward a more aggressive military stance in Somalia, namely concerns about financing, human rights and accountability. While Council members may agree that AMISOM and SNSF require further financial assistance, they could also disagree on the specific funding mechanisms. There is also the issue of financial constraints, which affect the broader UN system. As for human rights, the track record of AMISOM and the SNSF suggests effective implementation of the UN Human Rights Due Diligence Policy could be difficult. Financial and human rights concerns point toward the broader issue of accountability. Some Council members may not be comfortable with increased UN financing and backing for operations over which the UN ultimately has little control.

The UK is the penholder on Somalia, the US is the penholder on piracy and the Republic of Korea is the chair of the 751/1907 Somalia-Eritrea Sanctions Committee.

Yemen

Expected Council Action

In November, Council members expect a briefing on Yemen by Jamal Benomar, the Special Adviser to the Secretary-General on Yemen. A presidential statement is a likely outcome depending on whether the National Dialogue Conference (NDC) has concluded or not.

The mandate of the Office of the Special Adviser on Yemen was renewed on 12 June without an expiration date.

Key Recent Developments

In his 27 September briefing, Benomar acknowledged how the security situation remains volatile in parts of Yemen (S/PV.7037). In September, Al-Qaida in the Arabian Peninsula (AQAP) carried out major attacks against military bases in Shabwa governorate. On 6 October, unidentified armed men killed a German national working for the German Embassy, and a UNICEF international staff member was kidnapped. Tribal tensions continue, with clashes of Houthis (a Shia former rebel group) with Sunni members of the *Islah* party, Salafi groups and tribal militants affiliated to the al-Ahmar family in Amran and Sa'ada.

Although the deadline for the end of the NDC was 18 September, disagreements over key issues delayed its conclusion. The working groups focusing on the future form of government—southern issue, Sa'ada and state-building—have yet to agree on their final reports. The opening ceremony of the final plenary session took place on 8 October. The objective of the NDC was to agree on general principles to feed into the drafting of a new constitution. The Houthi and Hiraak (southern movement) NDC members boycotted the final plenary, citing the lack of a governmental reparation fund for victims of the wars waged against rebels in Sa'ada and disagreements over the federal structure of the state, respectively. (To address this issue, the government announced on 13 October the establishment of a reparations fund to benefit the victims of human rights violations in previous conflicts.) Members of the General National Congress, the former ruling party, withdrew from the transitional justice and good-governance working groups in September, citing disagreements over immunity and political participation of officials of the former regime.

As final reports of the nine working groups are submitted to the plenary, the consensus committee is expected to play an important role on issues that cannot be agreed at the working-group level. If a report does not get 90 percent approval in the plenary, it will be referred to the consensus committee for revision. The disputed issue will then be returned to the plenary to be voted on, at which point it will require 75 percent approval to be accepted. Delays in the work of the NDC postponed the holding of a referendum on the new constitution. It was initially planned for October but is now expected to be held in February 2014.

A joint mission to Yemen in September by Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator Valerie Amos and Ertharin Cousin, the Executive Director of the World Food Programme, focused on the critical humanitarian situation and widespread food insecurity. Amos pointed out that the humanitarian consolidated appeal remains underfunded at just 44 percent.

Human Rights-Related Developments

The Deputy High Commissioner for Human Rights, Flavia Pansieri, briefed the Human Rights Council (HRC) on Yemen on 25 September (A/HRC/24/34). She expressed concern at the sometimes-violent suppression of peaceful protests, with reports of arrests and casualties. She also raised concerns about the recruitment of children, both by the armed forces and armed groups, about the application of the death penalty to minors and the overall situation of women. The HRC adopted resolution 24/32 on 27 September, calling on all parties to release all persons arbitrarily detained, demanding that armed groups end the recruitment and use of children and release those who had already been recruited and calling on the government to ensure that the death penalty was not applied to minors.

Pansieri subsequently visited Yemen from 29 September to 3 October. In Sana'a on 3 October, she emphasised the necessity of taking human rights into due consideration in the upcoming constitutional process. She stressed that little progress had been made on a draft law on transitional justice and national reconciliation and regretted that the appointment of members of the commission of inquiry into the events of 2011 was still pending. She noted the serious challenges faced by the judiciary sector and reiterated concern over the executions of minors charged with serious crimes.

Key Issues

Ensuring the timely completion of the NDC

and the successful achievement of its objectives, including agreement on the form of government, is a key issue. The inclusiveness of the steps leading up to the general elections—including the constitution-drafting process—is a related issue.

Immediate issues for the Council include the precarious security situation, the presence of AQAP and persistent violent clashes among tribal groups. Funding and supply of weapons from regional actors are related issues.

The bleak humanitarian situation, including the challenges for internally displaced persons, returnees and refugees from the Horn of Africa, is an ongoing issue.

Options

Options for the Council will depend on the accomplishments of the NDC by the time of the briefing. If the NDC has not concluded yet, the Council could issue a statement:

- urging political actors in Yemen to finalise the NDC as soon as possible and agree on general principles to feed into the constitutional process in a peaceful, transparent, constructive and reconciliatory manner;
- encouraging NDC delegates to make use of internal conflict-resolution mechanisms for the issues that remain unsolved (such as the use of the consensus committee);
- reiterating its warning to spoilers of the political process that Article 41 measures could be taken against them; and
- calling on all parties to honour to the extent possible the timetable and benchmarks set out in the transition agreement.

If the NDC concludes successfully before the briefing, the Council could issue a statement:

- commending the work of the delegates of the NDC despite the challenges they faced;
- encouraging the members of the constitution-drafting assembly to honour the compromises agreed to by the NDC; and
- looking forward to the drafting of the new constitution based on general principles agreed by the NDC and the referendum and general elections in February 2014.

Council Dynamics

Council members continue to follow the situation in Yemen closely. They are aware of the

UN DOCUMENTS ON YEMEN Security Council Resolution S/RES/2051 (12 June 2012) focused on the second phase of the transition and expressed readiness to consider further measures, including under Article 41 of the Charter. Security Council Presidential Statement S/PRST/2013/3 (15 February 2013) welcomed the announcement of the launch of the NDC. Security Council Meeting Record S/PV.7037 (27 September 2013) was a briefing by Benomar, the Secretary-General of the Gulf Cooperation Council, Abdullatif bin Rashid Al-Zayani, and the foreign minister of Yemen, Abubaker A. Al-Qirbi. Security Council Press Statement SC/10969 (12 April 2013) welcomed the reorganisation of the military. **OTHER RELEVANT FACT** Special Adviser to the Secretary-General Jamal Benomar (Morocco)

Yemen (con't)

importance of the political transition in Yemen at a critical moment for other transition processes in the region and highlight the close cooperation with regional organisations, the

constructive discussions within the Council and the cost-effective UN engagement.

As opposed to the 27 September briefing, which was public, Council members and the

Secretariat seem to agree that meeting in consultations will allow for a more frank exchange of views.

The UK is the penholder on Yemen.

Lebanon (UNIFIL)

Expected Council Action

In November, Special Coordinator Derek Plumbly will brief Council members in consultations on the Secretary-General's report on the implementation of resolution 1701, which called for a cessation of hostilities between Hezbollah and Israel in 2006. The mandate of the UN Interim Force in Lebanon (UNIFIL) expires on 31 August 2014.

Key Recent Developments

The forthcoming 1701 report is expected to portray the situation in southern Lebanon as stable. However, Israeli air strikes in Syria and other cross-border incidents sparked concerns in this reporting period that Hezbollah might retaliate against Israel, potentially drawing Lebanon further into a broader regional conflict.

The report is expected to highlight some civilian hostility towards UNIFIL patrols in late August and early September when it seemed the US might be headed toward unilateral military strikes against Syria. It will also give an account of two significant security incidents between Israel and Lebanon.

The first incident was on 7 August when four Israeli soldiers were injured in a blast after allegedly crossing the Blue Line between Israel and Lebanon. Hezbollah claimed responsibility. The second was a series of incidents which began on 21 August when UNIFIL observed five Israeli troops cross the Blue Line into Lebanon. The next day, the Al-Qaida-linked Azzam Brigades claimed responsibility for launching four rockets into Israel. On 23 August, Israeli jets retaliated, striking a site near Tyre in south Lebanon. The presence of Hezbollah, Israeli troops and other unauthorised armed elements in UNIFIL's area of operations, in addition to cross-border strikes, are

violations of resolution 1701 and a breach of the cessation of hostilities. Lebanon has also recently complained that Israel ventured into its territorial waters, as well as a further incident on 1 October when Israeli troops crossed 296 meters into Lebanon (S/2013/604).

The 1701 report is also expected to describe growing sectarian tension in Lebanon as a consequence of the Syrian crisis resulting in the Lebanese Armed Forces (LAF) redeploying from the south to the north due to this mounting instability. As a consequence, UNIFIL has increased its operational activities to compensate for the temporary loss of LAF capacity.

On 24 October, Council members were briefed in consultations by Special Envoy Terje Rød-Larsen on the Secretary-General's latest report on the implementation of resolution 1559 (S/2013/612). Key areas of discussion included the political stalemate, the influx of Syrian refugees, Hezbollah's military activities in Syria and subsequent sectarian tensions demonstrated by the recent large-scale terrorist bombings in Beirut and Tripoli and pronounced cross-border incidents. He said Lebanon was facing the most dangerous situation in its history since 1990, when its own civil war ended.

Recent incidents include four rockets launched from Syria that struck Hermel, a Hezbollah stronghold in northern Lebanon, on 21 October. The following day, five Syrian shells landed in the Al-Qaa region of the Beqa'a Valley. There were also renewed and severe sectarian clashes in Tripoli, breaking a truce which has been held since June. At press time, these clashes had resulted in 14 deaths and the LAF had been deployed in Tripoli to try and restore calm. These skirmishes are increasing amid reports that Hezbollah is planning an attack against Syrian rebels in the

Qalamoun area bordering Lebanon.

The political stalemate that began when Prime Minister Najib Mikati resigned on 22 March continues. He now heads a Hezbollah-led government in a caretaker capacity because Prime Minister-designate Tammam Salam has not yet been able to form his government. The Hezbollah-aligned 8 March political bloc has insisted on a share of ministerial portfolios proportionate to its parliamentary representation, and the 14 March political bloc has refused to participate in a cabinet that includes Hezbollah. On 14 October, there was a proposal to give nine ministerial seats each to the 8 March and 14 March political blocs, giving both a blocking majority, with the six remaining portfolios allocated to other centrist parties. On 28 October, Hezbollah leader Hassan Nasrallah said the 8 March bloc would "currently" accept the 9-9-6 proposal and urged the 14 March bloc to do the same.

The humanitarian situation continues to deteriorate. On 25 October, the UN High Commissioner for Refugees estimated that there were nearly 802,000 Syrian refugees in Lebanon. (Lebanon estimates that the actual figure is 1.2 million.)

On 19 October two Turkish airline pilots seized in Beirut on 9 August were released in a prisoner swap for nine Lebanese nationals abducted in May 2012 in Syria. (These nine were part of a group of Shi'a pilgrims believed by Syrian rebels to be Hezbollah operatives.)

Regarding the Special Tribunal for Lebanon, 13 January 2014 has been set as a tentative start for the trial in absentia of four individuals charged in the 14 February 2005 assassination of former Prime Minister Rafiq Hariri. On 21 October, the Tribunal confirmed a fifth person, Hassan Merhi, had been indicted. He is also likely to be tried in absentia.

UN DOCUMENTS ON LEBANON Security Council Resolutions S/RES/2115 (29 August 2013) renewed UNIFIL until 31 August 2014. S/RES/1701 (11 August 2006) called for a cessation of hostilities between Hezbollah and Israel. **Secretary-General's Reports** S/2013/612 (16 October 2013) was the latest report on resolution 1559. S/2013/381 (26 June 2013) was the latest report on resolution 1701. **OTHER RELEVANT FACTS** **Special Coordinator for Lebanon** Derek Plumbly (UK) **Special Envoy for the Implementation of Resolution 1559** Terje Rød-Larsen (Norway) **UNIFIL Force Commander** Major General Paolo Serra (Italy) **Size and Composition of UNIFIL as of 31 August 2013** *Authorised:* 15,000 troops *Current:* 10,555 troops *Troop Contributors:* Armenia, Austria, Bangladesh, Belarus, Belgium, Brazil, Brunei, Cambodia, China, Croatia, Cyprus, El Salvador, Finland, France, FYR of Macedonia, Germany, Ghana, Greece, Guatemala, Hungary, India, Indonesia, Ireland, Italy, Kenya, Malaysia, Nepal, Nigeria, Qatar, Republic of Korea, Serbia, Sierra Leone, Slovenia, Spain, Sri Lanka, Tanzania and Turkey **Duration:** March 1978 to present; mandate expires 31 August 2014 **Cost:** 1 July 2013 to 30 June 2014: \$492.62 million (A/C.5/67/19)

Lebanon (UNIFIL)(con't)

Key Issues

The key issue is that the conflict in Syria continues to negatively impact Lebanon with adverse security consequences in southern Lebanon as well.

Ongoing issues include continued violations of resolution 1701, such as the Israeli occupation of areas north of the Blue Line and overflights in Lebanese airspace.

The fact that Hezbollah maintains a significant military capacity beyond the control of the LAF remains a key issue.

Underlying Problems

Despite Lebanon's official policy of disassociation from the Syrian crisis, Hezbollah's overt involvement in Syria, sectarian violence, and the burgeoning refugee situation in Lebanon provide evidence of the pressures such a policy

must withstand.

Achieving a formal ceasefire between Israel and Lebanon is impossible so long as the Syrian conflict continues to both destabilise Lebanon and freeze the Israel-Syria peace track.

Similarly, UNIFIL's transfer of security responsibility in southern Lebanon to the LAF cannot progress so long as the LAF is deployed elsewhere to manage the insecurity caused by the spillover effects of the Syrian crisis.

Options

The most likely option for the Council in November is to take no action. However, Council members could issue a statement stressing their support for the LAF as a requisite pillar of stability.

Council Dynamics

There is consensus on the Council that UNIFIL contributes to stability between Israel and Lebanon, becoming even more crucial in the context of the Syrian crisis. The Council is united on the importance of preserving Lebanon's sovereignty, national unity, territorial integrity and political independence and supportive of its policy of disassociation from the crisis in Syria.

Some Council members have also highlighted the importance they attach to Lebanon's stability, providing humanitarian assistance and bilateral financial support, including funding for the LAF, through the International Support Group for Lebanon.

France is the penholder on Lebanon in the Council.

Syria

Expected Council Action

In early November, Council members will be briefed in consultations on the first monthly report on the implementation of resolution 2118, which required the verification and destruction of Syria's chemical weapons. This work is being undertaken by a joint mission of the UN and the Organization for the Prohibition of Chemical Weapons (OPCW). Sigrid Kaag, the Special Coordinator of the OPCW-UN Joint Mission, is likely to brief.

Council members will also be closely following developments related to humanitarian access and to the Geneva II peace talks. Media reports have indicated the talks are scheduled for 23-24 November, however, at press time, this had not been confirmed.

Key Recent Developments

On 9 September, in the lead-up to possible unilateral military strikes on Syria by the US over the Syrian government's use of chemical weapons, Russia proposed that Syrian chemical weapons stocks be put under international control. On 14 September, Russia and the

US agreed to a framework for the elimination of such weapons. On 27 September, the Security Council met at ministerial-level and adopted resolution 2118, which requires the verification and destruction of Syria's chemical weapons, calls for the convening of the Geneva II peace talks and endorses the establishment of a transitional governing body in Syria with full executive powers.

On 2 October, the Council adopted a presidential statement on humanitarian access in Syria (S/PRST/2013/15). Members were briefed on its implementation on 25 October by Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator Valerie Amos (S/PV.7049). Amos expressed deep disappointment that, despite the rapidly deteriorating humanitarian situation, access had not improved and there had been no major breakthrough in getting the Syrian government to lift bureaucratic impediments and other obstacles.

On 10 October, Council members were briefed in consultations on the recommendations for the establishment of the OPCW-UN

Joint Mission. The Council authorised the mission on 11 October to:

- conduct initial verification activities;
- complete initial inspections of all chemical weapons production and storage facilities by 1 November; and
- support, monitor and verify the destruction of the chemical weapons programme by 30 June 2014.

On 21 October, Special Coordinator Kaag arrived in Damascus and reported that Syria had fully cooperated with the mission. At press time, 21 of 23 declared sites had been inspected with activities carried out at 14 sites to make such facilities inoperable. On 24 October, Syria submitted, on-time, its formal declaration of its chemical weapons programme and its plans for destroying its stockpile. The OPCW said it would review this plan by 15 November.

On 22 October, 11 foreign ministers met in London with the Syrian Opposition Council—of which the Syrian National Coalition (SNC) is the largest bloc. (The "London 11" comprises Egypt, France, Germany, Italy, Jordan, Qatar, Saudi Arabia, Turkey, the UAE, the UK

UN DOCUMENTS ON SYRIA Security Council Resolution S/RES/2118 (27 September 2013) required the destruction of Syria's chemical weapons and endorsed the 30 June 2012 Geneva communiqué. Security Council Presidential Statement S/PRST/2013/15 (2 October 2013) was on humanitarian access in Syria. Secretary-General's Reports S/2013/629 (28 October 2013) was the first monthly report on progress submitted by the OPCW-UN Joint Mission. S/2013/553 (16 September 2013) was the report on the UN investigation into the alleged use of chemical weapons in Syria on 21 August 2013. Security Council Letters S/2013/609 (16 October 2013) and S/2013/608 (13 October 2013) was an exchange of letters appointing Kaag as the Special Coordinator of the OPCW-UN Joint Mission. S/2013/603 (11 October 2013) and S/2013/591 (7 October 2013) was an exchange of letters establishing the OPCW-UN Joint Mission. S/2013/580 (27 September 2013) was the OPCW decision on the destruction of Syrian chemical weapons. S/2013/565 (19 September 2013) was the framework agreed by Russia and US for the elimination of Syrian chemical weapons. Security Council Meeting Records S/PV.7049 (25 October 2013) was the most recent humanitarian briefing on Syria. S/PV.7047 (22 October 2013) was the most recent open debate on the Middle East

Syria (con't)

and the US.) They issued a statement to forge a united approach to Geneva II underscoring the view that talks must lead to a political transition “by mutual consent” away from the regime of President Bashar al-Assad—in line with the communiqué agreed at the 30 June 2012 Geneva conference.

However, Syria has said conditions were not right for the talks, that the fate of Assad would not be discussed and that the government would not negotiate with the SNC as the sole representative of the Syrian opposition since it had “no representation within Syria”. On 21 October, Assad indicated he saw no obstacles to running for re-election next year. (Elections, in the absence of any transitional agreement, are expected in May 2014.) These comments essentially dismiss the original Geneva communiqué as a basis for an agreement.

Meanwhile, almost 70 armed rebel groups within Syria have disassociated themselves from the SNC, leaving the now significantly less robust Free Syrian Army fighting dual fronts against the Assad regime and extremist armed Islamic groups, such as the Al-Qaida-linked *Jabhat al-Nusra* and the Islamic State in Iraq/al-Sham. Given its weak position, the SNC has indicated its participation is unlikely if there was any chance Assad would remain in power.

The SNC will meet in Istanbul on 1-2 November to vote on whether or not to attend the Geneva II talks. Meanwhile, UN-Arab League Joint Special Representative Lakhdar Brahimi was in the region visiting Cairo, Damascus and Tehran in preparation for the talks, yet still unable to visit Riyadh. On 5 November, Brahimi is expected to convene a trilateral meeting with Russia and the US in Geneva.

Human Rights-Related Developments

The situation of human rights in Syria has been a top priority for the Human Rights Council (HRC). At its 23rd session, a three-hour urgent debate was held on 29 May at the request of Qatar, Turkey and the US. The HRC adopted resolution 23/1 on 29 May asking the Commission of Inquiry on Syria to investigate the events in Al Qusayr. Resolution 23/26 of 14 June demanded that Syria cooperate fully with the Commission and also asked for a report on the human rights of internally displaced persons (IDPs).

During the 24th session, on 16 September, the HRC heard a briefing on IDPs and another from Paulo Sérgio Pinheiro, the chair of the Commission. The HRC also received a thematic paper by

the Commission on the assault on medical care in Syria, which noted the deliberate targeting of hospitals, medical personnel and transports and the denial of access to medical care (A/HRC/24/CRP.2). On 27 September, the HRC adopted resolution 24/22, which condemned the continued gross, systematic and widespread violations of human rights and the use of chemical weapons. The resolution also demanded that Syria facilitate, and all other parties allow, humanitarian access.

Key Issues

The issue of possible measures under Chapter VII in the event of non-compliance with resolution 2118 is unlikely to come up in the near term since Kaag has publicly stated that Syria has thus far cooperated fully with the OPCW-UN Joint Mission. However, government compliance with making a full declaration of its arsenal and subsequent destruction activities will need to be tracked carefully. (The OPCW and the UN are mandated to verify but not to conduct destruction activities.)

The key issue for the Council is how to take the unprecedented cooperation at the international, regional and national levels on the chemical weapons track and translate that momentum into tangible benefits for civilians on the ground in terms of significantly lowering levels of violence and achieving greater humanitarian access.

Underlying Problem

The progress on the chemical weapons track has not altered the course of the civil war in Syria toward a political solution. The level of violence continues unabated with more than 100,000 killed by conventional weapons. The devastating humanitarian situation continues, with a growing refugee population of 2.2 million and over 4.2 million IDPs, coupled with alarming predictions of starvation in towns under siege and a collapsing health infrastructure as a result of deliberate and systematic attacks on medical facilities.

Options

Options for the Council in November include receiving briefings from: Kaag on the chemical weapons track; Amos on the humanitarian situation, particularly access; and Brahimi on Geneva II.

If Geneva II slides toward further delay, the Council could issue a statement urging a quick convening of the talks and recalling its

endorsement in resolution 2118 of the establishment of a transitional governing body exercising full executive powers.

If Geneva II is convened, the Council could issue a statement supporting the peace talks and urging swift agreement that could be endorsed by a resolution.

Council and Wider Dynamics

The Council views resolution 2118 as an example of unanticipated strategic gains that can be achieved if there is political will for substantive action.

On the other hand, some Council members have also expressed concern that the chemical weapons issue, which is only a marginal aspect of the crisis, has overshadowed the larger conflict, which continues to be characterised by unrelenting levels of violence. It is also unclear to many Council members whether the agreement on Syria's chemical weapons will be able to deliver further positive peace dividends on the political and humanitarian tracks. Council members have noted the stark contrast between Syria's cooperation on the chemical weapons issue and the lack thereof on the humanitarian track.

Saudi Arabia's announcement on 18 October that it would not accept its term on the Security Council, set to begin on 1 January 2014, signalled a rupture with the US approach towards Syria and a lack of confidence in the Security Council to deal with the crisis. Despite the “London 11” talks, that same day Saudi Arabia stated at the Middle East open debate that “the Syrian regime's continued extermination of its own people” had forfeited its “place in determining its [Syria's] future”. This may be an indication that Saudi Arabia may now be less willing to use its considerable leverage in the region to support the US position and convince the Syrian opposition to attend the Geneva II peace talks.

France is the penholder on Syria. However, most texts are thoroughly negotiated between Russia and the US prior to agreement by the broader Council. Resolution 2118 was almost entirely negotiated by Russia and the US. Furthermore, given the P5 divisions in the Council around Syria, elected members Australia and Luxembourg have taken the lead on the humanitarian track.

Iraq (UNAMI)

Expected Council Action

In November, the new Special Representative, Nickolay Mladenov (Bulgaria), will brief the Council on the report on the UN Assistance Mission for Iraq (UNAMI). Council members are also due to receive a separate report from UNAMI on Iraq's compliance with resolution 1284 regarding the repatriation or return of Kuwaiti nationals or their remains and the return of Kuwaiti property.

This will be the first time that UNAMI will report on Iraq-Kuwait issues following the adoption of resolution 2107, which transferred this task to UNAMI. (This reporting was formerly assigned to the High-Level Coordinator for Iraq-Kuwait Missing Persons but the Council allowed financing of this mandate to lapse in December 2012.)

The UNAMI mandate expires on 31 July 2014.

Key Recent Developments

On 16 July, the Council received its final briefing from former Special Representative Martin Kobler, who emphasised four key issues for the future of Iraq: the full implementation of the constitution, the equitable distribution of resources, the protection of the environment and the importance of providing opportunities to women and youth.

Violence this year has increased to levels not seen since the all-out sectarian warfare of 2006 and 2007. There have been almost daily fatal attacks, many of them coordinated and sectarian in nature, against civilians, law enforcement and government officials. The most recent series of attacks occurred on 27 October when car bombs across Iraq killed at least 66 people in one day. According to UNAMI, 1,000 civilians were killed in September with a total of at least 5,740 civilians killed since January, in comparison to 3,238 in all of 2012.

Analysts have said that the surge in violence is related to a government crackdown against Sunni protests that began in April, largely over the perception that the Shi'a-led government was consolidating its hold on power. Tension has also been exacerbated by the destabilising effects of the Syrian crisis. Spillover from that crisis—in which Iraq is officially neutral—has complicated Iraq's foreign policy, which requires a delicate balance

of good relations with both Tehran and Washington, D.C. US officials believe Iran flies military supplies over Iraq to sustain the Syrian government's advantage, with Iraq alleging it cannot stop the over-flights. On 17 July, Iran's outgoing President Mahmoud Ahmadinejad met with Iraqi Prime Minister Nuri al-Maliki to discuss cooperation between their countries. On 15 August, US Secretary of State John Kerry and Iraqi Foreign Minister Hoshyar Zebari similarly met to discuss their cooperation, as well as the links between Al-Qaida activities in both Iraq and Syria. At press time, Maliki was due to meet with US President Barack Obama on 1 November.

A 21 July attack on a prison outside Baghdad resulted in the escape of hundreds of inmates, reportedly including several senior Al-Qaida leaders. The Al-Qaida-linked Islamic State of Iraq and al-Sham claimed responsibility, with suspicions that some level of collusion would have been required with Iraqi security forces. Interpol issued an alert on 24 July that this jailbreak posed a major threat to global security. Maliki fired the prisons director, and since the jailbreak, Iraqi forces have arrested hundreds on suspicion of terrorism, targeting mainly Sunni neighbourhoods in Baghdad. Rather than staunching the violence, the arrests have angered Sunnis, who view the crackdown as unfairly targeting their community. On 6 October, Mladenov called on all Iraqi leaders to work together to halt the surge in violence.

The Kurdish Regional Government announced on 10 August it would support Syrian Kurds following clashes between Syrian Kurdish armed groups and Al-Qaida. It reopened its border with Syria, and more than 37,000 refugees crossed in August alone. The border closed following a 29 September suicide bombing in Erbil, the first to hit this region in six years. The UN High Commissioner for Refugees (UNHCR) reports that there are almost 198,000 Syrian refugees in Iraq; the vast majority are located in this semi-autonomous Kurdish region of northern Iraq.

On 1 September, violence also struck Camp Ashraf (or Camp New Iraq), a temporary home of the *Mujahedin-e Khalq* (a group of Iranian exiles opposed to the government in Tehran). Fifty-two residents were killed, a

majority from gunshot wounds to the head. Media reports indicate that camp residents accused Iraqi forces of carrying out the assault. Iraq denies the allegation and has said it will investigate. The Secretary-General, UNAMI and UNHCR condemned the incident and called on the government to ensure the security of the residents. On 11 September, the remaining 42 individuals at the camp were transferred to a transit facility known as Camp Hurriya (or Camp Liberty), where there is a programme for resettlement outside Iraq.

On 26 August, the Federal Supreme Court struck down a law, passed by parliament in January, limiting the prime minister, president and parliament speaker to two terms in office. Analysts perceive this as a move for Maliki to further monopolise power and run for a third term. Iraqi general elections have been set for April 2014.

Human Rights-Related Developments

On 9-10 October, 42 individuals were reportedly executed by the government on terrorism charges, bringing the total number of executions this year to 140. On 11 October, the Office of the High Commissioner for Human Rights stressed that such large-scale executions were "most probably in contravention of international law" and called on the government to halt all executions immediately. The statement added that the claim that the death penalty deters terrorism was clearly a fallacy, given the rise in civilian killings.

Key Issues

The key issue for the Council is how UNAMI can continue to contribute to the stability of Iraq and play a role in facilitating an end to the political stalemate and sectarian tension.

A further issue will be whether and how to address the destabilising impact of the Syrian conflict on Iraq—in particular the proliferation of extremist armed groups with linked activities in Iraq and Syria.

The issue of Camp Hurriya, and the future disposition of the Iranian exiles housed there, will likely also be of concern to Council members in the wake of the 1 September attack.

Options

The most likely option is for the Council to receive the briefing and take no action. However, the Council could issue a statement on

UN DOCUMENTS ON IRAQ Security Council Resolutions S/RES/2110 (24 July 2013) extended the mandate of UNAMI until 31 July 2014. **S/RES/2107** (27 June 2013) transferred Iraq/Kuwait issues to the UNAMI mandate. **Secretary-General's Reports** S/2013/408 (11 July 2013) was the latest UNAMI report. **S/2013/357** (17 June 2013) was the latest report on Iraq/Kuwait issues. **Security Council Letters** S/2013/462 (1 August 2013) and **S/2013/461** (30 July 2013) was an exchange of letters appointing Mladenov as the Special Representative for Iraq and head of UNAMI. **Security Council Meeting Record** S/PV.7002 (16 July 2013) was the most recent UNAMI briefing.

Iraq (UNAMI) (con't)

any number of issues, including:

- encouraging reconciliation between various political factions and urging national dialogue; and
- given the escalation in sectarian violence, condemning recent attacks and calling on all parties to prevent further strife.

Council Dynamics

Despite the escalating violence and continuing instability, beyond the routine annual renewals of UNAMI the Council has

remained otherwise silent on Iraq since 15 December 2010. Regarding UNAMI, there is general consensus that the mission is contributing to the stability of the country.

Council members have found that publicly addressing the growing violence in Iraq is difficult, primarily because of US sensitivities related to its 2003 invasion. However, some Council members are finding it untenable to ignore the implications of increasingly violent sectarian splits and political dysfunction in Iraq and may be interested in sharpening the

Council's discussion of the issues.

Several Council members are of the view that the larger problems Iraq is facing deserve at least as much attention and response by the Council as is given to Camps Ashraf and Hurriya which—while important, particularly to the US—represent only a minor fraction of the security issues facing the country.

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

Bosnia and Herzegovina

Expected Council Action

In November, the Council will hold its bi-annual debate on Bosnia and Herzegovina (BiH). The High Representative for BiH, Valentin Inzko, is expected to brief about developments in the country since he last addressed the Council on 14 May (S/PV.6966). Prior to this the Council will receive the latest report of the High Representative from the Secretary-General.

The Council will likely renew the authorisation of the EU-led multinational stabilisation force (EUFOR ALTHEA) for another 12 months as its mandate expires on 14 November.

Key Recent Developments

When the High Representative last briefed the Council, he drew attention to the political and constitutional crisis that had frozen governance in the Federation of Bosnia and Herzegovina, as well as the continuing rhetoric by Republika Srpska questioning its future in BiH. He noted that there had been no concrete progress towards the five conditions and two objectives ("5+2 agenda"), necessary for the closure of the Office of the High Representative (OHR).

In June and July, BiH saw its largest demonstrations in years. The so-called "babylution" protests arose from the failure to pass legislation on national identification numbers, as a result of which ID documents could not be issued for new-born babies. Frustration boiled over when a three-month-old girl, who later died on 15 October, could not go to

Germany for medical treatment because a passport could not be obtained for her. On 6 June, demonstrators surrounded the parliament building in Sarajevo, trapping more than 1,000 lawmakers, government employees and foreign visitors inside until early morning hours the next day. (The lower chamber passed an ID number law on 18 July, but it was rejected in the upper house on 23 July. The stalemate continued at press time.)

In meetings in Brussels on 1 and 10 October, BiH's seven major political parties failed to agree on a formula for implementing the 2009 decision of the European Court of Human Rights in the Sedjić-Finci case. (In Sedjić-Finci, it was determined that the BiH constitution violated the European Convention on Human Rights by denying citizens not identifying as Bosniak, Serb or Croat—BiH's "three constituent people"—from running for the tripartite presidency and House of Peoples. BiH must amend its constitution in order to apply for EU membership.) EU official Štefan Füle said after the 10 October meeting that BiH would lose its 2013 pre-accession funding. This amounts to 47 million euros, 54 percent of the EU's financial support.

An EU progress report on BiH accession and the 2013-2014 enlargement strategy, released on 16 October, found that BiH had not made a "credible effort" towards implementing the Sedjić-Finci ruling. The reports further stressed that its implementation was important for the legitimacy of the 2014 elections and criticized BiH's failure to establish an

EU coordination mechanism. BiH's progress towards EU integration was noted as falling behind other countries in the region.

From 1-15 October, BiH conducted its first census since 1991, which will likely reveal demographic changes as a result of the country's 1992-1995 war. Results, expected in January, carry political implications, as the 1991 ethnic make-up has been the basis for allocating government positions and civil service jobs.

On 21 October, the EU Foreign Affairs Council decided to continue the mission of EUFOR ALTHEA.

In September, BiH announced the discovery of a mass grave in the village of Tomasica. At press time, 240 bodies had been removed. It is believed that the site may prove to be one of the largest mass graves from the war.

BiH qualified for its first world cup appearance on 15 October. Public celebrations broke out in Sarajevo and other cities but did not occur in primarily inhabited Serb and Croat towns.

Human Rights-Related Developments

At the end of her 13-24 May mission to the country, Farida Shaheed, the Human Rights Council's (HRC) special rapporteur on cultural rights, expressed concern during a press conference in Sarajevo about the political trend to over-emphasize cultural differences. She urged the governments of BiH to maximise the opportunities for people to have access to neutral spaces where politics and ethno-national affiliations do not interfere.

On 3 June, during the HRC's 23rd session, the special rapporteur on violence against women,

Bosnia and Herzegovina (con't)

Rashida Manjoo, presented her report on her 28 October to 6 November 2012 mission to BiH (A/HRC/23/49/Add.3). She addressed the issues of domestic violence, war-time sexual violence and accountability and remedies for sexual violence. The situation of women in the country was also considered by the Committee on the Elimination of All Forms of Discrimination against Women (CEDAW) on 19 July, during which BiH presented its fourth and fifth periodic reports (CEDAW/C/BiH/CO/4-5).

Key Issues

The key issue of concern for the Council will be the political gridlock in BiH. Secessionist rhetoric from the Republika Srpska is a related issue.

The key immediate issue for the Council is renewing the authorisation of EUFOR ALTHEA under Chapter VII. (In nearly 9 years, EUFOR ALTHEA has never exercised its enforcement mandate, but it is a safeguard if tensions were to become seriously

destabilising.)

A related issue is whether the work of OHR, despite the lack of progress on the 5+2 agenda, should continue.

National elections are scheduled for May 2014, and Council members may have concerns about how political tensions could impact the electoral process.

Options

The likely option for the Council is to adopt a resolution renewing the mandate of EUFOR ALTHEA for another year.

An additional option is to include stronger language on the need for BiH to overcome political gridlock, in particular to resolve outstanding issues to ensure legitimate national elections in May 2014.

Council Dynamics

In recent years, BiH has been a low-profile issue for the Council, as it is primarily

addressed by the EU.

Negotiations in the Council are usually smooth, though differences in view among European countries, Russia and the US often play out. The UK and the US prefer maintaining EUFOR ALTHEA under a Chapter VII mandate and keeping OHR.

France, Germany and Italy, which are part of the Contact and Drafting Group on BiH, are less convinced of the continuing need for EUFOR and OHR but adapt to the decisions made by the EU Foreign Affairs Council. Russia is usually vocal in its preference to close OHR, which it views as placing too much blame on Republika Srpska for BiH's problems.

The Contact and Drafting Group, which first drafts decisions on BiH, consists of France, Germany, Italy, Russia, the UK and the US and also includes this year Australia, Azerbaijan and Luxembourg. In November, the penholder is Azerbaijan.

Kosovo

Expected Council Action

In November the Council is scheduled to hold its quarterly debate on Kosovo. Farid Zarif, the Secretary-General's Special Representative and head of the UN Interim Administration Mission in Kosovo (UNMIK), is expected to brief the Council on recent developments and the latest Secretary-General's report.

No Council action is likely.

Key Recent Developments

The implementation of the "First Agreement on Principles Governing the Normalization of Relations," which Prime Minister Ivica Dačić of Serbia and Prime Minister Hashim Thaçi of Kosovo signed on 19 April in Brussels, loomed large among developments on the ground. One of the main elements of the agreement entails the participation of Kosovar Serbs in the local elections scheduled for 3 November (the last municipal elections, held in 2009, were boycotted by the Serb minority). The upcoming elections will be facilitated in the north by the Organization for Security and Cooperation in

Europe (OSCE) and are to be conducted in accordance with Kosovo's law and international standards. On 3 October, Serbia transmitted a letter to Council members urging Zarif to ensure "status neutral" voting in the elections—meaning that participation does not constitute recognition of Kosovo's independence—and to protect the rights of Kosovar Serbs to freely express and exercise their rights.

On 2 October, Pristina rejected Dačić's request to visit Kosovo on the basis that the visit would constitute interference by Serbia in the local elections. (Dačić had planned to visit Kosovar municipalities with majority Serb populations.) Dačić warned the EU that he would no longer take part in negotiations if Pristina did not allow his visit.

The rejection of Dačić's visit and its aftermath raised serious concerns about the continuation of the dialogue between Belgrade and Pristina. To address the stalemate, Catherine Ashton, the EU High Representative for Foreign Affairs and Security Policy, held a meeting on 7 October with Dačić and Thaçi, during

which an agreement was reached to allow officials from Serbia to visit Kosovo to encourage citizens to participate in the elections as long as the visitors abstain from partaking in the election campaign.

Another issue tackled at the 7 October meeting in Brussels was the question of voter registration for displaced Kosovar Serbs. Kosovo's Central Election Commission received some 40,000 applications for voter registration and initially accepted only about 6,600, citing incomplete information as the reason the majority of applications were rejected. At the 7 October meeting an agreement was reached to allow registration of an additional 12,000 voters.

A 16 October European Commission report commended the efforts of Kosovo and Serbia for the improvement in their relations, as well as their efforts toward EU integration. As a result of the recent developments, Serbia is set to start membership negotiations with the EU by January 2014, while Kosovo is set to start negotiations for a stabilisation and

UN DOCUMENTS ON KOSOVO Security Council Resolution S/RES/1244 (10 June 1999) authorised NATO to secure and enforce the withdrawal of Federal Republic of Yugoslavia forces from Kosovo and established UNMIK. **Secretary-General's Report S/2013/444** (26 July 2013) was on UNMIK. **Security Council Meeting Record S/PV.7026** (29 August 2013) was on Kosovo. **OTHER RELEVANT FACTS** **Special Representative of the Secretary-General and Head of UNMIK** Farid Zarif (Afghanistan) **UNMIK Size and Composition as of 31 August 2013:** 17 uniformed, 128 international civilians, 208 local, 26 UN volunteers **Kosovo Force (KFOR) Commander** Major General Salvatore Farina (Italy) **KFOR Size and Composition as of 6 September 2013:** 4,936 troops from 31 countries **Head of EULEX** Bernd Borchardt (Germany) **EULEX Size and Composition** Approximately 2,250 international and local staff

Kosovo (con't)

association agreement on 28 October.

In a second letter to Council members dated 18 October, Serbia addressed allegations by the media in Kosovo that four Serbian Citizen Initiative (*Građanska inicijativa Srpska*) candidates are suspected of war crimes. According to Serbia, these claims only hinder the consolidation of the Serb community and prevent the process of return for internally displaced persons. The letter urged the Council to help overcome this problem.

Sporadic serious security incidents have continued in the north. On 19 September, two vehicles of the EU Rule of Law Mission in Kosovo (EULEX) came under fire, killing one EULEX staff member. No perpetrators were identified, and the investigation is ongoing. The attack drew strong condemnation from the EU, Kosovo and Serbia.

Human Rights-Related Developments

From 9 to 12 October, the Special Rapporteur on the human rights of internally displaced persons (IDPs), Chaloka Beyani visited Serbia and Kosovo.

In a 22 October press statement, Beyani urged the government of Serbia and the authorities of Kosovo to solve the problems of IDPs and to ensure the registration of eligible IDPs as voters and ensure their participation in the upcoming local and parliamentary elections.

Key Issues

Maintaining stability in Kosovo remains the main concern for the Council, especially during the implementation of the 19 April agreement and upcoming 3 November elections.

The role UNMIK could play in support of the process is a related issue for the Council.

Options

Considering recent positive developments in the implementation of the 19 April agreement, the Council could consider issuing either a press or presidential statement expressing its support, especially if the 3 November elections are deemed successful.

Another option would be to consider

lengthening UNMIK's reporting cycle from quarterly to semi-annual if the Council determines that progress in the implementation of the 19 April agreement has continued and has led to increased stability on the ground.

Alternatively, the Council may choose to take no action, as was the case with previous quarterly briefings.

Council Dynamics

Council members are divided on Kosovo: Australia, France Luxembourg, Pakistan, the Republic of Korea, the UK and the US have recognised Kosovo, while Russia remains Serbia's main ally on the Council. Because other organisations, such as EU, NATO and OSCE, are in the lead in Kosovo, the issue overall has a relatively low intensity in the Council.

The contact and drafting group on Kosovo consists of France, Germany, Italy, Russia, the UK and the US, and also includes this year, Australia, Azerbaijan and Luxembourg.

In November, the penholder is Azerbaijan.

DPRK (North Korea)

Expected Council Action

In November, the chair of the 1718 Democratic People's Republic of Korea (DPRK) Sanctions Committee, Ambassador Sylvie Lucas (Luxembourg), is scheduled to brief Council members in consultations. These briefings tend to be procedural in nature, and no outcome is expected.

Key Recent Developments

The 1718 Sanctions Committee has held two formal meetings since the chair last briefed on 7 August. On 11 September, the Panel of Experts (PoE) assisting the Committee gave an update about its on-going investigation of the incident reported by Panama on 15 July involving a DPRK-flagged ship on its way from Cuba through the Panama Canal. (Panama detained the ship, *Chong Chon Gang*, after weapons were discovered hidden in a cargo of sugar.) As part of the investigation, the PoE travelled to Panama in mid-August and then submitted a report

to the Committee about its preliminary findings. The Committee also continued its discussion of the recommendations presented in the PoE's 7 June final report (S/2013/337), but there was no agreement on any of these.

In a meeting on 25 October, the Committee considered the PoE's mid-term report which had been circulated to Council members earlier in the month. The report was mostly procedural. The Committee also continued its consideration of the Panama case with a briefing by the PoE on a trip it made to Cuba from 20 - 24 October. (A written report on the visit will soon be submitted to Council members.)

Furthermore, the Committee is continuing its work on implementation assistance notices (IANs). On 22 October, the Committee issued a revised IAN on guidelines for the preparation of national implementation reports. Work is underway on an IAN to provide guidance on the disposal of seized items and on the IAN requested by operative paragraph 22 of

resolution 2094. (This paragraph called on states to prevent the supply, sale or transfer of any item that might contribute to activities prohibited under relevant Council resolutions and directed the Committee to issue an IAN regarding its proper implementation.)

On 24 September, China announced a ban on exports to the DPRK of a list of equipment and chemical substances that could be used to produce nuclear and other weapons of mass destruction. It was not immediately clear whether all of the banned items are on the UN sanctions list.

While over the last few months there were some signs of improved relations on the Korean Peninsula, the DPRK maintained its antagonistic posture, and there was no reported progress towards re-launching the six-party talks with China, Japan, the Republic of Korea (ROK), Russia and the US. There were new reports of apparent sanctions violations.

On 16 September, the DPRK and ROK reopened the jointly run Kaesong industrial

UN DOCUMENTS ON THE DPRK Security Council Resolution S/RES/2094 (7 March 2013) tightened sanctions against the DPRK and extended the mandate of the PoE until 7 April 2014. Sanctions Committee Documents S/2013/337 (7 June 2013) was the final PoE report to the Sanctions Committee. Implementation Assistance Notice No. 2 (22 October 2013) was the Committee's revised guidelines for national implementation reports.

DPRK (North Korea) (con't)

complex, which is located inside the DPRK next to the border. On 21 September, however, the DPRK announced that an agreement to resume a family reunion programme suspended since 2010, would be delayed, accusing the ROK of “reckless and vicious confrontational racket”.

On 2 October, the ROK and the US announced in a joint statement that they had agreed on a new defence strategy focusing on deterrence of the DPRK nuclear threat. Meanwhile, the DPRK reacted angrily to the 10-11 October joint naval exercises off the Korean Peninsula by Japan, ROK and the US, warning of “unpredictable disaster” and noting in particular the presence of a US nuclear-powered aircraft carrier. It announced that its military would be put on high alert.

On 3 October, the US-Korea Institute at John Hopkins University reported further signs that the DPRK had restarted a plutonium reactor at the Yongbyon nuclear complex following earlier reports in August. (The DPRK announced in April that it would restart the reactor, which was partially dismantled in 2007 as part of an agreement under the six-party talks.) According to the institute, satellite imagery showing hot wastewater being discharged from the complex was most likely a sign the reactor had been restarted.

Additionally, the institute on 24 October reported increased activity at DPRK’s main underground nuclear test site, possibly indicating preparations for another nuclear test. There was also media coverage suggesting that the DPRK had learned to produce crucial components for the gas centrifuges that are used to enrich uranium for nuclear weapons, thus making the country less vulnerable to sanctions.

China appears to be pushing for the resumption of six-party talks, proposing in September an informal meeting of senior

officials. While the DPRK has expressed willingness to join the talks, the US and the ROK have said they will not participate in any formal negotiations until the DPRK shows that it is sincere about dismantling its nuclear weapons programme.

Human Rights-Related Developments

On 17 September, the Human Rights Council (HRC) heard a preliminary oral update from its commission of inquiry on grave violations of human rights in the DPRK, followed by an interactive dialogue. The chair, Michael Kirby, informed the HRC that the DPRK had not cooperated with the commission but that public hearings with witnesses had been held in Seoul and Tokyo. Kirby explained that the individual testimonies – including accounts of torture, sexual violence, enforced disappearance, inhuman treatment and arbitrary detention – did not represent isolated cases but rather large-scale patterns that might constitute systematic and gross human rights violations. He said the commission would seek to determine which state institutions and officials were responsible for violations proven to have been committed, adding that its final report would be presented in March 2014. At press time the commission was expected to hold public hearings in Washington, D.C. on 30 and 31 October.

Key Issues

A key issue for the Council is the DPRK’s continued flouting of all relevant resolutions.

A further issue is whether the time is right to restart the six-party talks.

At the Sanctions Committee level, a key issue is the overall effective implementation of the sanctions regime.

Options

A continuing option for the Committee is to take up some or all of the PoE’s recommendations, including possibly making additional designations. (The PoE’s report recommends the listing of additional four entities and 11

individuals.) Other recommendations include updating information on some existing listings and adding several items and materials to the list of prohibited items.

A further option is to expedite the issuance of additional IANs.

Depending on the outcome of the investigation of the Panama case, there may be additional options for the Council to consider.

Council Dynamics

The Council remains divided over the PoE’s recommendations, as China in particular continues to be cautious about any additional measures. More recently, the Panama case has been the main focus of the Committee. While at press time the PoE had yet to conclude its investigation, it was clear that some Council members intended to push for an appropriate Council response if the incident was indeed found to constitute a sanctions violation, possibly including additional listings of those identified as responsible.

Council members generally welcome the export ban announced by China as an important step towards more effective sanctions implementation. It appears some members are exploring whether this move could mean that there is some scope for expanding the list of prohibited items as recommended by the PoE.

Some Council members are apparently also considering whether the restart of the Yongbyon reactor would constitute a violation within the purview of the Council. If the restart is confirmed, some would see it as a clear violation that should be dealt with by the Council, but others are likely to argue that the activities at Yongbyon are for peaceful purposes only and fall under the mandate of the IAEA.

The US is the penholder on the DPRK in the Council.

Counter-Terrorism

Expected Council Action

In November, the Council is scheduled to hold its semi-annual briefing, possibly followed by

a debate, by the chairs of its counter-terrorism-related committees. The briefers will be Ambassador Gary Quinlan (Australia), chair of

the 1267/1989 Al-Qaida Sanctions Committee, Ambassador Mohammed Loulichki (Morocco), chair of the 1373 Counter-Terrorism

UN DOCUMENTS ON COUNTER-TERRORISM Security Council Resolutions S/RES/2083 (17 December 2012) renewed the mandates of the Ombudsperson and the Monitoring Team assisting the 1267/1989 Committee for 30 months. S/RES/2055 (29 June 2012) expanded the 1540 Committee’s Group of Experts from eight to nine members. S/RES/1977 (20 April 2011) renewed the mandate of the 1540 Committee for ten years. S/RES/1963 (20 December 2010) extended the CTED’s mandate until 31 December 2013. Security Council Meeting Record S/PV.6964 (10 May 2013) was the last briefing by the chairs of the three counter-terrorism-related committees. Security Council Letters S/2013/467 (2 August 2013) included the 14th report of the Monitoring Team. S/2013/452 (31 July 2013) included the sixth report of the Ombudsperson. S/2013/364 (17 June 2013) informed the Council of the Secretary-General’s intention to appoint Jean-Paul Laborde (France) as Executive Director of CTED. S/2013/327 (31 May 2013) was the latest programme of work of the 1540 Committee

Counter-Terrorism (con't)

Committee (CTC) and Ambassador Oh Joon (Republic of Korea), chair of the 1540 Committee, concerning the non-proliferation of weapons of mass destruction. The last such meeting was held on 10 May (S/PV.6964).

Also in November, an open briefing for UN member states will be held focusing on proliferation and terrorism financing by Vladimir Nechaev (Russia), the president of the Financial Action Task Force (FATF). The briefing is organised by the chairs of the three Committees together with the chairs of the 1718 Democratic People's Republic of Korea, 1988 Taliban and 1737 Iran Sanctions Committees.

Key Recent Developments

1267/1989 Al-Qaida Sanctions Committee

On 1 July, the Monitoring Team assisting the 1267/1989 Sanctions Committee circulated its 14th report to the Committee (S/2013/467). The report highlights the trend towards the localisation of Al-Qaida affiliates, which continue taking opportunistic advantage of local conflicts in Africa and the Middle East. Since the 10 May briefing, three individuals have been added to the sanctions list: Abu Mohammed al-Jawlani, alleged leader of Syria-based *Jabhat al-Nusra*; Mohammed Lahbous from the Sahel-based *Mouvement pour l'Unification et le Jihad en Afrique de l'Ouest*; and Muhammad Jamal Abdo Al-Kashif, leader of the Muhammad Jamal Network operating in North Africa.

The Ombudsperson, Kimberly Prost, tasked with making recommendations on the requests regarding removal from the sanctions list, submitted her sixth report to the Council on 31 July (S/2013/452). Since 1 February, 13 new cases had been submitted to the Ombudsperson, bringing the total number of petitions submitted since the establishment of the Office to 49. During the reporting period, five individuals were delisted on her recommendation and one delisting request was refused. In two additional cases, a Committee decision resulted in the delisting of two individuals.

On 18 July, the European Court of Justice (ECJ) ruled on the Kadi II case. The original Kadi case has been the most significant legal challenge to the 1267 sanctions regime and concerned an EU regulation implementing Council-mandated sanctions. On 3 September 2008, the ECJ struck down the EU

implementing regulation because the appellant had not been afforded due process by not being able to challenge the listing in a court.

The ruling, whose political significance goes beyond its original purpose (Kadi was delisted in 2012), states that, despite the improvements added, the procedure for delisting and *ex officio* re-examination at the UN level do not provide to the person listed “the guarantee of effective judicial protection”.

1373 Counter-Terrorism Committee

Following the 2013 work programme for the CTC and CTC Executive Directorate (CTED), the CTC organised a special event on 24 May on the use of new communications and information technologies to counter terrorism. The meeting focused on the use of mobile-telephone technology and the Internet to counter terrorism, as well as the latest technologies used to regulate the movement of persons at border checkpoints. On 20 September, the CTC held a special event on strengthening the capacity of states in the Sahel region in the global fight against terrorism.

During the reporting period, CTED has carried out a number of visits and capacity-building activities and partnered with regional and subregional organisations.

1540 Committee

On 31 May, the Committee submitted its 12th programme of work to the Council, covering the period from 1 June 2013 to 31 May 2014 (S/2013/327). This follows the same structure as the previous programme of work but incorporates a few new elements such as some specific deadlines, consideration of possible quantitative measures for reviewing progress, establishment of strategic goals and specific objectives for cooperation with international organisations and strengthening the Committee's relationship with the Nuclear Security Summit.

The Committee held two formal meetings since the last briefing to the Council—on 12 June and 12 August—as well as several working-group meetings. The informal briefing for member states which was planned for October has been postponed until December or possibly January.

Following recent submissions of national implementation reports by Liberia and South

Sudan, the number of non-reporting states is now down to 22.

Key Issues

A key issue for the 1267/1989 Committee is to address patterns of non-compliance with the sanctions regime by member states, either due to lack of will or capacity.

Whether to address the challenges raised by the Kadi II case regarding the rights of the defence and the right to effective judicial protection will be a further issue.

An issue for the CTC and CTED is the improvement of the coordination with the Counter-Terrorism Implementation Task Force (CTITF) and the UN Counter-Terrorism Centre (UNCCT).

A key issue for the 1540 Committee is achieving universal reporting by member states.

A further issue is the annual review of the implementation of resolution 1540 due by the end of the year as requested by resolution 1977. (This is expected to start in early November.)

Council Dynamics

On the 1267/1989 Committee, some Council members have shown their disappointment over the ECJ ruling in the Kadi II case, although no action is planned until mid-2014, when the review of the measures imposed by the sanctions regime is due. Previous attempts to strengthen or widen the mandate of the Ombudsperson have been opposed by at least two permanent members.

It seems some discussion about the mandate of the CTED, due for renewal by the end of 2013, has already taken place among Council members, mainly regarding CTC interaction with CTITF and UNCCT, as well as its role in the implementation of the UN Global Counter-Terrorism Strategy.

In the 1540 Committee, while there is general consensus on the importance of the work of the Committee, there are some differences among members on main priorities. Developing countries seem to attach particular importance to its role in facilitating assistance. Some members would like to expand the work of the Committee in areas such as proliferation financing and transshipment and seem hopeful that the fact that Russia is currently holding the chairmanship of FATF may facilitate such discussions.

Notable Dates for November

REPORT DUE	REPORTS FOR CONSIDERATION IN NOVEMBER	REQUESTING DOCUMENT
25 October	SG report on UNMIK (Kosovo)	S/RES/1244
25 October	1718 DPRK Panel of Experts midterm report	S/RES/2094
28 October	OPCW report on the implementation of resolution 2118 (Syrian chemical weapons)	S/RES/2118
5 November	High Representative's Report on Bosnia and Herzegovina	S/RES/2074
8 November	SG report on UNMISS (South Sudan)	S/RES/2109
13 November	SG report on the implementation of resolution 1701 (Lebanon/ UNIFIL)	S/RES/2115
14 November	SG report on UNAMI (Iraq)	S/RES/2110
15 November	SG special UNOCA report on the regional LRA strategy	S/PRST/2013/6
20 November	SG report on Iraq/Kuwait Missing Persons and Property	S/RES/2110
21 November	SG concurrent reports on UNIOGBIS and the restoration of constitutional order in Guinea-Bissau	S/RES/2103 S/RES/2048

MANDATES EXPIRE		RELEVANT DOCUMENT
14 November	EUFOR in Bosnia and Herzegovina authorisation	S/RES/2074
30 November	UNISFA (Abyei)	S/RES/2104

OTHER IMPORTANT DATES	
5-6 November	An AU Peace and Security Council trip to Abyei is expected.
24 November	First round of the legislative elections are to be held in Mali.

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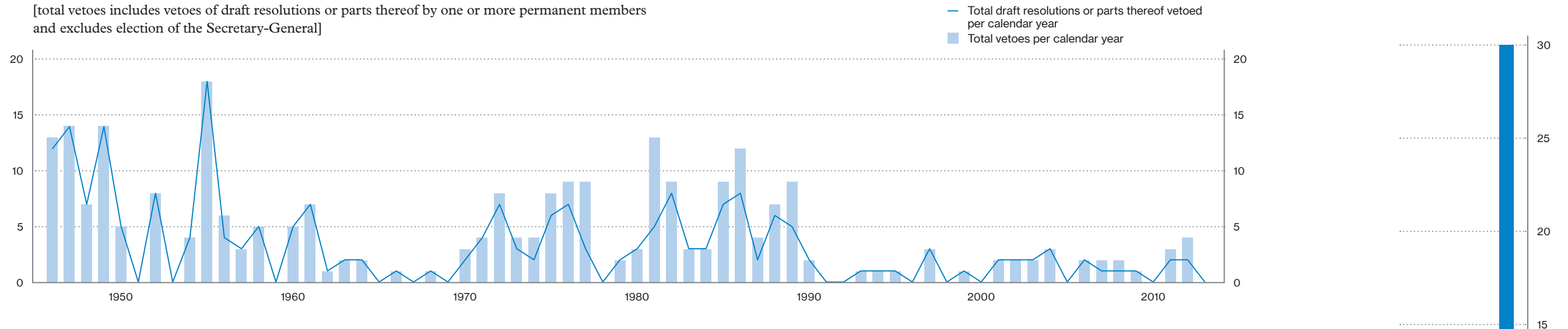


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The Permanent Members and the Use of the Veto: An Abridged History

Total Vetoes and Draft Resolutions Vetoes per Year: 1946–2013 (through 31 October)

[total vetoes includes vetoes of draft resolutions or parts thereof by one or more permanent members and excludes election of the Secretary-General]



Total Vetoes per Permanent Member Broken Down by Agenda Item: 1946–2013 (through 31 October)

[agenda item titles have been abridged in some cases; excludes vetoes on admission of new member states and election of the Secretary-General]

