

Monthly Forecast

- 2 In Hindsight: Obligatory Abstentions
- 3 Status Update since our March Forecast
- 4 Threats to International Peace and Security: Prevention and Fight Against Genocide
- 6 Security Sector Reform
- 7 Central African Republic
- 8 Sudan (Darfur)
- 10 South Sudan
- 11 Sudan and South Sudan
- 12 Côte d'Ivoire
- 14 Western Sahara
- 15 Mali
- 17 Syria
- 18 Yemen
- 20 Israel/Palestine
- 21 Women, Peace and Security
- 22 Ukraine
- 24 Notable Dates
- Supplement
 - Article 27(3) and Parties to a Dispute: An Abridged History

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Overview

Nigeria will preside over the Security Council in April.

Three open debates are planned. An open debate on [women, peace and security](#), with a focus on sexual violence in conflict will include a briefing by Secretary-General Ban Ki-moon and his Special Representative on Sexual Violence in Conflict Zainab Bangura, and possibly also by a civil society representative. Also planned, is an open debate on [security sector reform](#), with a briefing from the Secretary-General. The quarterly open debate on the [Middle East](#) is also scheduled, with a briefing by Special Coordinator Roberterry.

Nigeria is planning a [wrap-up session](#) to be held at the end of the month in a private meeting.

A briefing by Deputy Secretary-General Jan Eliasson is planned on the [prevention and fight against genocide](#) to mark the twentieth commemoration of the genocide in Rwanda, with a resolution as a likely outcome.

Briefings, followed by consultations, are expected on:

- the [AU/UN Hybrid Operation in Darfur](#) (UNAMID), by its head Mohamed Ibn Chambas; and
- the [UN Multidimensional Integrated Stabilisation Mission in Mali](#) by its head Albert Koenders.

Briefings in consultations are likely on:

- [Syria](#), on the chemical weapons track by the Special Coordinator of the OPCW-UN Joint Mission, Sigrd Kaag; and on the implementation of resolution 2139 on humanitarian access by the Humanitarian Coordinator, Valerie Amos;
- [South Sudan](#), by Under-Secretary-General for

Peacekeeping Hervé Ladsous;

- [Western Sahara](#), by the Special Representative and head of the UN Mission for the Referendum in Western Sahara (MINURSO), Wolfgang Weisbrod-Weber, and Christopher Ross, the Secretary-General's Personal Envoy for Western Sahara;
- [Sudan-South Sudan](#) issues by Special Envoy Haile Menkerios (by videoconferencing);
- [Yemen](#), by Special Advisor Jamal Benomar;
- the work of the [1572 Côte d'Ivoire Sanctions Committee](#), by its chair, the ambassador of Chile; and
- the work of the [2140 Yemen Sanctions Committee](#) by its chair, Ambassador Raimonda Murmokaitė (Lithuania);

Formal sessions will be needed to adopt resolutions on:

- [security sector reform](#);
- [prevention and fight against genocide](#);
- the transformation of the African-led International Support Mission in the [Central African Republic](#) into a UN peacekeeping operation;
- the review of [UNAMID](#);
- the renewal of the mandate of [MINURSO](#); and
- the renewal of the [Côte d'Ivoire sanctions regime](#) and the mandate of the Group of Experts assisting the 1572 Côte d'Ivoire Sanctions Committee.

Developments in [Ukraine](#) will be on Council members' minds and meetings may be scheduled.

In April, Council members will be traveling to Istanbul for a retreat organised by Turkey on cooperation with international organisations. They will also have their annual retreat with the Secretary-General, scheduled for 21-22 April. •

In Hindsight: Obligatory Abstentions

Article 27(3) of the UN Charter not only enshrines the veto power of permanent members, but also institutes a limitation of this power through the principle of obligatory abstentions. In providing that “in decisions under Chapter VI, and under paragraph 3 of Article 52, a party to a dispute shall abstain from voting”, the Charter seeks to ensure that a Council member “should not be allowed to be party, judge and jury at the same time” (S/PV.4753).

Although obligatory abstentions are a compromise, slightly tempering the scope of the veto, they apply in equal measure to permanent and non-permanent members: any member of the Security Council may be required to abstain from voting on a decision on which it is a party to the dispute. This, however, only applies under all of the following conditions: the decision to be voted is not procedural; the decision falls under Chapter VI or Article 52 (3); there is a dispute; and a Council member is a party to the dispute. Obligatory abstentions do not affect the veto of Chapter VII decisions.

The practice of the Security Council, and its members, in terms of raising and complying with Article 27(3) abstentions, has been inconsistent since 1946, and basically inexistent since 17 April 2000, the last time the issue was raised by a member state to no effect in the Council (S/PV.4128). With the exception of the UK in 1947, permanent members have never shown an interest in raising the matter, and non-permanent members have only done so sporadically.

As early as 28 January 1946, there were some attempts to test the scope of Article 27(3) abstentions. In subsequent cases, however, Council members seemed interested in avoiding any ruling by the President of the Security Council on the applicability of obligatory abstentions. Before voting on two draft resolutions on the Greek Question, on 4 February 1946, for example, the Netherlands asked whether the parties to the dispute shall vote in the matter, raising the questions of whether there was a dispute, whether the proposal was procedural, and whether the decision to be taken

was under Chapter VI or VII (S/PV.7). The draft resolutions were eventually withdrawn in favour of a statement by the President of the Council summarising the proceedings (S/PV.8 and 10).

Just days later, on 14 and 16 February 1946, France and the UK objected to a ruling by the President that a dispute existed between Lebanon and Syria on the one hand and France and the UK on the other hand, adding that they would abstain from voting, “without prejudice to the question whether a dispute exists.” France also indicated that it had been its intention “to set the example of not participating” (S/PV.19 and 23).

The notion of “party” itself was discussed on several occasions, including the idea of “judge and party” (S/PV.553 and S/PV.555) as well as whether Article 27(3) abstentions should apply to states giving substantial diplomatic, political and military support to another state (S/PV.1801), or to any state with “intimate connection with a particular issue” (S/PV.2949). It also became clear that the question of Article 27(3) abstentions had to be raised before a decision is voted on (S/PV.303 and S/PV.1888).

Obligatory abstentions are rare. There have been only six Council members that have abstained from voting in the Council, or else cast an abstention, explicitly or implicitly acknowledging Article 27(3). In addition to the Lebanon and Syria case mentioned above, in which France and the UK abstained from voting, the UK abstained from voting in the following cases: twice on draft resolutions on the Corfu Channel Question in 1947 (S/PV.122 and S/PV.127) and eleven times on the Egyptian Question, likewise in 1947, on three draft resolutions and their respective amendments (S/PV.198, S/PV.200 and S/PV.201). Egypt abstained from voting once on the Palestine Question in 1950, explicitly citing Article 27(3) despite the “lack of precedents” (S/PV.524). Argentina also explicitly referred to Article 27(3) to explain its non-participation in the adoption of resolution 138 (1960) on the Eichmann Question (S/PV.868).

The India-Pakistan Question remains a

unique case in which the two parties concerned abstained from voting on every relevant resolution and decision considered while they were on the Security Council in 1950-1951 (India) and 1952-1953 (Pakistan). India did so six times (S/PV.470, S/PV.471, S/PV.539, S/PV.543, S/PV.548 and S/PV.566) while Pakistan did so once (S/PV.611). (Pakistan participated in one decision taken without a vote on this issue on 31 January 1952 [S/PV.572]).

The consistency and reciprocity of the two parties constitutes a unique case of Article 27(3) abstentions being strictly applied by the relevant Council members. This case contrasts with the otherwise generalised indiscipline in abiding by the terms of Article 27(3) abstentions, either by the parties themselves or by other Council members in demanding that a party abstain from voting.

As the last Article 27(3) abstention dates back to 23 June 1960, and the most recent reference to the spirit of the provision in a Council meeting dates back to 13 May 2003 (S/PV.4753), it seems that Council members have little appetite to revive this restriction. In practical terms, disregard by parties to a dispute that are non-permanent members has limited effects, as the adoption of a decision cannot be prevented if it enjoys nine affirmative votes. In the case of permanent members, however, if the other Council members forego Article 27(3) when applicable, nothing stands in the way of the permanent member to veto a decision under Chapter VI on a dispute to which it is a party.

Negligence in the application of Article 27(3) abstentions risks not only reducing the provision to desuetude, but also enlarging the scope for the use of the veto.

The recent veto by Russia on a draft resolution under Chapter VI on the situation in Ukraine without discussion on Article 27(3) seems to confirm that Council members in general do not see any compelling interest in bringing the provision back to life (S/PV.7138). Obligatory abstentions seem to have vanished under a tacit agreement.

Status Update since our March Forecast

Counter-Terrorism

On 2 March, Council members released a press statement condemning the terrorist attack in Kunming, China which caused numerous deaths and injuries (SC/11304).

DPRK (North Korea)

On 5 March, the Council adopted resolution 2141 extending until 5 April 2015 the mandate of the Panel of Experts assisting the 1718 DPRK Sanctions Committee. On 6 March, the Panel's final report under resolution 1874 was circulated (S/2014/147). On 15 March, the Council received a letter from the DPRK "in connection with the fact that the United States of America's hostile policy towards the DPRK has reached such a grave stage that it cannot be overlooked any longer" (S/2014/196). During informal consultations on 27 March, Council members discussed a possible response to the 26 March launch by the DPRK of two medium-range Rodong ballistic missiles into the East Sea between the Korean Peninsula and Japan and received a briefing by Under-Secretary-General for Political Affairs Jeffrey Feltman. Following the consultations, the Council president, Ambassador Sylvie Lucas (Luxembourg), said in agreed "elements to the press" that Council members condemned the missile launches as a violation of resolutions 1718, 1874, 2087 and 2095 and had agreed to consult on an appropriate response.

Somalia

On 5 March, the Council adopted resolution 2142 extending the partial lifting of the arms embargo on Somalia until 25 October 2014. Resolution 2142 reauthorises measures (first authorised in resolution 2093 and then reiterated in resolution 2111) allowing the delivery of small arms and ammunition and the provision of assistance and training to the security forces of the Federal Government of Somalia. On 11 March, the Council was briefed via video-teleconference by Nicholas Kay, Special Representative and head of UNSOM and the Secretary-General's report (S/2014/140). Ambassador Elmi Ahmed Duale (Somalia) also addressed the Council (S/PV.7132). Following the briefing, Council members held consultations with Kay and Ambassador Oh Joon (Republic of Korea), chair of the 751/1907 Somalia-Eritrea Sanctions Committee, regarding UNSOM and sanctions respectively. On 19 March, the Council issued a press statement condemning an attack by Al-Shabaab in Bula Burde (SC/11331).

Children and Armed Conflict

On 7 March the Council held an open debate on children and armed conflict (S/PV.7129) and adopted a resolution 2143. Minister of Foreign and European Affairs of Luxembourg Jean Asselborn presided, with briefings by Secretary-General Ban Ki moon, Special Representative for Children and Armed Conflict Leila Zerrougui, Executive Director of UNICEF Anthony Lake and Under-Secretary-General for Peacekeeping Operations Hervé Ladsous, as well as Alhaji Babah Sawaneh, a former child soldier from Sierra Leone. The concept note for the debate outlined the challenges faced in fully implementing the children and armed conflict agenda, including a lack of capacity and resources and the use of schools for military purposes (S/2014/144). In addition to Council members, 44 member states spoke. The resolution urges parties to armed conflict to respect the civilian character of schools and to protect schools from attacks and use, the mainstreaming of child protection in security sector reforms, child protection training for peacekeepers and military personnel, as well as the role of regional organisations and the need to incorporate child protection provisions in peace agreements. It also welcomes the campaign "Children, Not Soldiers" initiated by the Special Representative for Children and Armed Conflict and UNICEF.

Libya

On 10 March, the Council was briefed (S/PV.7130) by Special Representative Tarek Mitri on the latest report of the Secretary-General (S/2014/131) and by Ambassador Eugène-Richard Gasana (Rwanda), chair of the 1970 Libya Sanctions Committee, on the final report of the Panel of Experts (S/2014/106). On 14 March, the Security Council adopted resolution 2144 extending the mandate of UNSMIL until 13 March 2015 and the mandate of the Panel assisting the 1970 Libya Sanctions Committee until 13 April 2015. On 19 March the Council unanimously adopted resolution 2146 imposing measures on vessels designated by the 1970 Libya Sanctions Committee to be transporting crude oil illicitly exported from Libya.

DRC

On 14 March, the Council was briefed (S/PV.7137) by the Special Representative and head of MONUSCO, Martin Kobler, on the latest MONUSCO report (S/2014/157). The Council was also briefed by Special Envoy for

the Great Lakes Region Mary Robinson (via video-teleconference) on her recent report on the Peace, Security and Cooperation Framework (S/2014/153). On 28 March, the Council renewed the mandate of MONUSCO—including its intervention brigade—until 31 March 2015 (S/RES/2147).

Haiti

On 14 March, the Council held a meeting on MINUSTAH with troop- and police-contributing countries. On 24 March, Special Representative Sandra Honoré briefed the Council (S/PV.7147) on the Secretary-General's latest report on MINUSTAH (S/2014/162). In her briefing, Honoré welcomed recent progress in the preparation for the holding of elections in Haiti. She also highlighted progress in the security situation and building the capacity of the Haitian National Police and noted that the economic situation was improving. With regard to the options for the future UN presence in Haiti presented in the Secretary-General's report, Honoré said the UN would conduct a UN-wide strategic assessment and consult widely with relevant stakeholders to provide the Council with an "updated, in-depth evaluation".

Afghanistan

On 17 March, the Council adopted resolution 2145 renewing UNAMA for a year. Jan Kubis, the Special Representative to Afghanistan and head of UNAMA, briefed on the Secretary-General's latest report (S/2014/163) and Ambassador Zahir Tanin (Afghanistan) participated (S/PV.7139). During the debate, Council members focused on the upcoming national elections, the security transition and the UN and international community's future role in supporting Afghanistan post-2014. A suicide bombing the next day, which killed at least 16 people, was condemned by the Council in a press statement (SC/11324). On 21 March, the Council also condemned the attack by gunmen on the Serena Hotel in Kabul, which killed nine people, including four foreigners (SC/11334).

Peacebuilding

On 19 March, the Council had a briefing on peacebuilding (S/PV.7143). The meeting was organised pursuant to a Council request from its 20 December 2012 presidential statement (S/PRST/2012/29) on peacebuilding that the Secretariat brief the Council on progress in UN peacebuilding efforts prior to

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

the submission of a final report by December 2014. Deputy-Secretary General Jan Eliasson, the chair of the PBC, Ambassador Antonio de Aguiar Patriota (Brazil), and head of the United Nations Development Programme Helen Clark, briefed the Council.

Iran

On 20 March, the chair of the 1737 Iran Sanctions Committee, Ambassador Gary Quinlan (Australia), briefed the Council on the work of the Committee (S/PV.7146). Quinlan said the Committee held two informal meetings and one “informal informal” meeting during the reporting period. Referring to the ongoing talks between Iran and the P5+1, he reiterated that all measures imposed by the Council remained in effect and said the work of the Committee and its Panel of Experts would continue unchanged in 2014. He noted that Iran had still not responded to the two letters it received from the Committee in 2013 regarding sanctions violations and called on it to do so. In reviewing the activities of the Committee, Quinlan provided an update on the outcome of its consideration of the recommendations contained in the Panel’s 2013 final report (S/2013/331). Also on 20 March, the Council received a report from the Director-General of the IAEA on the status of Iran’s nuclear programme in relation to the 24 November Joint Plan of Action agreed with the P5+1.

Liberia

On 20 March, the Council had a briefing (S/PV.7145) and consultations on Liberia. For the public briefing, Karin Landgren, the Special Representative to Liberia presented the Secretary-General’s latest report (S/2014/123) and

Ambassador Staffan Tillander (Sweden), the PBC Liberia configuration chair, addressed the Council. Council members then heard from Assistant Secretary-General for Peacekeeping Operations Edmond Mulet, who had recently participated in a strategic review that the Department of Peacekeeping Operations conducted in February of the UN Mission in Liberia and the UN Operation in Cote d’Ivoire.

Lebanon

On 25 March, Council members were briefed in consultations by Special Coordinator Derek Plumbly and Assistant Secretary-General for Peacekeeping Operations Edmund Mulet on the Secretary-General’s most recent report on implementation of resolution 1701 (S/2014/130). Discussion focused on the relative calm in UNIFIL’s area of operations despite two major security incidents and the added value of the tripartite mechanism in deescalating tensions between Israel and Lebanon. Discussion also focused on the tremendous impact the Syrian crisis is having on Lebanon including a marked increase of Syrian fire across Lebanon’s border. Finally, there was discussion of the new government formed on 20 March and the upcoming presidential elections slated for 25 May.

Sierra Leone

The Council held its final meeting on Sierra Leone on 26 March and adopted a presidential statement (S/PRST/2014/6) welcoming the conclusion of UNIPSIL and commending Sierra Leone for its achievements in consolidating peace 12 years after the conclusion of its civil war (S/PV.7148). The mission’s mandate formally concluded on 31 March.

Executive Representative of the Secretary-General to Sierra Leone, Jens Anders Toyberg-Frandzen, briefed on the Secretary-General’s final report (S/2014/192). Ambassador Guillermo Rishchynski (Canada), chair of the PBC Sierra Leone configuration, also addressed members about the new lighter plan for PBC engagement.

Golan Heights

Assistant Secretary-General for Peacekeeping Operations Edmond Mulet presented the Secretary-General’s most recent UNDOF report (S/2014/199) to Council members in consultations.

Burundi

On 26 March, at the initiative of the US, Council members were briefed in consultations by Assistant Secretary-General for Political Affairs Tayé-Brook Zerihoun on the situation in Burundi.

Iraq

On 27 March, Special Representative Nickolay Mladenov briefed (S/PV.7149) the Council to present the Secretary-General’s UNAMI report (S/2014/190) and the Iraq/Kuwait missing persons and property report (S/2014/191). He reported that the Syrian conflict added a regional dimension to sectarian tensions in Iraq and is affording terrorist networks the occasion to forge links across the border and expand their support base. He added that the three months of fighting in Iraq’s Anbar province posed a serious challenge to Iraq’s security. Finally, he said that the 30 April polls are likely to be the country’s most contested election to date.

Threats to International Peace and Security: Prevention and Fight Against Genocide

Expected Council Action

In April, the Council will be briefed on the prevention of and fight against genocide to commemorate the 20th anniversary of the 1994 genocide in Rwanda. Possible briefers

are Secretary-General Ban Ki-moon or Deputy Secretary-General Jan Eliasson. In addition, the Council may adopt a resolution on the prevention of genocide.

The permanent representatives of the

Council were also personally invited to attend a commemoration ceremony in Kigali in April.

Background

Less than a year after the signing of the

UN DOCUMENTS ON THE PREVENTION OF GENOCIDE Security Council Resolutions S/RES/2136 (30 January 2014) renewed the DRC sanctions regime. S/RES/955 (8 November 1994) established the ICTR. S/RES/935 (1 July 1994) requested the Secretary-General to establish a commission of experts to obtain information regarding grave violations of international law. **Secretary-General’s Reports** S/1994/1125 (1 October 1994) was the report of the Commission of Experts on crimes committed in Rwanda. **Other** *Prosecutor v. Jean-Paul Akayesu*, Judgment of 2 September 1998 (Case No. ICTR-96-4-T).

Threats to International Peace and Security: Prevention and Fight Against Genocide (con't)

Arusha Accords between then-President Juvenal Habyarimana and the rebel exile-based Rwandan Patriotic Front (RPF) leader Paul Kagame, violence erupted following the assassination of Habyarimana when his plane was shot down above Kigali airport on 6 April 1994. With the assistance of the *Interahamwe* militias, Habyarimana regime Hutu hardliners, who all along had been determined never to implement the Arusha Accords, orchestrated the mass slaughter of Tutsis and moderate Hutus. By the time the RPF reached Kigali on 4 July, an estimated 800,000 people had been slaughtered. Thereafter, mass numbers of Hutus fled the country as acts of retribution by the Tutsi forces were taking place.

Although it failed to prevent or halt the atrocities, the Council did take action to establish an international criminal tribunal to hold accountable those responsible for heinous crimes committed in Rwanda. Acting on a recommendation from the Secretary-General, in resolution 935, adopted on 1 July 1994, the Council requested that the Secretary-General establish a Commission of Experts to obtain information regarding grave violations of international law in Rwanda. In its 10 October 1994 report, the Commission concluded that genocide was allegedly committed against the Tutsi population but as both sides also committed war crimes and crimes against humanity, it also recommended expanding the jurisdiction of a prospective international tribunal to include mass atrocities committed by the RPF as it advanced on the ground (S/1994/1125). (Please see our *Cross-Cutting Report* of 18 January 2013 on *The Rule of Law: The Security Council and Accountability*.)

In adopting resolution 955 on 8 November 1994, the Council established the International Criminal Tribunal for Rwanda (ICTR), with its statute annexed to the resolution. The ICTR was to adjudicate crimes committed in Rwanda and by Rwandan citizens in the territory of neighbouring states between 1 January and 31 December 1994. The statute did not specify crimes committed by any specific ethnic group against the other.

The first judgment of the ICTR was delivered on 2 September 1998 in the case of the *Prosecutor v. Jean-Paul Akayesu*. It concluded that “the massacres which occurred in Rwanda in 1994 had a specific objective, namely the extermination of the Tutsi, who were targeted especially because of their Tutsi origin.... Consequently, the Chamber concludes from all the foregoing that genocide

was, indeed, committed in Rwanda in 1994 against the Tutsi as a group”.

Notwithstanding these conclusions, since first addressing this issue, Council resolutions have referred to the genocide as the “genocide in Rwanda”.

Key Recent Developments

During the negotiations on resolution 2136, adopted on 30 January 2014, Rwanda suggested language in a paragraph relating to the operations of the Forces démocratiques de libération du Rwanda (FDLR) that the Hutu rebel group includes perpetrators of “the 1994 genocide against the Tutsi in Rwanda”. The US at one point suggested adding language on other victims, and the resolution as adopted referred to the “perpetrators of the 1994 genocide against the Tutsi in Rwanda, during which Hutu and others who opposed the genocide were also killed”.

The language adopted was a marked change from the “genocide in Rwanda” language used by the Council over the last two decades. Since then, Rwanda has been trying to mainstream the new language into other Council decisions, including the MONUSCO resolution on 28 March and its draft resolution on the commemoration of the genocide. The draft stresses the importance of the prevention of genocide, the responsibility to protect and justice mechanisms such as the ICTR. It also refers twice to the genocide perpetrated against the Tutsi—with reference to the Akayesu judgment—and the killing of “Hutu and others who opposed the genocide”. At press time, negotiations on the draft resolution were to commence in early April.

Key Issues

A key issue for Council members is to carefully consider the question of how to frame the genocide that took place in Rwanda.

Another issue is whether to include language on the ICC in the resolution.

Options

Options for the Council include:

- adopting a resolution with reference to the “genocide in Rwanda” as is accepted UN practice;
- adopting a resolution with reference to the genocide committed against the Tutsis in Rwanda and also mentioning other casualties, possibly along the lines of the language in resolution 2136;
- adopting a resolution with compromise

language that acknowledges the genocide against the Tutsis while also highlighting other atrocities committed during the conflict; or

- taking no action at this time.

Council and Wider Dynamics

During the negotiations over resolution 2136, Council members were mostly focused on the renewal of the Democratic Republic of the Congo sanctions regime and other substantive points of contention with Rwanda and less focused on the new refined language adopted to reference the Rwandan genocide. At this point, however, Council members are more aware of the issue, particularly in light of a standalone draft resolution on the genocide.

Several Council members are weary of changing the general language on the “genocide in Rwanda” as has been UN practice. They are of the position that the current language is inclusive of the atrocities committed in Rwanda during that conflict, does not lessen the deplorable actions of all of the perpetrators of atrocities against both Hutu and Tutsi and protects the interests of and memory about all victims of the conflict. They also fear that this language on genocide may create perceptions diminishing other acts of violence committed against Hutus during and subsequent to the genocide and goes against reconciliation between the communities. Furthermore, some see the language proposed by Rwanda as part of a wider political agenda related to its involvement in the eastern DRC, where the FDLR operates, and its destabilising effect on the DRC.

Rwanda, on the other hand, sees the necessity of pointing out that the genocide was committed against Tutsis as a way to set the historical record straight, as it views the language used to date as general and inaccurate. It also sees such language as a tool against those who claim that genocide against the Tutsis, as a group, did not take place. It argues that those who hold that position at times base their argument on UN documents that do not specify that Tutsis were targeted as such. Rwanda will rely on the recently agreed language in resolution 2136 as a precedent.

Another point of contention is the lack of reference to the ICC in the draft resolution. Several Council members will push to include language on the ICC in a resolution that focuses on justice and atrocity-prevention. A possible solution would be to include previously agreed language on the ICC.

Security Sector Reform

Expected Council Action

In April, the Council expects to hold an open debate on security sector reform (SSR) and consider the Secretary-General's 13 August 2013 report "Securing States and Societies: Strengthening the UN Comprehensive Support to SSR".

The first-ever stand-alone resolution on SSR is the likely outcome.

Background

On 20 February 2007, under the presidency of Slovakia, the Council held its first open debate on SSR. (In a 12 July 2005 presidential statement, the Council had emphasised that SSR is "an essential element of any stabilisation process in post-conflict environments" and acknowledged the need for adequate preparation and coherent approaches by the UN in addressing it.) In its concept note, Slovakia highlighted the wide range of SSR activities the UN system was already engaged in, although not necessarily under the label of SSR, and the need for a comprehensive, coherent and coordinated UN approach (S/2007/72). (Prior to the debate, on 16 February, the UK facilitated an "Arria-formula" meeting on SSR.)

The presidential statement that was adopted as a result of the debate stressed the critical importance of SSR in post-conflict environments and underlined the sovereignty and primary responsibility of the country concerned to determine priorities towards SSR (S/PRST/2007/3). Although recognising the need to consider SSR priorities while mandating new UN operations, the statement underlined how SSR can be a long-term process that continues well beyond the duration of a peacekeeping operation. The statement also requested the Secretary-General to report on lessons learned as well as core SSR functions the UN system can perform.

The report, entitled "Securing Peace and Development: the role of the UN in supporting SSR", was discussed during a briefing on 12 May 2008 under the UK presidency (S/2008/39). The report observed that UN support for SSR had largely been pursued as an ad hoc undertaking, hampered by weak capacity and insufficient resources to deliver

effective support to national authorities. It also identified 10 principles that should guide UN engagement in SSR, drawing the distinction between "normative" (setting international standards and guidelines) and "operational" roles (from needs assessment to monitoring progress). A presidential statement reiterated some of the key issues of the previous statement and underlined how UN support for SSR had to take place within a broad framework of the rule of law (S/PRST/2008/14).

The Council again held an open debate on SSR on 12 October 2011, under the presidency of Nigeria, with Foreign Minister Olugbenga Ashiru chairing the debate. The presidential statement adopted pursuant to the debate noted that, even though the bulk of international assistance in the area of SSR takes place in, and is directed to countries in Africa, there is a need to expand the consideration given to African perspectives on SSR (S/PRST/2011/19). The statement welcomed the partnership between the UN and the AU in developing a continental SSR policy framework for its implementation. In the context of multidimensional peacekeeping operations, the Council stressed the need to continue to include, as appropriate, SSR aspects as an integral part of planning of UN operations. The statement also requested the Secretary-General to submit an assessment of UN support for SSR, including efforts in Africa, and make recommendations on how best to strengthen its approach.

Acknowledging that only rarely is the UN an exclusive actor in an SSR process, the Secretary-General's assessment highlighted the progress in the normative and operational roles of the UN regarding SSR (S/2013/480). The report identified some of the remaining challenges, such as the linkages of SSR with broader processes of political reform, the difficulties of measuring qualitative impact or the lack of funding for sector-wide "software" areas such as institutional governance or oversight as opposed to "hardware" areas such as training or equipment. Furthermore, the report focused on the issue of national ownership. Building on the guidance note on national ownership prepared by the inter-agency UN SSR Task Force, the report described

the challenge of supporting host governments while promoting inclusiveness and engaging civil society, particularly vulnerable groups. The report also stressed the impact of external and irregular funding in the sustainability and national ownership of SSR.

Key Issues

A key issue for the Council is how the UN can ensure national ownership without compromising key principles and guidelines.

A related issue is identifying the added value of the UN at a time of limited funding for SSR in order to partner with regional organisations and bilateral donors.

A further related issue is how to adopt a framework that is applicable to different situations in such context-specific processes.

Options

The Council could adopt a resolution:

- reiterating the sovereign right and primary responsibility of the country concerned to determine its national approach to, and priorities for, security sector reform;
- urging member states concerned to ensure the inclusiveness of SSR processes through engaging civil society, including women and vulnerable groups;
- stressing the paramount importance of accountability in post-conflict settings; and
- calling on the actors within the UN system and bilateral donors to coordinate and join efforts to reduce duplication in SSR-related activities.

Council and Wider Dynamics

The Council has not discussed the issue in a thematic debate since 2011, and it took Council members eight months to take up the latest report of the Secretary-General on SSR. Although nowadays SSR is a standard element in the mandates of multidimensional peacekeeping operations, there is likely to be some political sensitivity. Some Council members are reluctant for the Security Council to be too prescriptive in post-conflict settings. (In previous open debates, the Non-Aligned Movement has showed its reluctance regarding the Council's role on SSR, as opposed to the

UN DOCUMENTS ON SECURITY SECTOR REFORM Security Council Presidential Statements S/PRST/2011/19 (12 October 2011) highlighted the need to expand the consideration given to African perspectives on SSR. S/PRST/2008/14 (12 May 2008) recognised that an effective, professional and accountable security sector is necessary to lay the foundations for peace and sustainable development. S/PRST/2007/3 (20 February 2007) was the first presidential statement on SSR. Secretary-General's Reports S/2013/480 (13 August 2013) was entitled "Securing States and Societies: Strengthening the UN Comprehensive Support to SSR". S/2008/39 (23 January 2008) was entitled "Securing Peace and Development: the role of the UN in supporting SSR". Security Council Letter S/2007/72 (8 February 2007) was a concept paper by Slovakia for the open debate on SSR. Security Council Meeting Records S/PV.6630 (12 October 2011) was an open debate on SSR under the presidency of Nigeria. S/PV.5889 (12 May 2008) was a briefing on SSR under the UK presidency. S/PV.5632 (20 February 2007) was the first open debate on SSR under the presidency of Slovakia.

Security Sector Reform (con't)

General Assembly or other UN bodies such as the Peacebuilding Commission.) Concerns over national ownership and UN principles when it comes to SSR might frame the negotiation of the resolution, as has happened with

previous presidential statements.

Some Council members have raised questions about the limited progress in SSR supported by UN missions in contexts of political transition, where it seems to be a secondary priority.

For example, the mandate of the UN Support Mission in Libya, which included tasks related to the restoration of public security such as defence sector reform, does not include them in the recently adopted resolution 2144.

Central African Republic

Expected Council Action

In April, the Council may adopt a resolution on the transformation of the African-led International Support Mission in the Central African Republic (MISCA) into a UN peacekeeping operation.

The mandate of the UN Integrated Peacebuilding Office in the Central African Republic (BINUCA) expires on 31 January 2015.

Key Recent Developments

Thousands are estimated to have been killed in the Central African Republic (CAR) since 24 March 2013, when the Séléka ousted President François Bozizé. Recent months have seen an increase in violence against Muslims, who constitute roughly 15 percent of the population, as the Christian anti-balaka militias have increased their attacks on Muslims, as have mobs of civilians who have carried out gruesome killings of Muslims in recent weeks. As a result, thousands of Muslims have been fleeing to the north, where most of the Muslim population resides.

The Council was most recently briefed on the situation in the CAR on 6 March. Under-Secretary-General for Peacekeeping Operations Hervé Ladsous summarised the Secretary-General's recent report (S/2014/142) on the transformation of MISCA into a UN peacekeeping operation, as requested by resolution 2127. Also briefing on their recent visits were Under-Secretary-General for Humanitarian Affairs Valerie Amos and UN High Commissioner for Refugees António Guterres. The briefing was followed by consultations.

The Secretary-General's report recommends the establishment of a multidimensional peacekeeping operation with an authorised

strength of 10,000 military personnel and 1,820 police personnel. Deployed with a significant civilian component, BINUCA would be incorporated into the mission. The tasks of the mission as laid out in the report include protection of civilians, support for the restoration of state authority and institutions and the protection of human rights. If established, the Secretary-General anticipates the mission will build its capacity by 15 September by using existing forces on the ground. In the meantime, he urges the Council to implement his 20 February initiative for immediate assistance.

Amos and Guterres updated the Council on the humanitarian and refugee situation in the CAR, where hundreds of thousands have been internally displaced, many have fled to neighbouring countries and about half the population is in need of humanitarian assistance. CAR Foreign Minister Toussaint Kongolo Doudou called for the quick adoption of a "robust" resolution authorising deployment within six months.

On 14 February, France announced that it would strengthen its 1,600-strong Opération Sangaris by an additional 400 troops. The AU authorised on 7 March an additional deployment of 560 police personnel and 350 military personnel. It also requested the Security Council to authorise, in the meantime, the establishment of a UN logistical support package funded through assessed contributions to enable MISCA to more effectively discharge its mandate. The EU force for the CAR, authorised by resolution 2134, has been slow in materialising and growing calls by various actors for an immediate deployment without further delays (currently it is scheduled to be fully deployed by the end of April). The

force will aim to secure three areas in Bangui, including the airport, for the protection of civilians and humanitarian work and is expected to consist of up to 1,000 troops.

On 14 March, Council members held an "Arria-formula" meeting chaired by France and Nigeria that focused on communal and religious tensions and violence in the CAR. The speakers were the leaders of the main religious communities in the CAR: Dieudonné Nzapalainga, the Archbishop of Bangui; Imam Oumar Kobine Layama, President of the CAR Islamic Community; and Nicolas Guérékoyame Gbangou, President of the Alliance of Evangelicals of the CAR. (In a 3 December 2013 letter, the religious leaders asked Council members to urgently transform MISCA into a UN peacekeeping mission in light of the humanitarian crisis and the inter-communal violence between Christians and Muslims.) Adama Dieng, the Special Adviser to the Secretary-General on the Prevention of Genocide, also spoke. The meeting was held in a large conference room to accommodate a significant number of observers as it was open to all member states, the media and NGOs.

The religious leaders emphasised in the meeting the importance of social inclusion and national reconciliation and stressed that the surge in violence, although not initially faith-based, has been portrayed as such by others for political gains. Dieng said that only 20 percent of the original Muslim population still remains in the CAR and that they are at risk.

In sanctions-related developments, the 2127 CAR Sanctions Committee met with its Panel of Experts (PoE) on 5 March before the experts deployed to the CAR. The PoE

UN DOCUMENTS ON THE CAR Security Council Resolutions S/RES/2134 (28 January 2014) renewed BINUCA's mandate and authorised the EU mission and targeted sanctions. S/RES/2127 (5 December 2013) authorised MISCA and a French intervention force. **Security Council Meeting Records** S/PV.7128 (6 March 2014) was on the establishment of a possible UN peacekeeping mission. S/PV.7114 (20 February 2014) was on the situation in the CAR. **Secretary-General's Reports** S/2014/142 (3 March 2014) was on the transformation of MISCA into a UN peacekeeping mission. S/2013/787 (31 December 2013) was the latest report on BINUCA. **Security Council Letters** S/2014/98 (13 February 2014) was from the Secretary-General on the appointment of the Panel of Experts. S/2014/45 (21 January 2014) was on the EU authorisation of a mission to the CAR. **OTHER RELEVANT FACTS** **Special Representative and Head of BINUCA** Babacar Gaye (Senegal) **BINUCA Size and Composition** *Strength as of 31 January 2014*: 52 international civilians, 78 local civilians, two military advisers, two police and four UN volunteers. **BINUCA Duration** 1 January 2010 to present

Central African Republic (con't)

presented its initial plan to provide information on the arms embargo, designations and visits to countries in the region. Some Council members asked that the PoE provide more information on suggested names for designation for individually targeted sanctions.

Developments in the Peacebuilding Commission

Ambassador Mohammed Loulichki (Morocco), the new chair of the Peacebuilding Commission CAR configuration, visited the CAR between 4-7 March, together with Kenneth Gluck, Director and Deputy Head of the Peacebuilding Support Office.

Loulichki met with interim President Catherine Samba-Panza, Prime Minister André Nzapayeké, Minister of Communication and Reconciliation Antoinette Montaigne and Minister of Defence Thomas Timango. He also met with the Special Representative of the Secretary-General and head of BINUCA, Babacar Gaye, and officers from MISCA and Opération Sangaris, as well as representatives of women's and youth organisations, political parties and religious leaders.

Loulichki reported back to the configuration in a meeting on 19 March. He noted a decrease in violence in Bangui but added that not much had changed in rural areas and that Muslims were still being displaced from the south and west of the country. He recommended that priority be given to restoring security, protecting civilians, supporting transitional authorities (including financial assistance to pay salaries of government employees), promoting reconciliation and political dialogue and ensuring regional coherence.

Human Rights-Related Developments

The Independent Expert on the human rights situation in the CAR, Marie-Thérèse Keita Bocoum, and High Commissioner for Human Rights Navi Pillay visited the country from 4-14 March and from 18-20 March, respectively. Bocoum gave an oral update to the Human Rights Council on 26 March.

During a 20 March press conference in Bangui, Pillay talked about the dire situation in a country with no state and with inter-communal hatred at a "terrifying" level. She said that people, including children, were not only being killed but also tortured, mutilated, burned and dismembered. Rape and sexual violence, especially in

the camps for the internally displaced, were on the increase. Some 15,000 Muslims were reportedly trapped in different areas of the country in an extremely dangerous and untenable situation. She called on the interim government to act decisively and expressed her deep concern at the slow response of the international community and the deplorable underfunding of humanitarian aid. "The international community seems to have forgotten some of the lessons it learned in Bosnia and Herzegovina, Rwanda, Kosovo and East Timor – to mention just a few", she said.

Key Issues

An overall issue is to sustain a hands-on approach towards the CAR, including monitoring developments on the ground closely and modifying Council action accordingly.

A key issue for the Council is to follow up on the recommendation of the Secretary-General and establish a peacekeeping mission in the CAR.

A related issue is providing effective support to MISCA and the other international forces so they can restore security in the country immediately.

Another issue is ensuring that BINUCA can fulfil its mandate in light of the dire security situation, including as a possible civilian component of a future UN peacekeeping mission.

A related issue is not losing track of the multifaceted needs of the CAR, from security to the establishment of state institutions from the ground up. Ensuring that the transitional political process and reforms move forward, along with addressing the security situation, will be ongoing issues for the Council.

Options

Options for the Council include:

- establishing a peacekeeping operation and transforming BINUCA into its civilian component with an emphasis on establishing law and order;
- authorising further support for the

existing forces in the meantime, in accordance with the Secretary-General's recommendations;

- undertaking a Council visiting mission to the CAR, a country the Council has never visited despite it being on its agenda since 1997; and
- listing individuals for violations of the criteria set out under resolution 2134, either through the Committee or by the Council.

Council and Wider Dynamics

Since the Council adopted resolution 2127, the possibility of establishing a UN peacekeeping operation continues to be the main topic of discussions among Council members. In previous discussions, several Council members were hesitant to establish such an operation due to financial considerations and the need for a stabilised security environment that would enable the deployment of peacekeepers. Some Council members were also supportive of the AU's wish to handle the situation without the UN for the time being.

Yet, with negotiations for a resolution expecting to commence soon, it seems that there is a consensus that a UN peacekeeping mission should be established in accordance with the Secretary-General's recommendation and acknowledgement that the mission will require considerable funds. The AU's agreeing to the establishment of a UN mission that would take over in September has also contributed to shifting some Council members' positions.

Points of focus in the negotiations are likely to include the financial structure and support for the mission and the forces on the ground before it is established, granting the UN mission certain executive powers such as arrest and detainment and how to transition from an initial focus on protection of civilians to civilian capacities.

France is the penholder on the CAR.

Sudan (Darfur)

Expected Council Action

In April, the Council is scheduled to receive a briefing on the Secretary-General's forthcoming quarterly report on the AU/UN Hybrid Operation in Darfur (UNAMID). Council members are also likely to hold consultations

following the briefing.

The Council is likely to adopt a resolution regarding the recommendations outlined in the Secretary-General's special report on the effectiveness of UNAMID released 25 February (S/2014/138). At press time, negotiations

on the draft resolution were ongoing.

UNAMID's mandate expires on 31 August.

Key Recent Developments

The Chairperson of the AU Commission, Nkosazana Dlamini Zuma, met on 7 March with

Sudan (Darfur) (con't)

a delegation of Darfur rebel groups, including Minni Arko Minawi of the Sudan Liberation Army (SLM-Minni Minawi) and Jibril Ibrahim Mohamed of the Justice and Equality Movement (JEM-Jibril Ibrahim). As members of the Sudan Revolutionary Front (SRF), they are not signatories of the Doha Document for Peace in Darfur (DDPD) and have advocated instead for a national mediation process. The rebel leaders were accompanied by Mohamed Ibn Chambas, the AU-UN Joint Special Representative/Joint Chief Mediator, who facilitated the meeting. It seems the meeting did not result in a policy shift, as the AU Peace and Security Council (PSC) issued a communiqué on 10 March which basically reaffirmed the status quo regarding mediation on South Kordofan, Blue Nile and Darfur. Another PSC communiqué, issued 24 March, welcomed the review of UNAMID released 25 February.

There has been an increase in the intensity of conflict in Darfur, as noted in recent statements expressing deep concern regarding armed conflict in South Darfur and North Darfur issued by UNAMID (3 March and 9 March), the Secretary-General (10 March) and the High Commissioner for Human Rights (11 March). These statements condemned attacks on civilian populations and their forced displacement while urging an immediate cessation of hostilities and calling upon Sudan to provide unhindered access to UNAMID. According to the Office for the Coordination of Humanitarian Affairs, in early March an estimated 65,000 people were displaced from Saraf Omra in North Darfur and an estimated 59,000 people were displaced from the Um Gunya area in South Darfur. The UN Resident and Humanitarian Coordinator, Ali Al-Za'tari, released a statement on 24 March highlighting the difficulty of providing aid in a protracted conflict, with a two-thirds reduction in the number of aid workers in Darfur since 2009 (from 18,000 to 6,800) despite a worsening humanitarian situation.

The escalation of violence in Darfur appears to have prompted some 300 students to protest publicly at the University of Khartoum on 11 March. Media reports suggest that security forces fired live ammunition at the protesters, killing one student and reportedly arresting

110 protestors.

Council members last discussed Darfur and UNAMID in consultations with Under-Secretary-General for Peacekeeping Operations Hervé Ladsous on 12 March. Ladsous briefed the Council on the Secretary-General's special report on UNAMID effectiveness, which recommends adjusting the benchmarks for assessment of UNAMID and re-evaluating the mission after one year. Several areas for improving UNAMID's performance were identified, including cooperation by the host government, the capabilities of troop and police contingents, integration of functions within UNAMID and coordination with the UN country team, and more systematic monitoring and evaluation of mandate implementation.

Also on 12 March, Ambassador Samantha Power (US) issued a statement calling for the government of Sudan to stop obstruction of UNAMID operations and for UNAMID to carry out its mandate more aggressively, particularly with respect to the protection of civilians and the facilitation of humanitarian access throughout Darfur. The statement also condemned attacks in South Darfur by the Rapid Support Forces (RSF), a militia allied to the government, prompting a reply from the RSF commander regarding the "unfair behaviour" of US policy on Sudan.

Human Rights-Related Developments

Mashood Adebayo Baderin, the Human Rights Council's Independent Expert on the situation of human rights in the Sudan, undertook a mission to Khartoum, South Kordofan and Darfur from 11-19 February. At a press conference in Khartoum on 19 February, Baderin observed that ethnic conflicts and conflicts between government forces and armed movements resulted in severe human rights violations in South Kordofan and Darfur, especially the displacement of civilians. Baderin also expressed concern that Sudan has not yet released any reports related to the human rights violations (up to 200 killed and some 800 detained) associated with the government's response to the public protests over fuel subsidies last September.

Key Issues

The principal issue is a deteriorating security and humanitarian situation in Darfur, where inter-communal clashes and fighting between

government and rebel forces caused the displacement of more people in 2013 than in any year since 2004.

A related issue is the inadequate performance of UNAMID since its creation in 2007, particularly in relation to the size (more than 19,000 uniformed personnel) and the cost (an annual budget of more than \$1.3 billion) of the hybrid peacekeeping operation.

Options

One option would be to adopt a resolution on the approach outlined in the Secretary-General's special report on UNAMID's effectiveness. This includes new strategic priorities for UNAMID and an adjustment of the benchmarks for evaluation.

Another option would be to expedite the process for re-evaluation of UNAMID (which the Secretary-General recommends the Council revisit after one further year), thus potentially enabling an earlier revision of UNAMID's mandate.

Council Dynamics

Council members remain concerned regarding the worsening security and humanitarian situation in Darfur, including inter-communal conflict, fighting between government and rebel forces, and widespread displacement of civilian populations. However, there also seems to be a persistent lack of consensus among Council members in terms of determining which actors are principally responsible. This also in turn has negative implications for the range of options available to the Council. Another constraint may be the continued institutional response to conflict in Darfur by the UN and the AU as entirely discrete from the conflict in South Kordofan and Blue Nile, despite ongoing linkages between these conflicts on the ground (as most clearly manifested in the SRF alliance combining three rebel groups from Darfur with the Sudan People's Liberation Movement-North).

As the Secretary-General's special report on UNAMID highlights, there are numerous obstacles impeding UNAMID's performance and several readily identifiable areas where the hybrid peacekeeping operation could potentially improve. One of the benchmarks—which

UN DOCUMENTS ON SUDAN (DARFUR) Security Council Resolutions S/RES/2138 (13 February 2014) renewed the mandate of the Panel of Experts for 13 months. S/RES/2113 (30 July 2013) extended UNAMID's mandate until 31 August 2014 and called for a review of UNAMID by 28 February 2014. **Secretary-General's Report S/2014/138** (25 February 2014) was a special report reviewing UNAMID. **Security Council Letter S/2014/87** (7 February 2014) transmitted the final report of the Panel of Experts. **Security Council Meeting Record S/PV.7111** (13 February 2014) concerned the adoption of resolution 2138. **USEFUL ADDITIONAL RESOURCES** *We can't endure any more: The impact of inter-communal violence on civilians in Central Darfur*, Amnesty International, March 2014. *Communiqué* [PSC/PR/COMM.(CDXXV)], AU PSC, 24 March 2014. *Communiqué* [PSC/PR/COMM.(CDXXIII)], AU PSC, 10 March 2014.

Sudan (Darfur) (con't)

reiterates that the DDPD remains the basis for mediation between the government and non-signatory rebel groups—could be contentious (as some Council members seem to favour including national mediation as an option). Nonetheless, while there seems to be sufficient support within the Council for a resolution

regarding measures for reforming UNAMID operations recommended by the Secretary-General, it remains unclear to what extent the modest changes could really alter the trajectory of intractable conflict in Darfur. Given chronic divisions among Council members, a more substantial rethinking of the UN's approach to

mediation and peacekeeping in Sudan seems unlikely at this juncture.

The UK is the penholder on UNAMID, the US is the penholder on Sudan sanctions and Argentina is the chair of the 1591 Sudan Sanctions Committee.

South Sudan

Expected Council Action

In April, Council members are scheduled to receive a briefing in consultations on the UN Mission in South Sudan (UNMISS).

The Council may adopt a resolution reprioritising or revising UNMISS's mandate, drawing upon recommendations outlined in the Secretary-General's report issued on 6 March (S/2014/158). The mandate of UNMISS expires 15 July.

Key Recent Developments

A convoy of UN trucks stopped for inspection on 7 March by the government in Rumbek, Lakes state, contained weapons and ammunition for an UNMISS contingent in Bentiu, Unity state, in violation of the Status of Forces Agreement (SOFA) which requires the UN to ship weapons within South Sudan by air. Speculation ensued that these supplies also included landmines, but UNMISS has since claimed the boxes held "crowd-control equipment". A public protest accusing the UN of supporting the opposition erupted in Juba on 10 March, and an internal UN investigation is now apparently underway. Meanwhile, as detailed in media coverage regarding a confidential internal UN report dated 18 March, SOFA violations against UNMISS by South Sudan are increasingly common.

The AU announced on 7 March the appointment of a Commission of Inquiry to investigate human rights violations committed since the 15 December 2013 political crisis. A communiqué of the AU Peace and Security Council (PSC) had authorised the Commission on 30 December 2013. Olesgun Obasanjo, former president of Nigeria and former

chairperson of the AU, has been appointed chairperson of the five-member Commission. It remains unclear when it will report to the AU and whether its findings regarding human rights violations will be made public.

On 13 March, the Intergovernmental Authority on Development (IGAD) issued a communiqué authorising the deployment of a Protection and Deterrent Force (PDF) from states within the region and calling upon the UN and the AU to provide "all necessary support". States that may contribute to the PDF include Burundi, Ethiopia, Kenya, Rwanda and possibly Djibouti. The leader of the rebel Sudan People's Liberation Army (SPLA) in Opposition, former Vice President Riek Machar, has objected to the PDF and threatened to abandon the IGAD-mediated peace talks if it is deployed. Uganda, whose continued military intervention on behalf of the government of South Sudan has also been a key point of contention for the rebel delegation, has reportedly agreed to withdraw its forces from South Sudan once the PDF has been established.

Norway, the UK, and the US (the Troika) plus the EU issued a joint statement on 19 March threatening to impose sanctions on those opposing the peace process. Negotiations in Addis Ababa were due to resume on 20 March, but irrespective of the threatened sanctions, the talks were postponed. The government of South Sudan has objected to the inclusion of seven formerly detained members of the Sudan People's Liberation Movement (SPLM) as a third negotiating party (in addition to the delegations representing the government and the armed opposition). The talks resumed on 25 March, while the government

of South Sudan has denied dropping its precondition that the seven former SPLM detainees be excluded from negotiations.

Despite the 23 January Cessation of Hostilities Agreement by the government of South Sudan and the SPLA (in Opposition), armed conflict continues. On 20 March, both parties claimed to have consolidated control of Malakal, the capital of Upper Nile state. As the gateway to the only remaining oil-producing fields in South Sudan, Malakal has strategic significance. Violence has also occurred elsewhere in South Sudan, including within the SPLA proper. Apparently having been provoked by a dispute involving unpaid salary, troops clashed at military barracks outside Juba from 5-7 March.

The humanitarian situation in South Sudan is rapidly deteriorating. An early onset of the rainy season, limited road networks and ongoing conflict throughout much of the country have restricted the ability of humanitarian actors to reach those in need. According to John Ging, operations chief for the UN Office for the Coordination of Humanitarian Affairs, as of 21 March more than 50 trucks carrying 2,000 tonnes of urgent aid supplies are currently being held up at checkpoints. On 25 March, WFP and the Office of the UN High Commissioner for Refugees urgently appealed for \$371 million to provide assistance to more than 200,000 refugees from South Sudan.

Council members discussed the Secretary-General's most recent report on UNMISS in a briefing and consultations on 18 March (S/PV.7141). The report identifies five priority tasks for UNMISS: protecting civilians, enabling humanitarian access, increasing

UN DOCUMENTS ON SOUTH SUDAN [Security Council Resolution S/RES/2132](#) (24 December 2013) increased the troop and police ceiling of UNMISS through inter-mission cooperation. [Security Council Meeting Record S/PV.7141](#) (18 March 2014) concerned the report of the Secretary-General on UNMISS. [Security Council Letter S/2014/171](#) (11 March 2014) transmitted a press statement from the Ministry of Foreign Affairs of Eritrea. [Secretary-General's Report S/2014/158](#) (6 March 2014) was on UNMISS. **ADDITIONAL USEFUL RESOURCES** [Communiqué of the 25th Extra-ordinary Session of the IGAD Assembly of Heads of State and Government on the Situation in South Sudan](#), IGAD, 13 March 2014. [South Sudan Commission of Inquiry](#) established and members appointed (Press Release No 039/2014), AU, 7 March 2014.

South Sudan (con't)

human rights monitoring and reporting, facilitating inter-communal and national dialogue and supporting mediation and ceasefire monitoring by IGAD. The report recommends that the Council raise the ceiling for military and police strength for 12 months in line with the temporary increase approved in resolution 2132 on 24 December 2013. The report also suggests allowing for the retention of certain capacity-building functions in partnership with the government of South Sudan. These would be restricted to states within South Sudan “that have so far been spared by the conflict” and functions that “do not directly contribute to enhancing the fighting capacities of the parties or undermine the Addis Ababa negotiations”.

Key Issues

The principal issue facing the Council is deciding what modifications (if any) should be made to the mandate of UNMISS.

A related issue concerns determining the precise relationship between UNMISS and the IGAD-authorized PDF.

Options

One set of options relates to the mandate of UNMISS. The Council could choose to adopt a resolution either reprioritising the mandate in line with the recommendations outlined by the Secretary-General or revising the mandate more thoroughly, such as removing all capacity-building partnerships with the government. Alternatively, the Council could take no action.

Another set of options relates to the IGAD-authorized PDF. In consultation with IGAD and the AU, the Council could choose to incorporate the PDF within UNMISS, which has the advantage of better coordination. On the other hand, regional states contributing to the PDF may prefer to retain more operational autonomy.

A third set of options concerns sanctions. Possibilities include a general arms embargo, targeted sanctions (asset freeze and travel ban) on individuals obstructing the peace process, or both.

Council and Wider Dynamics

Regarding UNMISS, there are a few interrelated issues yet to be determined by Council

members. Some members apparently support a reprioritisation as recommended by the Secretary-General, including a degree of retention of capacity-building functions in partnership with the government; while others seem to be in favour of a more thorough revision of UNMISS, which would narrow its scope even further to core peacekeeping functions. There also seems to be a lack of clarity among Council members regarding the precise rationale for the proposed strength, timing and purpose of phased reinforcements.

As for the PDF, the option of folding it within UNMISS, given the financial constraints of IGAD and regional states, seems to be favoured by a number of actors. Integration of the PDF would also allow for greater coordination than if the PDF operated in parallel to UNMISS. However, several Council members are concerned about the potential for further regionalisation of the conflict through regional states contributing troops. There are also concerns regarding the PDF becoming a de facto party to the conflict if it provides protection of infrastructure.

The US is the penholder on South Sudan.

Sudan and South Sudan

Expected Council Action

In April, Council members are scheduled to be briefed in consultations on Sudan-South Sudan issues. A press statement is a potential outcome. The mandate of the UN Interim Security Force for Abyei (UNISFA) expires on 31 May.

Key Recent Developments

Within the last few months, bilateral relations between Sudan and South Sudan have been characterised by détente. Accusations of cross-border support for insurgencies, once commonly exchanged between Khartoum and Juba, have become less frequent and less strident. Sudan has participated in the Intergovernmental Authority on Development (IGAD) mediation team on South Sudan, although it is apparently not being

considered as a potential troop-contributing country for the Protection and Deterrent Force recently authorised by IGAD for South Sudan. In basic terms, worsening intrastate conflicts in Sudan and South Sudan may have reduced the prospect of renewed interstate conflict, at least in the short term. Border conflict remains a risk, however, particularly in the continued absence of any progress on preventive measures, such as establishing the Safe Demilitarized Border Zone (SDBZ) and deploying the Joint Border Verification and Monitoring Mechanism (JBVMM).

Most notably, with recent inter-communal clashes and a mounting deployment of troops and police by Sudan and South Sudan, Abyei continues to be a flashpoint and threatens to become a catalyst for a broader conflict involving the two countries.

The Secretary-General's report on UNISFA, released 25 February (S/2014/126), notes the presence of 660 troops and police from South Sudan and the continued deployment of about 150 oil police from Sudan. Media reports in March suggested that there has been an upsurge of violence between the Misseriya and Ngok Dinka communities, with differing claims regarding the scale of the clashes and what forces are ultimately responsible. With armed groups proliferating in the area and scant progress toward implementing the institutional framework to manage a transition and determine Abyei's status, UNISFA has come under increasing scrutiny in a highly contentious environment.

With respect to the conflict between Sudan and the Sudan People's Liberation Movement-North (SPLM-N) rebel group in

UN DOCUMENTS ON SUDAN AND SOUTH SUDAN Security Council Resolution S/RES/2046 (2 May 2012) provided a roadmap for Sudan, South Sudan and the SPLM-N to resolve outstanding issues and threatened Article 41 measures. **Security Council Press Statements SC/11321** (17 March 2014) concerned the volatile security situation in Abyei and the AUHIP-mediated talks between Sudan and the SPLM-N. **SC/11282** (14 February 2014) welcomed the resumption of negotiations between Sudan and the SPLM-N. **Secretary-General's Report S/2014/126** (25 February 2014) was the most recent quarterly report on UNISFA. **Security Council Letter S/2013/657** (11 November 2013) changed the frequency of meetings on the implementation of resolution 2046 from semi-monthly to monthly. **USEFUL ADDITIONAL RESOURCES** *Looming Crisis: Open Wounds in Abyei Increase Risk of New War*, Enough Project, 13 March 2014. *Communiqué* [PSC/PR/COMM.(CDXIII)], AU PSC, 10 March 2014.

Sudan and South Sudan (con't)

South Kordofan and Blue Nile states, talks mediated by the AU High-Level Implementation Panel (AUHIP) seem to be at an impasse. Following negotiations that had started on 13 February and were then suspended from 18-27 February, AUHIP chair Thabo Mbeki announced on 2 March that the issue would be referred back to the AU Peace and Security Council (PSC) due to an irreconcilable gap in the positions of the two parties. Major disagreements appear to be over whether there should be a single forum and a national approach for addressing conflicts in South Kordofan and Blue Nile (i.e. “Two Areas”) and Darfur as advocated by the SPLM-N or whether these should be mediated separately as Sudan argues. On 10 March, the PSC issued a communiqué encouraging the SPLM-N to respond to a draft framework agreement concerning the Two Areas but not Darfur, which AUHIP had proposed on 18 February. The communiqué requested that the parties reach an agreement by 30 April.

On 13 March, a court in Sudan sentenced Malik Agar and Yassir Arman, Chairman and Secretary-General of the SPLM-N respectively, in absentia to death by hanging. Fifteen other SPLM-N members were also sentenced to death in absentia, and trials were held for 78 SPLM-N members in custody (31 were acquitted, 46 were given life sentences and one was sentenced to death). All of the SPLM-N members on trial had been charged with terrorism, weapons possession or other criminal acts allegedly related to the outbreak of armed conflict in Blue Nile state in September 2011. The SPLM-N, the main opposition party at the time, was banned and many of its members were arrested. After the verdicts, an SPLM-N spokesperson said: “It is a drama, baseless drama. Nobody will recognise this”.

It is unclear what impact the sentencing of Agar and Arman might have on negotiations between the SPLM-N and Sudan (Arman has led the SPLM-N delegation at the talks held in Addis Ababa).

Council members were last briefed in consultations by Special Envoy of the Secretary-General for Sudan and South Sudan Haile Menkerios on 12 March. Under-Secretary-General for Peacekeeping Operations Hervé Ladsous also briefed Council members in consultations on UNISFA. On 17 March, the Council issued a press statement concerning developments in Abyei, the AUHIP-mediated talks and the humanitarian situation in South Kordofan and Blue Nile states (SC/11321).

Key Issues

One highly critical set of issues relate to the ongoing armed conflict in South Kordofan and Blue Nile states, including a continued lack of humanitarian access and a potential deadlock in the AUHIP-mediated talks.

Another important issue is stabilisation of the situation in Abyei before violence escalates further, thus potentially raising the prospect of direct military confrontation between the two countries.

Options

Perhaps the most likely option is for the Council to issue a press statement in support of the AUHIP and its facilitation of negotiations between Sudan and the SPLM-N, as it did on 14 February (SC/11282) and 17 March (SC/11321).

Alternatively, if the next round of talks in Addis Ababa fails to progress, Council members could hold discussions with their PSC counterparts to reconsider AU and UN strategies toward mediation of the Two Areas and

Darfur.

Regarding Abyei, the Council is unlikely to take action until after consideration of the next Secretary-General's quarterly report on UNISFA. The Council could choose to revise UNISFA's mandate when it is due for renewal in May.

Council and Wider Dynamics

Longstanding political divisions within the Council (particularly among the P5 members) on policymaking regarding Sudan and South Sudan seem to have constrained the latitude for creative UN action in response to a situation of protracted armed conflict, worsening humanitarian crises, stagnated implementation of conflict resolution mechanisms (e.g., SDBZ and JBVMM) and faltering mediation efforts. Even something as ostensibly simple as issuing a press statement, which could be an efficient and timely process even though it requires consensus, has been problematic more often than not within the context of Sudan and South Sudan (apparently silence was broken on the most recent press statement due to an objection to the phrasing regarding the stalled AUHIP talks).

While it may be advisable for the Council to follow the lead taken by regional organisations in some instances, its failure to more effectively engage on the Two Areas, Abyei and border security issues seems to be more a product of its own impasse than UN deference to the AU. There may be a need for the UN and the AU to rethink their strategies for peacekeeping and mediation in Sudan. Whether international and regional actors are willing and able to escape policymaking inertia in a search for more viable alternatives remains to be seen.

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

Côte d'Ivoire

Expected Council Action

In April, Council members expect a briefing in consultations by the chair (Chile) or one of the vice-chairs (Australia and Rwanda) of the 1572 Côte d'Ivoire Sanctions Committee on the final report of its Group of Experts (GoE).

A resolution renewing the sanctions measures and the mandate of the GoE (both of which expire on 30 April) is likely.

The mandate of the UN Operation in Côte d'Ivoire (UNOCI) expires on 30 June.

Key Recent Developments

Council members were last briefed on sanctions against Côte d'Ivoire in consultations on 24 October 2013, by Ambassador Gert Rosenthal (Guatemala), the then chair of the 1572 Côte d'Ivoire Sanctions Committee. He

UN DOCUMENTS ON CÔTE D'IVOIRE Security Council Resolution S/RES/2101 (25 April 2013) renewed the sanctions regime on Côte d'Ivoire and the mandate of the GoE until 30 April 2014. **Security Council Meeting Record S/PV.7102** (27 January 2014) was a briefing by Mindaoudou. **Secretary-General's Report S/2013/761** (24 December 2013) was the latest Secretary-General report on UNOCI. **Sanctions Committee Document S/2013/605** (11 October 2013) transmitted the mid-term report of the 1572 Sanctions Committee's GoE.

Côte d'Ivoire (con't)

discussed the midterm report of the GoE which noted that while Côte d'Ivoire was focused on implementing a system of controls and statistics on the diamond-trading chain to meet the Kimberley Process (KP) Certification Scheme's minimum standards, it failed to address the issue of diamond-smuggling in violation of the sanctions regime (S/2013/605).

KP Chair Welile Nhlapo briefed the Sanctions Committee on 9 December on the findings of the 22 November final communiqué from the KP plenary meeting. The communiqué noted that Côte d'Ivoire had fulfilled the KP Certification Scheme's minimum requirements "as possibly could be achieved under the UN embargo".

On 19-20 March, a ministerial delegation from Côte d'Ivoire held bilateral meetings with Chile, the current chair of the 1572 Sanctions Committee, and other delegations in New York to discuss the lifting of the diamond embargo.

The Sanctions Committee held an informal meeting on 21 March to discuss the elements to be included in a response to a note verbale dated 4 February 2014 from Côte d'Ivoire regarding its transition strategy towards the lifting of the diamond embargo. The Committee also discussed the resurgence of hate speech in media as mentioned by the Secretary-General in his last report on UNOCI (S/2013/761), considering the importance of the issue in the context of the upcoming presidential elections in October 2015. The Department of Peacekeeping Operations (DPKO) briefed on the most recent cases of hate speech and presented options for the Council to address this issue. The Committee decided to not take further actions at this stage but to continue monitoring this issue.

In other developments, on 13 January, the mandate of the Commission for Dialogue, Truth and Reconciliation was renewed for another year.

Direct dialogue between the government and the opposition Ivorian Popular Front (FPI), resumed on 15 January, with 34 associates of former President Laurent Gbagbo released on 31 January. On 7 February, the prosecutor of the Abidjan court released another 48 individuals who had been detained since the 2010-2011 post-election crisis. Gbagbo's son, Michel, was arrested on 14 February at Abidjan airport as he was trying to leave the country. He was subsequently released and prohibited from travelling outside the country due to the upcoming start of his trial for crimes committed during the post-election crisis.

Four soldiers of the *Forces républicaines de Côte d'Ivoire* were killed and two UNOCI peacekeepers injured in the south-western town of Grabo on 23 February. Investigations are ongoing to determine whether it was a cross-border attack from Liberia, in which case it would be the first such attack reported since March 2013. The latest report of the Panel of Experts of the 1521 Liberia Sanctions Committee revealed that the Bureau of Operational Intelligence of the Côte d'Ivoire Ministry of the Interior has been paying Liberian mercenaries not to launch attacks against Côte d'Ivoire (S/2013/683). On 12 and 14 February, Liberia arrested nationals of Côte d'Ivoire and Liberia suspected of recruiting mercenaries in counties bordering Côte d'Ivoire and subsequently handed them over to Côte d'Ivoire for further investigation.

During consultations on the UN Mission in Liberia (UNMIL) on 20 March, Assistant Secretary-General for Peacekeeping Operations Edmond Mulet briefed Council members on the strategic review of UNMIL and UNOCI conducted by DPKO in February. Mulet formulated preliminary recommendations for enhanced cooperation between the two peacekeeping operations, including the development of a UNOCI quick-reaction force. Specific proposals will be included in the next Secretary-General's report on UNOCI, due in May.

The Council was last briefed on UNOCI on 27 January by Special Representative of the Secretary-General Aïchatou Mindaoudou Souleymane via videoconference (S/PV.7102).

On 22 March, Côte d'Ivoire transferred Charles Blé Goudé, a former Gbagbo ally, to the ICC after its Pre-Trial Chamber I rejected on 3 March a request to postpone his surrender to The Hague.

Human Rights-Related Developments

Doudou Diène, the Independent Expert for the Human Rights Council (HRC) on the situation of human rights in Côte d'Ivoire, visited the country from 11-23 February. Diène called on Côte d'Ivoire to resolve key issues before the October 2015 presidential elections, including the reform of the Independent Electoral Commission, the updating of the electoral list, the unbiased reintegration of ex-combatants, the organisation of trials related to the post-election crisis and reparation for victims of the crisis. Diène warned that provisional releases of detainees should not lead to a *de facto* general amnesty. Diène presented his latest report to the HRC on 25 March (A/HRC/25/73).

Key Issues

The key issue for the Council will be deciding whether and when the sanctions regime should be revised.

A closely related issue is how to enhance the implementation of the arms embargo in the country.

An ongoing issue is the security situation along the border with Liberia.

Remaining deep political divisions are a concern, especially in view of the October 2015 elections and the gradual drawdown of UNOCI.

Options

Main options for the Council include:

- maintaining the sanctions regime without modifications and renewing the mandate of the GoE;
- welcoming progress with regards to the KP Certification Scheme minimum requirements and lifting the diamond embargo; or
- renewing the sanctions regime for a period shorter than a year, with a view to reviewing the sanctions regime before possibly modifying or lifting the sanctions.

Additional options include some or all of the following:

- creating more exemptions to the arms embargo;
- either easing the notification and authorisation-request requirements on arms transfers or incorporating further language to provide technical support to Côte d'Ivoire to make sure that all relevant information is included in these notifications;
- lifting targeted sanctions on individuals who are key to the reconciliation process in view of the 2015 elections; and, although less likely,
- threatening targeted sanctions against those in Côte d'Ivoire that are recruiting mercenaries.

A less likely option is for the Council to include in the resolution non-sanction related language, such as expressing concern at the resurgence of hate speech.

Council Dynamics

Council members have generally been in agreement on Côte d'Ivoire, including on the downsizing of UNOCI. On sanctions, most Council members have not yet formulated a position on the possibility of modifying the regime. Several Council members seem to be ready to lighten the sanctions regime, especially the diamond embargo. (The EU seems

Côte d'Ivoire (con't)

to be in favour of the possible lifting of the diamond embargo.)

Council members view the situation on the border as improving although they agree that they should remain vigilant to the mercenary threat. The Council has not yet resolved how to best address this issue.

During the negotiations last June on resolution 2112 to renew the UNOCI mandate, Rwanda raised some reservations about the language referring to the cooperation between the government of Côte d'Ivoire and the ICC. This issue is, however, unlikely to be raised until the next renewal of the mission mandate

in June.

France is the penholder on Côte d'Ivoire, while Chile is the chair of the 1572 Côte d'Ivoire Sanctions Committee.

Western Sahara

Expected Council Action

In April, the Council expects a briefing in consultations on the UN Mission for the Referendum in Western Sahara (MINURSO) by Wolfgang Weisbrod-Weber, the Secretary-General's Special Representative and head of MINURSO, and Christopher Ross, the Secretary-General's Personal Envoy for Western Sahara.

A resolution will likely be adopted to renew MINURSO's mandate—which expires on 30 April—for another 12 months.

Key Recent Developments

Weisbrod-Weber and Ross last briefed Council members on 30 October 2013. Weisbrod-Weber mentioned MINURSO's increasing range of interlocutors and the growing number of international visits in Western Sahara and the refugee camps near Tindouf, Algeria. Ross briefed on his trip to North Africa from 12-25 October, during which the modalities and objectives of his shuttle-diplomacy were discussed. The approach consists in undertaking confidential and separate bilateral exchanges with Morocco and the Frente Popular para la Liberación de Saguía el-Hamra y de Río de Oro (Polisario) and the neighbouring countries (Algeria and Mauritania), to induce the parties to move beyond formal proposals. Ross has undertaken two trips to the region in 2014: in January he gave a confidential list of questions to each party to be answered during his next visits, including the recent 26 February–6 March visit.

Diplomatic tensions rose between Rabat and Algiers following public criticism of Morocco's human rights record in Western Sahara by Algerian President Abdelaziz Bouteflika on 28 October.

Since Ross's October visit to Western Sahara, demonstrations were held periodically, including in Laâyoune and Smara, seeking self-determination for the territory. Clashes between protesters and the police were reported on at least one occasion.

As part of the confidence-building measures by the UN High Commissioner for Refugees (UNHCR), some 140 people from the Tindouf refugee camps and from Western Sahara attended a week-long cultural seminar in the Azores Islands starting on 17 March. Resolution 2099 authorised the deployment of six additional police officers to implement the expanded family visit programme, which was suspended in the summer due to technical difficulties and disagreements on the eligibility of potential participants. It is expected to resume on 17 April with a series of four flights.

In its annual world report on the situation of human rights in 2013, Human Rights Watch reported restrictions on the freedoms of assembly and association in Western Sahara.

Human-Rights Related Developments

The Working Group on Arbitrary Detention of the Human Rights Council (HRC) undertook its first visit to Morocco and Laâyoune, Western Sahara, from 9-18 December 2013. At the end of the mission, the working group expressed concern at the situation of the 22 individuals detained after their sentencing by a military tribunal following the events surrounding the dismantling of the Gdim Izik camp in November 2010. It reiterated that military courts should only have jurisdiction over the military and exclusively military offenses. On 14 March, Morocco endorsed a draft law that, if approved in the Parliament, will end the use of military tribunals to try civilians. A complete report from the mission will be presented to the HRC in September.

Morocco invited the High Commissioner for

Human Rights to visit the country in 2014. Several HRC Special Procedures are expected to visit the country this year, including Juan Mendez, the Special Rapporteur on torture in a follow-up visit.

Key Issues

The main issue for the Council in April is MINURSO's mandate renewal.

The larger issue is what the Council can do to ease the deadlock in the negotiations between Morocco and the Polisario, including how best to support Ross in his efforts to bring the parties together and break the stalemate.

Tensions between Morocco and Algeria remain an issue of concern.

The consideration of refugee registration in the Tindouf refugee camps is another issue.

An ongoing issue for the Council is whether to be more active in addressing the human rights situation. Morocco believes the issue of human rights is being unnecessarily politicised, and that it is ensuring the promotion and protection of human rights through national mechanisms and through its interactions with the HRC mechanisms, including the visits by the HRC's Special Procedures. The Polisario believes that a human rights mechanism within MINURSO is the only appropriate mechanism as Special Procedures are not based on the ground.

Underlying Problems

In resolution 1754 (2007), the Council took note of the Moroccan proposal for autonomy (S/2007/206) and the Polisario's proposal for a referendum with three options—independence, self-governance or integration into Morocco—(S/2007/210) and called for negotiations with a view to achieving a just, lasting and mutually acceptable political solution. There has since been no progress toward finding a “mutually acceptable political solution,” with neither

Western Sahara (con't)

proposal being accepted by both parties as the basis for negotiations.

Options

The Council could adopt a resolution renewing MINURSO's mandate for a period of 12 months, maintaining language similar to that of the current mandate and welcoming the shuttle-diplomacy undertaken by Ross.

The resolution could also:

- request 15 additional UN military observers to bolster MINURSO's monitoring capacities, as recommended in the last Secretary-General's report (S/2013/220);
- encourage both parties to strengthen their cooperation with the Office of the High Commissioner for Human Rights (OHCHR); or
- introduce a human rights component to

MINURSO's mandate.

The Council could also:

- convene regular public briefings by the Secretary-General in addition to consultations;
- invite UNHCR and OHCHR to brief the Council; or
- convene separate "Arria-formula" meetings with the parties.

Council Dynamics

Council members remain supportive of the shuttle diplomacy undertaken by Ross.

Last year, an initial draft introduced by the US reportedly included language giving MINURSO a mandate to monitor and gather information on human rights violations, as well as a reference to human rights monitoring in the camps near Tindouf, but

by the time the draft was distributed to all Council members this language had been withdrawn. Bilateral discussions between the US and Morocco (then an elected Council member) played a key role in the drafting of resolution 2099. At press time, it was unclear whether such an initiative would be renewed and Council members were awaiting the next report of the Secretary-General due on 10 April. The Group of Friends (France, Russia, Spain, the UK and the US) met once on 26 March to receive a briefing from Ross about his last visits to the region but did not discuss the upcoming MINURSO renewal resolution. The role of Council members that are not part of the Group of Friends is usually low-key.

The US is the penholder on Western Sahara.

Mali

Expected Council Action

In April, the Council expects to receive a briefing from the Special Representative of the Secretary-General and head of the UN Multidimensional Integrated Stabilisation Mission in Mali (MINUSMA), Albert Gerard Koenders. The briefing will be followed by consultations.

MINUSMA's mandate expires on 30 June.

Key Recent Developments

The security situation remains volatile in northern Mali with a spate of deadly incidents of inter-communal violence in February between Tuaregs and Peuls in the Gao region. MINUSMA camps continue to be targeted by terrorist groups, and its contingents suffered several attacks with improvised explosive devices. On 8 February the *Mouvement pour l'Unité et le Jihad en Afrique de l'Ouest* (MUJAO) kidnapped four staff members of the ICRC. The Gao and Timbuktu airports have been hit repeatedly by rockets.

Between 1-3 February, Council members undertook a visit to Mali to reiterate the urgency of inclusive and credible negotiations

open to all communities in northern Mali, assess progress in the implementation of resolution 2100 and express full support for Koenders in his efforts for a comprehensive political agreement. At the end of the visit, the government presented to Council members a document with elements for a political roadmap, providing for the holding of a number of workshops organised by the government, with the participation of armed groups and under the auspices of MINUSMA.

On 13-14 February, two workshops were held to provide an opportunity for exploratory negotiations with a focus on the cantonment and disarmament, demobilisation and reintegration processes, as well as on lessons learned from previous negotiation processes. Participants reached an agreement on 15 February, but a faction of the *Mouvement Arabe de l'Azawad* (MAA) decided to abandon the negotiations. This agreement focuses on the general principles for the cantonment of various armed groups and includes a timetable for identifying cantonment sites and making them operational. However, it remains vague on the role of MINUSMA, the final number of camps and combatants to be cantoned

and how the security and logistics of the sites will be guaranteed.

On 13-14 March, two other workshops were held on development plans for northern Mali and an evaluation of the implementation of the 18 June 2013 Ouagadougou Preliminary Agreement. The *Mouvement National de Libération de l'Azawad* (MNLA) and a faction of the MAA decided not to participate in the workshops. As a result of the discussions, four working groups were established that will work on confidence-building measures, establishment of a political roadmap, cantonment and return of administration and social services to the north.

The two follow-up mechanisms to the Ouagadougou Agreement, the Follow-up and Evaluation Committee and the Joint Technical Security Commission, have not met since November. The government has repeatedly stated that disarmament is a precondition for the dialogue, which has further impeded the process, and divisions among and within armed groups threaten the possibility of an inclusive dialogue. Furthermore, different parties have taken advantage of the

UN DOCUMENTS ON MALI [Security Council Resolution S/RES/2100](#) (25 April 2013) established the mandate for MINUSMA. [Security Council Presidential Statement S/PRST/2014/2](#) (23 January 2014) called on all the signatories of the 18 June Ouagadougou Preliminary Agreement to fully implement its provisions. [Secretary-General's Report S/2014/1](#) (2 January 2014) covered developments in MINUSMA and Mali for the period 30 September to 21 December 2013. [Security Council Meeting Records S/PV.7120](#) (26 February 2014) was a briefing by the co-leads of the visiting mission to Mali. [S/PV.7095](#) (16 January 2014) was a briefing by Koenders on MINUSMA and developments in Mali. [Security Council Letters S/2014/173](#) (11 March 2014) conveyed the report of the Security Council mission to Mali. [S/2014/12](#) (9 January 2014) attached the second report on the actions taken by the French forces in support of MINUSMA. **OTHER RELEVANT FACTS** [Special Representative of the Secretary-General](#) Albert Gerard Koenders (Netherlands) [MINUSMA Duration](#) 25 April 2013 to present

Mali (con't)

involvement of different actors as possible mediators to pursue their specific interests. (Three armed groups and the government support Algeria as a facilitator in the political process. In late January the Secretary-General of MNLA, Bilal Ag Sherif, requested the involvement of King Mohammed VI of Morocco and in March a series of meetings among armed groups took place in Rome under the auspices of the *Comunità di Sant'Egidio*.)

On 20 March, a Truth, Justice and Reconciliation Commission was established by the National Assembly. Judicial investigations have been opened to address the disappearances of “red beret” soldiers loyal to deposed President Amadou Toumani Touré after the 22 March 2012 coup led by General Amadou Sanogo, as well as the deadly 30 September 2013 mutiny in Kati by soldiers involved in the coup. Sanogo, who was arrested on 27 November, faces charges of complicity in kidnapping and murder.

MINUSMA has faced considerable challenges in achieving its full operational capacity, which is now expected to be reached after the summer. Most of the force seems to have been generated but only 60 percent of the total personnel (military and civilian) had been deployed by 28 February. (French forces of *Opération Serval* were down to 1,600 by the end of February.)

As of 27 February, the Office for the Coordination of Humanitarian Affairs said there were still almost 200,000 internally displaced persons in Mali and 170,000 refugees in neighbouring countries (mainly Mauritania, Niger and Burkina Faso). As a result of the crisis in the north and reduced agricultural production, more than 800,000 people are in need of urgent food assistance. The 2014 Consolidated Appeal remains largely underfunded.

Human Rights-Related Developments

At press time, the Independent Expert of the Human Rights Council (HRC) on the situation of human rights in Mali, Suliman Baldo, was expected to brief the HRC on 26 March on his latest report (A/HRC/25/72) and his 17-26 February visit to the country. On 28 February, Baldo explained that Mali faced enormous difficulties in prosecuting alleged perpetrators of serious crimes committed during the occupation of the north. These difficulties included the distance between the courts, based in Bamako, and the victims and the

places where the crimes were committed. The expert called on MINUSMA and the international community to assist the government in strengthening the judicial system.

Underlying Problems

The attractiveness of jihadist groups for unemployed youth in conflict-torn northern Mali poses threats to the political processes in Mali. A related problem is the lack of financial resources and political will for countering illicit trafficking throughout the Sahel (which has significant linkages with terrorist transnational networks).

Key Issues

A key issue for the Council in the next period will be to help ensure the effective implementation of the Ouagadougou Agreement without further deferring the beginning of peace talks with communities in the north.

Ensuring that the dialogue initiatives to push forward the political process are sufficiently inclusive and without additional preconditions is a related issue. The divisions among rebel groups and the absence of a common platform to express their demands is a further related issue.

The perception that MINUSMA is a party to the armed conflict given its robust mandate and its collocation with the Malian Security and Defence Forces in some camps in the north and the impact of that perception on the good-offices role of its head are key issues. The effect of such a perception on the safety and security of personnel is a related issue.

Preventing MINUSMA's mandate from being compromised before the mission reaches its full operational capacity is also a key issue for the Council. Insisting that all MINUSMA troops meet UN human rights standards is a related issue. Speeding up the completion of the national investigations underway into cases of alleged sexual abuse by peacekeepers is a further related issue.

Options

The Council could receive the briefing and take no action, or it could issue a statement:

- welcoming the recent holding of four workshops between the government and armed groups;
- recalling the need for inclusive and

credible peace talks open to all communities in northern Mali as soon as possible;

- urging the parties to the Ouagadougou Agreement to resume their participation in the follow-up mechanisms and calling on those groups which did not participate in the workshops to engage in a constructive dialogue;
- urging the government to establish an international commission of inquiry to investigate international crimes as per the Ouagadougou Agreement;
- requesting the Secretary-General to speed up the process to reach MINUSMA's full operational capacity as quickly as possible; and
- asking the Secretary-General to report on the lessons learned in Mali for future peacekeeping operations focusing on the re-hatting of regional operations, the implications of robust mandates for the civilian component of multidimensional missions and the logistical challenges to force deployment.

Council Dynamics

In Mali, Council members stressed the need to overcome the current deadlock in the political process and to push for an inclusive dialogue. In a 3 February press conference by the co-leads of the visiting mission—Ambassador Gérard Araud (France) and Banté Mangaral (Chad)—Council members took into account proposals from some of the stakeholders they met in Bamako and Mopti and stated their support for the holding of national talks in Mali, highlighting the urgency for such talks to take place before more disillusioned youth join jihadist groups, supporting the inclusion of civil society in the negotiations and the role of regional actors in the mediation.

Given the clear signs of the strained relationship between the government of Mali and the leadership of MINUSMA before the Council mission to Mali, some Council members were surprised to perceive a more constructive atmosphere during their visit.

Some Council members have shown concerns in the past over the sluggish deployment of MINUSMA in light of a possible new peacekeeping operation in the Central African Republic.

France is the penholder on Mali.

Expected Council Action

In early April, Sigrid Kaag, Special Coordinator of the Organization for the Prohibition of Chemical Weapons (OPCW)-UN Joint Mission, will brief the Council in consultations on the implementation of resolution 2118 regarding the destruction of Syria's chemical weapons.

Later in the month, it is expected that Under-Secretary-General for Humanitarian Affairs Valerie Amos will brief Council members on the second monthly report on the implementation of resolution 2139 on humanitarian access.

Key Recent Developments

Amos last briefed Council members on 28 March, reporting continuing aerial bombardments by the government and increasing use of car bombs and suicide attacks by extremist groups. No new ceasefires had been negotiated to gain access to besieged areas and male evacuees from the Homs evacuation were still being held by the government. There had been no progress in the easing of administrative hurdles put in place by the government in order for the UN and partners to gain access. Despite the Council's demand for medical neutrality, all delivery of medical supplies had to be negotiated at the demand of the government on a case-by-case basis.

Regarding cross-border access, two crossings on the Turkish border that would allow access to 3.35 million people remained a red-line for the government since the crossings were in opposition-held areas. The government did approve a convoy of 79 trucks for the Nusaybin crossing on the Turkish border which is in a Kurdish controlled area—ostensibly to shift the blame away from Syria for blocking access since Turkey has its own set of concerns about consolidated areas of Kurdish control on its borders. On 20 March only eight of these 79 trucks made it across the border after administrative hurdles were again imposed by the Syrian government. However, media reports indicate the entire convoy crossed by 25 March.

Tensions on the border between Turkey and Syria remain high. On 23 March, Turkey shot down a Syrian jet after it breached Turkish airspace. Syria called it an act of “blatant

aggression” saying the jet had been over Syrian territory. The Syrian government is also fighting Islamist armed groups who have captured the towns of Kasab and Samra near the Turkish border which has given rebels access to the sea and an additional border crossing with Turkey.

Regarding chemical weapons, Kaag last briefed Council members on 5 March, reporting that despite several missed deadlines Syria and the OPCW had reached agreement on a revised deadline for full removal of chemical weapons material by the end of April. She added that the month of March would be vitally important to the implementation of resolution 2118, which sets 30 June as the deadline for the completion of all removal and destruction activities.

On 20 March, Kaag announced that 53.6 percent of chemical weapons material had been removed or destroyed and that 11 consignments of chemicals had left Syria. These shipments represent 34.8 percent of toxic priority-one chemicals and 82.6 percent of less hazardous priority-two chemicals. (The original deadline for removal of priority-one chemicals was 31 December 2013; for priority-two chemicals it was 5 February.) However, there has been no public update from the OPCW regarding Syria's failure to destroy 12 chemical weapons production facilities by the 15 March deadline.

UN-Arab League Joint Special Representative Lakhdar Brahimi delivered a pessimistic message to Council members on 13 March and to the General Assembly on 14 March about the prospects for the Geneva process to deliver a tangible outcome. He said that the current blockage is due to the government's unwillingness to accept the proposals on the table and that a third round of talks will be meaningless if there are no constructive ideas to break the stalemate.

The second round of UN-mediated Geneva II peace talks between government and opposition delegations was held from 10-13 February, focusing on forming a transitional governing body, ending violence and fighting terrorism. Brahimi insisted both parties declare their political will to deal with these issues in response to the impasse that emerged in the first round of talks in January over President

Bashar al-Assad's future role. While the opposition agreed to discuss terrorism and the formation of a transitional government in parallel, the government refused, instead insisting that terrorism be dealt with before any discussion of a transition.

The same day that Brahimi briefed Council members, Syria approved a new electoral law that, while allowing for multiple presidential candidates, excludes exiled opposition leaders due to residency stipulations. No date has been set but media reports indicate presidential elections in May or June given that Assad's current tenure expires on 17 July. Assad is expected to seek another seven-year term. (Iran had hosted a conference attended by parliamentarians from Algeria, Cuba, Iraq, Lebanon, Syria, Russia and Venezuela on 12 March to underscore that “elections are the best way to determine the destiny of a country.”)

Brahimi stressed the incompatibility of the government's plans to hold presidential elections this year with the Geneva process. In the regime's view, elections would render moot the requirement to form a transitional governing body. He said that if a date for elections is set, it would mean the end of the Geneva process. Finally, he delivered grim predictions that without a political solution, Syria will likely become a failed state in 2015 with a death toll approaching 350,000.

France drafted a press statement expressing support for Brahimi and the resumption of talks based on genuine engagement by all parties. The draft underlined the centrality of forming a transitional governing body and emphasised that elections should be organised within the framework of the Geneva peace talks. Russia objected to referencing elections and to any language specifying how an approach to the resumption of talks should be sequenced, i.e. tackling issues of terrorism and forming a transitional government in parallel. In the end, the press statement was not issued due to Russia's objections.

On 6 March, the US State Department imposed travel restrictions on Syria's ambassador to the UN. On 18 March, the US formally notified Syria that it must close its embassy in Washington, D.C. and consular offices in two other states.

UN DOCUMENTS ON SYRIA Security Council Resolutions S/RES/2139 (22 February 2014) demanded that all parties, in particular the Syrian authorities, allow humanitarian access in Syria across conflict lines, in besieged areas and across borders and expressed the intent to take further steps in the case of non-compliance. S/RES/2118 (27 September 2013) required the destruction of Syria's chemical weapons stockpiles. Secretary-General's Reports S/2014/220 (26 March 2014) was the sixth OPCW-UN Joint Mission monthly progress report. S/2014/208 (24 March 2014) was the first report on humanitarian access.

Syria (con't)

Underlying Problems

The situation in Syria is devastating, with a death toll that is conservatively estimated at 146,000. According to UN sources, there are 2.58 million refugees. Inside Syria, there are 6.5 million internally displaced persons and 9.3 million in need of humanitarian assistance, with almost 220,000 living in besieged areas. There are a further 3.5 million in areas rarely accessed by humanitarian workers—an increase of 1 million since the beginning of 2014. Over 680,000 have been injured since the conflict began. Adding to the dire humanitarian situation are alarming reports of intentional government policies of depopulating and razing residential areas, starving areas under siege and deliberately attacking the health infrastructure. The regime has increased its use of incendiary weapons, cluster bombs and barrel bombs, and the proliferation of extremist armed groups has contributed to the escalating violence.

Meanwhile, the political track is blocked, given the Syrian regime's intransigence on discussing a transitional governing body during the first two rounds of the Geneva peace talks, making a third round highly unlikely.

Human Rights-Related Developments

On 18 March, Paulo Pinheiro, the chair of the Commission of Inquiry on Syria, presented the Commission's latest report to the Human Rights Council (A/HRC/25/65) saying that absolute impunity pervades the Syrian conflict. Government forces and pro-government militia continued to conduct widespread attacks on civilians, systematically committing murder, torture, rape and enforced disappearances and besiege civilian areas starving them into submission, all amounting to crimes against humanity. Non-state armed groups committed war crimes, including murder, torture, hostage-taking, violations of international humanitarian law, rape, recruiting and using children and forcibly displacing civilians. Pinheiro stressed that there was no lack of information about crimes or perpetrators, and that the Commission had compiled a list including heads of intelligence branches and detention facilities,

military commanders and leaders of non-state armed groups. He added that it was for the Security Council to make the pursuit of justice possible, including an ICC referral.

Key Issues

Entering the fourth year of the conflict, the key issue is whether and when the parties to the conflict, in particular the Syrian authorities, will meaningfully implement resolutions 2118 and 2139, on chemical weapons and humanitarian access respectively. Both resolutions expressed the intent to take further steps in the case of non-compliance. In this regard, a related issue for the Council is what further steps it might take if there is not timely and substantive implementation.

Options

The Council has now adopted resolutions 2118 and 2139, both expressing intent to take further action if Syria does not comply. However, it seems the Council's options in April remain limited due to pervasive P5 divisions that have been exacerbated by differences over Ukraine.

Following the adoption of resolution 2139 on humanitarian access in late February, the Council is unlikely to press for any public outcome in the near term.

On the political track, France attempted a press statement in March to support Brahimi's mediation efforts, but it could not be issued due to Russia's objections. That dynamic is unlikely to change in April, however the General Assembly may take up the issue.

Similarly on chemical weapons, a February attempt by the US to signal concern over lagging Syrian cooperation in a press statement also failed due to Russian objections.

Council Dynamics

Council members are concerned by the prospect of a failed Geneva process. There is also

extreme frustration that the Council was unable to issue a succinct press statement in support of Brahimi, although the text was acceptable to 14 of the 15 members, with only Russia objecting.

There are similar frustrations that resolution 2139 has not led to appreciably improved humanitarian access given the nearly apocalyptic situation on the ground. And while most Council members think it is too early at this juncture to assess compliance, they will be looking to see whether aerial bombardments have ended, whether sieges have been lifted and whether cross-border humanitarian access has been granted. A majority of Council members will not find incremental progress in these areas sufficient.

Many Council members are more circumspect than Kaag about whether the 30 June deadline can still be met given all the delays. Some believe the removal and destruction of Syria's chemical weapons programme may drag out towards the end of the year. These members are coming to the conclusion that Syria's delayed implementation is a tactic to buy time—in particular until presidential elections are held in May or June.

Despite these concerns, there is no active discussion among Council members about imposing measures under Chapter VII for non-compliance. In fact, resolution 2118 stipulates that the determination of non-compliance rests with the Executive Council of the OPCW, which operates by consensus and includes both Russia and the US as members. In effect, this provides a "double lock" against the Council's actually imposing measures under Chapter VII in the event of non-compliance.

France is the penholder on Syria, but most texts are thoroughly, if not exclusively, negotiated between Russia and the US prior to agreement by the broader Council. Australia, Jordan and Luxembourg are the penholders on the humanitarian track.

Yemen

Expected Council Action

In April, Council members expect a briefing in consultations on Yemen by Jamal Benomar, the Special Adviser to the Secretary-General. Also in April, the Council expects a briefing in consultations from Ambassador Raimonda Murmokaitė (Lithuania), as chair of the 2140

Yemen Sanctions Committee.

The mandate of the Special Adviser on Yemen was renewed on 12 June 2013 without an expiration date. Current sanctions expire on 26 February 2015.

Key Recent Developments

On 26 February the Council adopted resolution 2140, welcoming recent progress made in Yemen's political transition and expressing its strong support for the next steps of the transition, in line with the Gulf Cooperation Council (GCC)-mediated Implementation

Yemen (con't)

Mechanism. These steps include drafting a new constitution, adopting a new electoral law, holding a referendum and general elections and changing the structure of the state from unitary to federal. On 8 March, President Abdo Rabbu Mansour Hadi appointed the 17 members of the committee that will draft the constitution. The committee is expected to hold consultations with civil society and complete a first draft that will then be shared with another committee responsible for ensuring that it conforms to the 21 January final document of the National Dialogue Conference (NDC). The new constitution is expected to be put to a vote in a referendum in early 2015.

Resolution 2140 established a sanctions regime (asset freeze and travel ban) for those undermining the political transition, impeding the implementation of the final report of the NDC or being responsible for human rights abuses in Yemen. The specific individuals targeted with the measures are to be designated by the newly established 2140 Yemen Sanctions Committee. Murmokaite is expected to brief Council members on the setting up of the Committee, including the adoption of its guidelines and the appointment of its Panel of Experts (PoE).

The resolution, adopted under Chapter VII of the UN Charter, recalls resolution 19/29 of the Human Rights Council and says that the Council looks forward to Yemen investigating allegations of violations of human rights in 2011. (On 22 September 2012, Presidential Decree No. 140 of 2012 established an independent commission of inquiry to address such abuses but President Hadi has since announced that he would postpone the nomination of its commissioners until after the referendum over a new constitution.)

The security situation in the country continues to be precarious. Despite consecutive truces reached in recent weeks, the situation remains tense between Salafist groups and the Zaidi Shi'a Houthis in Sana'a, Sa'ada, Al-Jawf and Amran governorates. In addition to the hundreds injured since October 2013, thousands of internally displaced persons (IDPs) have reached Sana'a, and there

have been instances of fighting in the capital. Terrorism continues to be a serious threat, as most recently evidenced by the 24 March terrorist attack which killed twenty soldiers in Hadramout. Clashes in the al-Dhale'e district, where armed local tribesmen from the Hirak (Southern) movement have been fighting with the government since December 2013, subsided after a truce was agreed in early March. The agreement includes the replacement of the 33rd Armoured Brigade, allegedly responsible for shelling civilians, by police forces. According to the Office for the Coordination of Humanitarian Affairs (OCHA), 20 villages in the district (home to some 45,000 residents) have been frequently shelled since January.

OCHA reports that the vulnerable population includes some 312,000 IDPs, 147,500 migrants from the Horn of Africa and 236,000 returnees. OCHA issued a Consolidated Appeal for \$592 million in 2014.

Human Rights-Related Developments

On 11 March, during the presentation of his report to the Human Rights Council, the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism, Ben Emmerson, said that the situation in Yemen was a cause of concern, with an increase in armed drone strikes in late 2013 and a sharp escalation in the number of reported civilian casualties (A/HRC/25/59). During its Universal Periodic Review (UPR) in January, Yemen informed the UPR working group that the National Dialogue Conference had demanded the cessation of the use of armed drones.

Key Issues

Helping ensure the stability of the Hadi government in the transition process and solidifying the results of the NDC is the key issue for the Council. Making full use of the sanctions regime and preventing spoilers—such as former President Ali Abdullah Saleh and former Vice-President Ali Salim Al-Beidh—from further obstructing the political process are closely related issues.

Promoting the inclusivity of the constitution-drafting process and preparing for the general elections are key issues in the upcoming period.

Immediate issues for the Council include

the precarious security situation, the presence of Al-Qaida and persistent violent clashes among tribal groups. Funding and supply of weapons from regional actors are closely related issues.

The bleak humanitarian situation—including widespread food insecurity, the challenges for IDPs, returnees and refugees, limited humanitarian access and funding—is an ongoing issue.

Options

Options for the Council include:

- receiving a briefing and taking no action; or
- issuing a statement urging the government to form the commission originally intended to address the 2011 human rights violations and, as per the NDC final document, a Transitional Justice Commission to address past abuses and lessons learnt, ensure reparations for victims and help establish an all-inclusive historical narrative.

In the Committee, a key option is to move towards targeting Saleh and Al-Beidh with sanctions.

Council and Wider Dynamics

While negotiating resolution 2140, Council members could not agree on the imposition of sanctions specifically on Saleh and Al-Beidh. Leaving this matter to the Committee was the accepted compromise. For some Council members, the aim of the sanctions is to serve more as a threat meant to change the behaviour of spoilers or discourage potential ones, rather than measures to be actually imposed. At press time, the PoE had not been appointed.

Although Hadi had made it known that he preferred sanctions to be imposed, it seems other factions within the government were wary of the consequences such a move could have on the stability of the transition. Some members of the GCC raised concerns regarding the establishment of the sanctions regime in Yemen. This comes as existing cleavages over other situations in the region have divided GCC countries.

The UK is the penholder on Yemen.

UN DOCUMENTS ON YEMEN Security Council Resolution S/RES/2140 (26 February 2014) expressed strong support for the political transition and established sanctions against those threatening the peace, security or stability of Yemen. Security Council Presidential Statement S/PRST/2013/3 (15 February 2013) welcomed the announcement of the launch of the NDC. Security Council Press Statement SC/11336 (25 March 2014) condemned a 24 March terrorist attack in Hadramout which killed twenty soldiers. Security Council Meeting Record S/PV.7119 (26 February 2013) was the meeting where resolution 2140 was adopted.

Israel/Palestine

Expected Council Action

In early April, Special Coordinator for the Middle East Peace Process Robert Serry is expected to brief the Council prior to its quarterly open debate on the Middle East. His comments will likely focus on the lack of any substantial agreement between Israel and Palestine as 29 April approaches, the deadline marking the end of the nine-month period that the parties committed to direct talks.

Key Recent Developments

On 18 March, Under-Secretary-General for Political Affairs Jeffrey Feltman briefed the Council saying the need to open a political horizon for the two-state solution was becoming more urgent as conditions on the ground continue to worsen. The volatile situation was exemplified by repeated exchanges of fire between 11 and 13 March when 70 rockets were fired into Israel from Gaza and Israel conducted 15 airstrikes against Gaza.

Feltman also reported a rise in Israeli demolition of Palestinian homes while Israeli settlement construction almost doubled in 2013 in comparison to 2012. (On 7 February, a group of 25 aid organisations said that demolitions were at a five year high and that there had been a marked increase in destruction and displacement with the period beginning July 2013—the same month the nine-month direct talks began. Media reports indicate that UN figures show the pace of Israeli settler attacks against Palestinians has increased four-fold over an eight year period.)

On 24 February, the Israeli Knesset passed a controversial law distinguishing between Muslim and Christian Palestinian citizens of Israel. The legislation was criticised as an attempt to divide the Arab population of Israel.

The US-brokered negotiations have been underway since 29 July 2013. What began as a nine month timeframe to achieve a comprehensive settlement, has devolved into a struggle to get the parties to agree to continue talking. The US may put forth several final-status “bridging proposals” before the deadline if direct talks falter in an effort to convince the parties, particularly the Palestinians, that there is value in continuing the negotiations. These proposals are reportedly based on the 2008 Annapolis talks and address core issues such

as security arrangements, borders, Jerusalem, and Palestinian refugees. However, Palestinian officials anticipate such proposals will be highly problematic and largely favouring Israel. Israel’s position has shifted in the eight years since Annapolis and it now seeks to retain even more settlement blocs and maintain a presence in the Jordan Valley.

In March, the issue of Al-Aqsa mosque in the Al-Haram Al-Sharif compound in Jerusalem was particularly sensitive. The Organisation of the Islamic Conference and the Arab Group sent letters to the Security Council, complaining of repeated and aggressive Israeli incursions and reporting that the Knesset had introduced provocative legislation to assert sovereignty over the compound to further entrench Israel’s illegal annexation of the city. In remarks to the media on 18 March, following Feltman’s briefing, elected Council member Jordan said it had raised the incursions on Al-Aqsa and Israel’s attempts to impose sovereignty during consultations. (Jordan is also the historic custodian of the compound.)

US President Barack Obama met with Israeli Prime Minister Benjamin Netanyahu on 3 March and Palestinian President Mahmoud Abbas on 17 March. Netanyahu reiterated the demand that Palestine recognise Israel as a Jewish state, a position rejected by Abbas since the Palestine Liberation Organization recognised Israel in 1993. Palestinian officials argue that the sole purpose of insisting on recognition of Israel as a Jewish state is to undermine the Palestinian right of return in a final status agreement and that any such recognition would also damage the rights of Palestinian citizens of Israel.

US Secretary of State John Kerry has facilitated the talks with intense shuttle diplomacy and most recently met with Abbas in Amman on 26 March and had spoken with Netanyahu earlier in the day. The impasse at press time was over the issue of prisoner releases. Media reports indicated that Israel will not honour the previously agreed commitment to release Palestinian prisoners and instead added a new condition that the release was contingent on Abbas agreeing to continue talks past the 29 April deadline.

Meanwhile, the relationship between Egypt and Hamas, the Islamist government in Gaza,

seems to have ruptured after the ouster of Egyptian President Mohamed Morsi on 3 July 2013. On 4 March, Hamas was banned from carrying out any activity in Egypt when a Cairo court ordered the seizure of its assets and that its offices close. Egypt has continued to close tunnels under the Gaza-Sinai border, announcing on 12 March it had destroyed 1,370 such tunnels. These closures, along with the Israeli blockade, have made living conditions in Gaza untenable. On 25 March, the UN Relief and Works Organization, that services the Palestinian refugee population, urged Israel and Egypt to lift their restrictions to ease the plight of 1.8 million Palestinians in Gaza.

Human Rights-Related Developments

On 24 March, the Human Rights Council considered four reports: by the Secretary-General on Israeli settlements (A/HRC/25/38); by the High Commissioner on the implementation of the recommendations contained in the report of the international fact-finding mission on Israeli settlements (A/HRC/25/39); by the High Commissioner on the situation of human rights in the Occupied Palestinian Territories (A/HRC/25/40); and by the Special Rapporteur on the Palestinian territories, Richard Falk, who called for an assessment by the International Court of Justice of the legal status of Israel’s prolonged occupation of Palestinian territory (A/HRC/25/67).

Key Issues

The key issue is determining what, if anything, the Council may do to encourage parties to reach a comprehensive final-status agreement in the face of US reluctance to having the Israel-Palestine situation substantively addressed by the Security Council.

Options

The Council has very few options on the Middle East peace process, and it is likely that the open debate will again feature the reiteration of previously stated positions—such as support for the negotiation process while encouraging parties to refrain from undertaking actions that could threaten the viability of negotiations.

Council members may also take the opportunity to draw attention to concerns that very little real progress is being made in the latest round of talks and rather, to the contrary, the situation has mostly deteriorated since the 1993 Oslo Accords.

UN DOCUMENTS ON ISRAEL/PALESTINE Security Council Resolution S/RES/1850 (16 December 2008) declared Council support for the Annapolis peace process and its commitment to the irreversibility of bilateral negotiations. Security Council Meeting Records S/PV.7140 (18 March 2014) and S/PV.7118 (25 February 2014) were briefings by Feltman. S/PV.7096 (20 January 2014) was the last quarterly open debate on the Middle East. Security Council Meeting Letters S/2014/185 (3 March 2014) and S/2014/161 (6 March 2014) were from, respectively, the Arab Group and the OIC on the issue of Al-Aqsa mosque.

Israel/Palestine (con't)

Council and Wider Dynamics

Most Council members do not have a great deal of confidence that the talks will conclude with any significant progress, yet are unlikely to pursue any action that might upset the course of the talks. If the 29 April deadline passes without any agreement then there may be impetus for more direct Council action. However, members also believe that no Council activity would be possible without

the support of the US.

The US has a vested interest in the furtherance of the talks beyond the deadline and does not want to see the Palestinian Authority explore other avenues, such as membership at the UN or a referral of Israel to the ICC. The US is not generally amenable to Council outcomes on Israel-Palestine. The last resolution that specifically addressed the peace process was resolution 1850 of 16 December 2008.

The Palestinians have voiced frustration over both the structure and substance of the current talks. While they have committed to the US-brokered negotiations, it remains to be seen what they will do if no progress has been made by 29 April. At that time, the Palestinian Authority may choose to pursue other avenues at the UN or the ICC.

The US is the lead on Israel-Palestine in the Council.

Women, Peace and Security

Expected Council Action

In late April, the Council is expected to hold an open debate on conflict-related sexual violence during which it will also consider the Secretary-General's report on this issue (S/2014/181). The Secretary-General and Zainab Bangura, the Special Representative on Sexual Violence in Conflict, will brief. It seemed possible that a civil society representative might also participate on behalf of the NGO Working Group on Women, Peace and Security. At press time, no outcome was planned.

(For more analysis of the Council's recent work on women's protection and participation, please refer to SCR's forthcoming *Cross-Cutting Report on Women, Peace and Security*, to be published in mid-April.)

Key Recent Developments

The report, the second stewarded by Bangura to date, highlights several concerns, such as sexual violence in the context of contested political processes; sexual violence as a driving factor in displacement; sexual violence against men and boys; lack of access to justice for survivors; and the correlation between sexual violence and inadequate security sector reform (SSR) and disarmament, demobilisation and reintegration (DDR) efforts.

The 2014 report provides country-specific information in two categories:

- Parties credibly suspected of committing or being responsible for rape or other forms of sexual violence in Afghanistan,

the Central African Republic (CAR), Colombia, Côte d'Ivoire, the Democratic Republic of the Congo (DRC), Mali, Myanmar, Somalia, South Sudan, Sudan/Darfur, Syria and Yemen; and

- Sexual violence in post-conflict situations in Angola, Bosnia and Herzegovina, Cambodia, Liberia, Libya, Nepal, Sierra Leone and Sri Lanka.

The report added Cambodia to the list while removing Timor-Leste and shifted Angola from "other situations of concern" in 2013 to the "post-conflict" category, as the former category was dropped in 2014.

As in 2013, the current report also includes an annex listing parties credibly suspected of committing or being responsible for rape and other forms of sexual violence in situations of armed conflict on the Council's agenda. An addition to the 2014 annex is South Sudan (Sudan People's Liberation Army, South Sudan National Police Service, Sudan People's Liberation Movement/Army in opposition and the Lord's Resistance Army [LRA]).

The annex also includes several other changes as compared with the 2013 list. Armed opposition elements in Syria were added to the list that already included Syrian government forces, intelligence forces and regime-allied militias. Anti-Balaka forces were added to the existing CAR entry that included ex-Seleka forces and the LRA. For Côte d'Ivoire and the DRC, the militias, armed groups and government forces remained largely unchanged

in the annex.

The Council held three formal meetings on women, peace and security in 2013. On 17 April, the Council held an open debate on the 2013 annual report on sexual violence in conflict. On 24 June, the Council adopted resolution 2106, focusing on accountability for perpetrators of sexual violence in conflict and stressing women's political and economic empowerment as central to the long-term prevention of sexual violence.

Despite resolution 2106, a dedicated section on accountability was dropped in the 2014 report along with its accountability-specific recommendation to the Council, including ICC referrals. (The accountability recommendation had been included in the 2012 and 2013 reports and the separate accountability section was part of the 2013 report.)

Finally, on 18 October, the Security Council adopted resolution 2122 to address the persistent gaps in the implementation of the women, peace and security agenda.

Key Issues

An ongoing key issue for the Council is maintaining consensus around the importance of the overall women, peace and security framework and ensuring that it is integrated into the work of the Council in a meaningful and operational way. This is particularly important for the women's participation aspects of this thematic agenda.

UN DOCUMENTS ON WOMEN, PEACE AND SECURITY Security Council Resolutions S/RES/2122 (18 October 2013) addressed the persistent gaps in the implementation of the women, peace and security agenda. S/RES/2106 (24 June 2013) focused on accountability for perpetrators of sexual violence in conflict. S/RES/1960 (16 December 2010) was on conflict-related sexual violence. S/RES/1889 (5 October 2009) urged that women's protection and empowerment be taken into account during post-conflict needs-assessment and planning. S/RES/1888 (30 September 2009) established mechanisms for the UN to address sexual violence in conflict. S/RES/1820 (19 June 2008) confirmed the Council's readiness to address more systematically the issue of sexual violence in conflicts on its agenda. S/RES/1325 (31 October 2000) recognised that conflict has a disproportionate impact on women. **Security Council Meeting Records** S/PV.7044 (18 October 2013) was the last annual open debate on women, peace and security. S/PV.6984 (24 June 2013) was a ministerial-level open debate on prevention of sexual violence. S/PV.6948 (17 April 2013) was the last annual open debate on sexual violence in conflict. **Secretary-General's Reports** S/2014/181 (12 March 2014) was on conflict-related sexual violence. S/2013/525 (4 September 2013) was on women, peace and security. S/2013/149 (14 March 2013) was on sexual violence in conflict.

Women, Peace and Security (con't)

Options

Ongoing options for the Council include taking up recommendations from the 2014 report for immediate integration into its country-specific work. The Council could:

- consider appropriate action when renewing or establishing relevant political or peacekeeping missions, especially in the context of DDR, SSR and justice reform processes;
- continue to ensure the deployment of gender expertise in missions, in particular women's protection advisers;
- expand the call for the implementation of the monitoring, analysis and reporting arrangements on conflict-related sexual violence in all relevant mission mandates;
- direct relevant sanctions committees to consider whether parties named in the annex should be subject to existing sanctions or whether designation criteria should be expanded to include sexual violence;
- encourage police- and troop-contributing countries to address all allegations of sexual exploitation and abuse by peacekeepers; and

- commit to calling for the inclusion of sexual violence concerns in mediation and peace processes, particularly in the context of security arrangements and transitional justice mechanisms.

Council Dynamics

Most Council members, with the support of the Special Representative and UN Women, seem to be focused on 2014 as a year to consolidate implementation of resolutions 2106 and 2122 versus seeking new outcomes.

Many of the same issues that made advancement of this thematic issue in 2012 difficult re-emerged in the negotiations of these resolutions in 2013. For the last several years China and Russia—as well as some elected Council members such as Azerbaijan, India and Pakistan, none of which are Council members in 2014—have tried to narrow the scope of the reporting on women, peace and security, particularly on situations that in their view do not constitute threats to international peace and security. The compromise that has emerged is language in women, peace and security outcomes that refers

to “armed conflict and post-conflict situations” rather than the more general “conflict”.

This dynamic now seems to have extended to the 2014 report on conflict-related sexual violence. Previous sexual violence reports included reporting on countries that were not armed conflict or post-conflict situations in the now discontinued category of “other situations of concern”.

Finally, having focused on accountability for sexual violence in 2013, some Council members may be interested in knowing why the dedicated section on accountability, and its recommendation—including ICC referrals—was dropped in the 2014 report.

The ICC has been a sensitive issue, with Rwanda objecting consistently to such references in Council outcomes on both country-specific and thematic issues, including during the negotiations of resolution 2106 focusing on accountability for perpetrators of sexual violence in conflict.

The UK is the penholder on women, peace and security in the Council. The US is the penholder on sexual violence issues.

Ukraine

Expected Council Action

In April, the Council may consider the situation in Ukraine depending on developments on the ground, both within Ukraine—where the interim government is faced with secessionist threats from pro-Russia elements in the east and southeast and confronted with the de facto annexation of Crimea and Sevastopol by Russia—and along the border with Russia in light of military deployments and exercises by Moscow in the area.

At press time, no outcome was expected.

Key Recent Developments

On 22 February, after signing a deal with the opposition to end the political crisis in Ukraine, President Viktor Yanukovich fled Kiev to an undisclosed location. The parliament (Verkhovna Rada) voted to remove Yanukovich and on 23 February granted expanded powers to its interim speaker, Oleksandr Turchynov, to

serve as interim president.

On 26 February, Russia carried out a large-scale military exercise in regions bordering Ukraine. In subsequent days government buildings and airports in Simferopol and Sevastopol were seized by militias loyal to Russia. In response to a letter from Ukraine (S/2014/136) citing the situation in Crimea as a threat to its territorial integrity, the Council first met on Ukraine in a private meeting on 28 February (S/PV.7123).

On 1 March, Russia approved the use of military force in Ukraine to protect Russian citizens in the Crimean peninsula, with Ukraine describing the situation as an invasion and occupation. On 6 March the parliament of the Autonomous Republic of Crimea voted in favour of seceding from Ukraine and becoming part of Russia, scheduling a referendum on the status of Crimea for 16 March.

The Council met repeatedly in March to

keep abreast of these developments. Deputy Secretary-General Jan Eliasson briefed on 1 March (S/PV.7124), Assistant Secretary-General for Political Affairs Oscar Fernández-Taranco on 3 March (S/PV.7125) and consultations were held on 6 March with Eliasson briefing again. The referendum, and attempts by the UN and others to find a diplomatic solution, was the focus of the briefings by Under Secretary-General for Political Affairs Jeffrey Feltman on 10 and 13 March (S/PV.7131 and S/PV.7134).

On 15 March, the Council held a vote on a draft resolution proposed by the US that reaffirmed the sovereignty, unity and territorial integrity of Ukraine, noted that Ukraine had not authorised the referendum and that it had no validity (S/2014/189). Russia was able to veto the Chapter VI draft resolution as no challenges were raised as to whether or not it had to abstain as a party to a dispute, as

UN DOCUMENTS ON UKRAINE **Security Council Letters** S/2014/136 (28 February 2014) was a letter from Ukraine citing the situation in Crimea as a threat to its territorial integrity. **Security Council Meeting Records** S/PV.7123 (28 February 2014) was a private meeting. S/PV.7124 (1 March 2014) was a briefing by Eliasson. S/PV.7125 (3 March 2014) was a briefing by Fernández-Taranco. S/PV.7131 (10 March 2014) was a briefing by Feltman. S/PV.7134 (13 March 2014) was a briefing by Feltman. S/PV.7138 (15 March 2014) was the meeting at which draft resolution S/2014/189 was considered. S/PV.7144 (19 March 2014) was a briefing by Eliasson and Šimonović. **General Assembly Document A/RES/68/262** (28 March 2014) was the General Assembly Resolution on the territorial integrity of Ukraine.

Ukraine (con't)

envisaged in Article 27(3) of the UN Charter. China abstained (S/PV.7138).

The Council was once again briefed by Eliasson on 19 March alongside Assistant Secretary-General for Human Rights, Ivan Šimonović, who had just returned from a 7-18 March visit to Ukraine (S/PV.7144). On 21-22 March, Šimonović was allowed to visit Crimea to lay the groundwork for a UN human rights monitoring mission there.

An Organization for Security and Cooperation in Europe (OSCE) monitoring mission for Ukraine was approved on 21 March. As Russia was initially reluctant to give its approval for the mission—OSCE bylaws require that full-fledged missions be approved by all of its member states—it is even more uncertain that the observers will be granted access to Crimea or Sevastopol following annexation to Russia.

Despite targeted travel and financial sanctions imposed by the EU and the US, the formal annexation of Crimea and Sevastopol was finalised on 21 March when President Vladimir Putin signed into law the constitutional amendments adding the two entities into the Russian Federation. (The law had been previously approved by the Constitutional Court and ratified by Parliament.) In the meantime, Russian forces continued to seize military bases in Crimea and Sevastopol, with the Feodosia base falling on 24 March. Citing increased threats to its forces stationed in Crimea, Ukraine ordered the withdrawal of all its armed forces and their families.

The Group of 7 (G-7) met on 25 March on the sidelines of the Nuclear Security Summit in The Hague, unanimously deciding to suspend Russia from the Group (formerly G-8). The G-7 also discussed the possibilities of further bilateral sanctions and called on Russia to engage in diplomatic dialogue in order to deescalate the crisis. Foreign Minister Sergey Lavrov and acting Foreign Minister Andrii Deshchytsia also met on the margins of the summit in the first high-level meeting between Russia and Ukraine since the crisis began.

With the Security Council failing to adopt the draft resolution on Ukraine on 15 March, action was moved to the General Assembly. On 28 March, the General Assembly adopted a resolution entitled “Territorial integrity of Ukraine” (A/RES/68/262) with 100 votes in favour, 11 against and 58 abstentions. Although similar to the draft resolution considered by the Security Council in that it reaffirms the territorial integrity and sovereignty of Ukraine, declares the 16 March referendum

illegal, and calls for a political solution, the General Assembly resolution made explicit reference to the illegality of the referendum both in Crimea and Sevastopol.

On 28 March, the Council held closed consultations on Ukraine with a briefing by Secretary-General Ban Ki-moon on his 20 March meetings in Russia with Putin and Lavrov and meetings in Ukraine with Turchynov and acting Prime Minister Arseniy Yatsenyuk on 21-22 March.

At press time, an “Arria-formula” meeting, open to all UN member states, on human rights and media freedom in Crimea had been scheduled by Lithuania for 31 March.

Key Issues

The key issue for the Council will be determining what, if anything, the Council may do to address the situation in Ukraine, including Crimea and Sevastopol, in the face of resistance from Russia on the latter.

A related issue is containing the fallout regarding assurances provided to non-nuclear states by nuclear states and guarantor states, in light of the violation to the 5 December 1994 Budapest Memorandum (S/1994/1399). (Russia, the UK and the US agreed to respect the “existing borders of Ukraine” and to refrain from “the threat of or use of force against the territorial integrity” of Ukraine in exchange for its nuclear disarmament. China and France later provided similar assurances.)

Options

The Council could address the situation in Ukraine, including Crimea and Sevastopol, through Chapter VI resolutions, by either working with Russia or reminding it of its obligation to abstain from voting, in line with Article 27(3) of the UN Charter, in light of it being a party to the dispute.

Although devoid of the “teeth” of Chapter VII measures, options under Chapter VI include:

- calling on the parties to seek a solution by negotiation, mediation, conciliation, arbitration, judicial settlement or resort to regional arrangements (Article 33);
- mandating a commission of investigation (Article 34);
- recommending procedures or measures for adjustment and settlement of dispute, including recommending that the parties refer the dispute to the International Court of Justice (Article 36); or
- recommending such terms of settlement it may consider appropriate (Article 37).

Another option would be to take a backseat to allow regional arrangements, such as the OSCE, to take the lead.

Considering the importance the Council attaches to the non-proliferation agenda, it also remains to be seen if the Council will address wider concerns regarding assurances provided to non-nuclear states by nuclear and guarantor states in light of the violation of the 1994 Budapest Memorandum.

Council Dynamics

To date, Council meetings on Ukraine have mostly been a venue for Council members to state their positions on a fast evolving crisis and to hear from the Secretariat and Ukraine.

The single attempt at a decision was a weakly worded draft resolution which failed to mention Russia and made no reference to the strategic port of Sevastopol. As Council members were aware in advance that the draft would be vetoed by Russia, it is surprising that there was no previous discussion of whether or not it was a party to the dispute and whether it had to abstain from voting in accordance with Article 27(3). Ultimately, the Council could have decided, with at least nine affirmative votes, to challenge Russia and oblige it to abstain from voting on the Chapter VI draft resolution.

Although the Council is deadlocked on Chapter VII measures due to the veto power of Russia, it remains to be seen if Council members are willing to address the situation in Ukraine, including in Crimea and Sevastopol, through Chapter VI resolutions. As the voting record on resolution A/RES/68/262 in the General Assembly showed, however, some Council members, such as Argentina and Rwanda, may abstain if stronger language is added to any future draft resolution(s) on Ukraine in the Council. (Argentina and Rwanda voted in favour of S/2014/189 yet abstained on A/RES/68/262.) Conversely, it seems to suggest that beyond additional meetings and briefings, 11 Council members may be willing to countenance future Chapter VI outcomes.

China may well become the “arbiter” on future Council outcomes on Ukraine. If Russia is cornered into an Article 27(3) abstention, China could eventually decide to veto any future Chapter VI draft resolution(s) out of solidarity with Russia. Doing so, however, would undermine the respect for territorial integrity and national sovereignty that China has upheld as core principles of its foreign policy.

Notable Dates for April

REPORT DUE	REPORTS FOR CONSIDERATION IN MARCH	REQUESTING DOCUMENT
13 August 2013	SG report on strengthening SSR support (S/2013/480)	S/PRST/2011/19
12 March	SG report on conflict-related sexual violence (S/2014/181)	S/RES/2106
25 March	Group of Experts final report to the 1572 Côte d'Ivoire Sanctions Committee	S/RES/2101
27 March	OPCW report on the implementation of resolution 2118 (Syrian chemical weapons)	S/RES/2118
1 April	SG report on MINUSMA (Mali)	S/RES/2100
10 April	SG report on MINURSO (Western Sahara)	S/RES/2099
16 April	SG report on UNAMID (Darfur)	S/RES/2113
23 April	SG report on the implementation of resolution 2139 (humanitarian access in Syria)	S/RES/2139
30 April	MINURSO (Western Sahara)	S/RES/2099
30 April	1572 Côte d'Ivoire Sanctions and the Sanctions Committee's Group of Experts	S/RES/2101

Other Important Dates

5 April	Afghanistan has presidential elections scheduled.
7 to 9 April	The next round of talks between Iran and the P5+1 is to be held in Geneva.
8 April	The Council will hold its quarterly open debate on Israel/Palestine.
13 April	Guinea-Bissau has presidential elections scheduled.
mid April	An Arria-formula meeting is anticipated with the Commission of Inquiry on the DPRK.
16 April	On the 20th commemoration of the genocide in Rwanda, the Council will be briefed on the prevention and fight against genocide.
25 April	The Council will hold an open debate on sexual violence in conflict.
28 April	The Council will hold an open debate on security sector reform.
late April	Council members are expected to hold an informal interactive dialogue on Somalia, postponed from March.
30 April	Iraq will hold parliamentary elections.

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