

# Monthly Forecast

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**30 May 2014**

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## Overview

Russia will hold the presidency of the Council in June. An open debate on [new trends in peacekeeping](#) is planned, with a briefing by the Under-Secretary-General for Peacekeeping Operations, Hervé Ladsous.

Debates are to be held on:

- the [ad hoc international criminal tribunals](#), with briefings by the presidents and prosecutors of the International Criminal Tribunal for the former Yugoslavia (ICTY) and the International Criminal Tribunal for Rwanda (ICTR); and
- the [UN Assistance Mission in Afghanistan](#) (UNAMA) with a briefing by the Special Representative of the Secretary-General and head of UNAMA Ján Kubiš.

Briefings are expected on:

- the work of the [1737 Iran Sanctions Committee](#) by its chair, Ambassador Gary Quinlan (Australia);
- the work of the [ICC in Sudan](#), by Prosecutor Fatou Bensouda; and
- the [UN integrated Sahel strategy](#) by Special Envoy of the Secretary-General for the Sahel, Hiroute Guebre Sellassie.

Briefings, followed by consultations, are expected on:

- [Libya](#), by Tarek Mitri, the Special Representative of the Secretary-General and head of the UN Support Mission in Libya;
- the [Middle East](#), by the Under-Secretary-General for Political Affairs, Jeffrey Feltman;
- the [UN Operation in Côte d'Ivoire](#) (UNOCI), by its head Aïchatou Mindaoudou Souleymane;
- the [UN Multidimensional Integrated Stabilization Mission in Mali](#) (MINUSMA) by its head Albert Gerard Koenders;
- the work of the Commission of Inquiry established in resolution 2127 to investigate reports of violations of human rights and international humanitarian law in the [Central African Republic](#); and
- the [1970 Libya Sanctions Committee](#), by its chair, Ambassador Eugène-Richard Gasana (Rwanda).

Briefings in consultations are likely on:

- the implementation of resolution 2118 regarding the destruction of [Syria's chemical weapons](#), by Sigrid Kaag, the Special Coordinator of the Organization for the Prohibition of Chemical Weapons-UN Joint Mission;
- the humanitarian situation in [Somalia](#), by the Office for the Coordination of Humanitarian Affairs;
- [humanitarian access in Syria](#), most likely by Under-Secretary-General for Humanitarian Affairs Valerie Amos;
- [Sudan-South Sudan](#) issues, by Special Envoy Haile Menkerios;
- developments in [South Sudan](#), by Ladsous;
- developments in [Yemen](#) by Jamal Benomar, the Secretary-General's Special Adviser on Yemen;
- the [Liberia sanctions regime](#), by the chair of the 1521 Liberia Sanctions Committee, Ambassador Zeid Ra'ad Zeid Al-Hussein (Jordan);
- the [UN Disengagement Observer Force](#) (UNDOF) by DPKO; and
- the work of the [UN Regional Centre for Preventive Diplomacy for Central Asia](#) by its head, Miroslav Jenča.

Formal sessions will be needed to adopt resolutions renewing the mandates of:

- the Panel of Experts assisting the [1737 Iran Sanctions Committee](#);
- [UNOCI](#);
- [UNDOF](#); and
- [MINUSMA](#).

Formal sessions will also be held to modify the mandates of:

- the Ombudsperson and the Analytical Support and Sanctions Monitoring Team assisting the [1267/1989 Al-Qaida Sanctions Committee](#); and
- the [1988 Taliban sanctions regime](#).

Also in June, Council members plan to hold their annual consultative meeting with the members of the [Peace and Security Council of the AU](#).

Throughout the month members will be following closely events in [Ukraine](#), and additional meetings may be scheduled. •

## In Hindsight: The Council and the ICC

The Rome Statute establishing the International Criminal Court (ICC) gives the Security Council a unique jurisdictional role. Article 13(b) of the Statute grants the Council the power, acting under Chapter VII of the UN Charter, to refer situations in which certain crimes may have been committed to the ICC. Article 16 of the Statute, on the other hand, allows the Council to defer a situation for one year through a Chapter VII resolution, for reasons relating to the maintenance of international peace and security.

Thus far, the Council has referred the situations in Darfur in resolution 1593 (2005) and Libya in resolution 1970 (2011) to the ICC. The resolutions, however, placed the financial burden of the investigations exclusively on the ICC, excluded foreign nationals operating under Council authorisation from ICC jurisdiction and did not obligate any states other than Sudan and Libya, respectively, to cooperate with the ICC.

The role of the Council vis-à-vis the ICC—and the complexities of the implementation of its referrals—is a widely debated topic and an ongoing discussion. Much focus has been given to the absence of other referrals where mass crimes were allegedly committed and the relative indifference towards non-cooperation with the ICC on existing referrals.

Nevertheless and despite the fact that China, Russia and the US are not parties to the Rome Statute, Council decisions in recent years have increasingly included statements in support of the ICC in both thematic and country specific resolutions. Most noticeably, the US attitude towards the ICC had changed to modest support in recent years. This trend shifted, however, in the last few years, when certain elected Council members joined China and Russia in order to limit ICC related language in Council resolutions or eliminate it completely.

Negative attitudes towards the ICC became particularly evident when a deferral of the Kenya situation came to a fore on 15 November 2013. Since 2011, Kenya had urged the Council to defer its case from the ICC but was told firmly by Council members that no action would be taken. Following

the 21 September 2013 terrorist attack in Nairobi, the AU and the vast majority of its members renewed their efforts to defer the cases against President Uhuru Kenyatta and Deputy President William Samoei Ruto. This renewed effort highlighted the claim that the ICC is overly focused on Africa and provides a new form of western colonialism over the continent. The most vocal Council member in this regard was Rwanda, who with Morocco and Togo, tabled the deferral resolution (S/2013/660). The draft received only seven votes in favor and failed adoption, but symbolised African willingness to push the issue and force Council members to choose sides on this issue. The other eight Council members abstained.

While the failed Kenya deferral was a low point regarding Security Council interaction with the ICC, recent months have seen a remarkable comeback of the ICC on several Council matters. Rwanda, for example, was amenable to language on the ICC in its 16 April resolution on the prevention and fight against genocide (S/RES/2150), thus demonstrating a slight ease in its attitude towards the ICC.

On the DPRK, Australia, France and the US convened an “Arria-formula” on 17 April to meet with a Human Rights Council’s commission of inquiry which recommended a referral of the situation by the Security Council to the ICC. However, while most Council members expressed support for a referral in principle, there seems to be little appetite among Council members to push for Council action in the face of strong opposition expected from China (and Russia), especially when their support is needed for Council action on the non-proliferation front.

On Libya, relations between the government and the ICC have been tense following the decision by the ICC that Saif Al-Islam Qaddafi should be tried in The Hague and not in Libya. Qaddafi, who is being held by the Zintan militia, is currently being tried in absentia in Tripoli. With a decision from the ICC on non-compliance pending, Council members may have to address Libya’s inability to cooperate with the ICC.

However, Council members are unlikely to take a strong position against the already fragile government in Libya.

And finally in Syria, calls for a referral of the situation by the Council to the ICC have been longstanding, including in a 14 January 2013 letter sent to the Council by Switzerland on behalf of 57 member states (S/2013/19).

Most recently, France, with the support of several other Council members, drafted a resolution to refer the situation in Syria to the ICC. The referral was limited to widespread violations of human rights and international humanitarian law by the Syrian authorities and pro-government militias, as well as the human rights abuses and violations of international humanitarian law by non-State armed groups, in order to address US concerns over jurisdiction (mainly relating to the Israeli occupation of the Golan Heights).

While containing some of the same language used in previous referrals, new elements included recalling the guidance issued by the Secretary-General on contacts with persons who are the subject of arrest warrants, a guidance that several UN officials failed to follow with respect to other ICC indictees. The draft also expressed the Council’s commitment “to an effective follow up” of the referral.

Cosponsored by 65 states, the draft resolution (S/2014/348) was put to a vote on 22 May and vetoed by China and Russia, yet received 13 votes in favor, including from the African Council members.

It is possible that the Council will not take further ICC-related action on these issues, but the renewed central role of the ICC in Council discussions is noteworthy given the recent negative attitudes of some Council members towards the ICC. The failed Syria referral contains language which reflects lessons learned from previous referrals, while at the same time perpetuates some problematic elements of past referrals on financial implications and jurisdictional exclusions. Its failure also exemplifies the intersection between justice and politics in the relations of the Council with the ICC.

## Status Update since our May Forecast

### Ukraine

In May, the Council met three times to discuss Ukraine. On 2 May, Russia called an emergency session on the political situation (S/PV.7167) at which Under-Secretary-General for Political Affairs Jeffrey Feltman briefed and a representative of Ukraine, Oleksandr Pavlichenko, also addressed the Council. During the meeting Russia proposed a presidential statement condemning the violence and calling on the de-escalation of tensions. Since the Council could not agree on mutually acceptable language, no statement was adopted. On 21 May, the UK requested consultations on the human rights situation in Ukraine with Assistant Secretary-General for Human Rights Ivan Šimonović briefing and Assistant Secretary-General for Political Affairs Oscar Fernández-Taranco briefing on the latest political developments. Following presidential elections in Ukraine, Feltman briefed the Council on 28 May and the permanent representative of Ukraine also made a statement (S/PV.7185).

### Somalia

On 4 May, Council members issued a press statement condemning a terrorist attack by *Al-Shabaab* in Mogadishu (SC/11380). Nicholas Kay, Special Representative and head of UNSOM, briefed the Council on 22 May (S/PV.7181) on the latest UNSOM report (S/2014/330), followed by consultations. A presidential statement regarding arms and ammunition management by the Federal Government of Somalia was also adopted on 22 May (S/PRST/2014/9). On 24 May Council members issued a press statement condemning the attack on parliament by *Al-Shabaab*, which caused numerous deaths and injuries (SC/11412). On 29 May, the Council adopted resolution 2158 renewing the mandate of UNSOM for one year.

### Boko Haram

Following a 5 May attack by *Boko Haram* that killed hundreds at a market in Gamboru Ngala, Nigeria, Council members issued a press statement on 9 May that condemned the attack, and also condemned the 14 April abduction of 276 schoolgirls and the 5 May kidnapping of eight girls (SC/11387). The statement further expressed the Council's intention to consider further measures against *Boko Haram*. On 22 May, the 1267/1989 Al-Qaida Sanctions Committee listed *Boko*

*Haram*, subjecting the organisation to an arms embargo and assets freeze (SC/11410).

### Lebanon

On 6 May, Council members were briefed in consultations by Special Envoy Terje Rød-Larsen on the Secretary-General's latest report on the implementation of resolution 1559 (S/2014/296). Key areas of focus included the enormous impact the Syrian crisis is having on the political, security and humanitarian situations in Lebanon. Hezbollah's military activities in Syria, subsequent sectarian tensions and pronounced cross-border incidents were also discussed. Of particular interest was the probable political stalemate and power vacuum that might ensue if a new president was not elected by 25 May. At press time, France had circulated a draft presidential statement expressing disappointment that the election of a new president had not taken place within the constitutional timeframe.

### Non-Proliferation

On 7 May, the Council held an open debate to commemorate the 10th anniversary of resolution 1540 (S/PV.7169) and adopted a presidential statement (S/PRST/2014/7). The meeting was chaired by Foreign Minister Yun Byung-se of the Republic of Korea (ROK), and featured a briefing by Deputy Secretary-General Jan Eliasson. In preparation of the debate, a concept note outlining the objectives of the meeting and suggesting key issues to be discussed was circulated (S/2014/313). The presidential statement reaffirmed the main provisions of resolution 1540 and called on states to step up their efforts to implement their obligations and inform the 1540 Committee regularly of their efforts while also emphasising the importance of achieving universal reporting. It furthermore stressed the need for assistance and capacity-building to support implementation and reiterated the importance of close cooperation between the Committee and other Council subsidiary bodies as well as coordination with other international, regional and sub-regional organisations. In addition, the Council recalled its decision (referring to resolution 2118 on the use of chemical weapons in Syria without explicitly mentioning it) that member states shall inform immediately the Council of any violation of resolution 1540, including acquisition by non-state actors of chemical weapons, their means of delivery and related materials

in order to take necessary follow-up measures. In addition to Council members, 45 member states participated. On 23 May, in a letter to the Council President, the chair of the 1540 Committee, Ambassador Oh Joon (ROK), transmitted the Committee's programme of work for the period 1 June 2014 to 31 January 2015 (S/2014/369). On 28 May he briefed the Council on the work of the Committee in a joint meeting with the chairs of the 1267/1989 Al-Qaida Sanctions Committee and the 1373 Counter-Terrorism Committee.

### Medal for Exceptional Courage

On 8 May, the Council adopted resolution 2154, creating the "Captain Mbaye Diagne Medal for Exceptional Courage" to be awarded to UN military, police and civilian personnel. Captain Diagne, who lost his life while serving with the UN Assistance Mission for Rwanda in 1994, was responsible for saving as many as 1,000 Rwandans from death during the genocide.

### UNOCA/LRA

On 12 May, the Council was briefed (S/PV.7171) by the outgoing Special Representative and head of UNOCA, Abou Moussa, on the Secretary-General's report on UNOCA and the implementation of the regional strategy on the Lord's Resistance Army (LRA) (S/2014/319). The Council adopted a presidential statement condemning the actions of the LRA and requesting that the Secretary-General keep it informed through a single report on UNOCA and the LRA by 15 November 2014 (S/PRST/2014/8). The Council also welcomed the appointment of Abdoulaye Bathily (Senegal) as the new Special Representative.

### Burundi

On 14 May, the Council was briefed via video-teleconference by the Special Representative and head of BNUB, Parfait Onanga-Anyanga, and by the chair of the Burundi configuration of the Peacebuilding Commission, Ambassador Paul Seger (Switzerland) (S/PV.7174). The Minister for Interior of Burundi, Edouard Nduwimana, also addressed the Council. Council members held consultations with Onanga-Anyanga following the briefing.

### Bosnia and Herzegovina

The Council held its semi-annual debate on the situation in Bosnia and Herzegovina

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## Status Update since our *May Forecast* (con't)

(BiH) on 15 May (S/PV.7176). High Representative Valentin Inzko presented his latest report on the implementation of the 1995 Dayton Peace Agreement (S/2014/314). Inzko highlighted the February protests which he described as an expression of citizen frustration over the failure of political leaders to address socio-economic problems and rampant corruption. He said that the demonstrations should also be a “wake-up” call to the international community to change its approach to BiH. Inzko also highlighted the forthcoming October general elections.

### Guinea-Bissau

On 19 May the Council had a briefing (S/PV.7177) and consultations by video-teleconference from Special Representative José Ramos-Horta on the Secretary-General's quarterly report on the restoration of constitutional order (S/2014/332), as well as his semi-annual report on UNIOGBIS (S/2014/333). That same day, Council members issued a press statement welcoming the successful completion of the second round presidential election held on 18 May (SC/11402). On 29 May, the Council adopted resolution 2157 that renewed UNIOGBIS for a further three months.

### DPRK (North Korea)

On 20 May, the chair of the 1718 Democratic People's Republic of Korea (DPRK) Sanctions Committee, Ambassador Sylvie Lucas (Luxembourg), briefed Council members in consultations on the work of the Committee, as is required at least every 90 days by resolution 1718. The US announced that it would shortly circulate for approval a draft

Implementation Assistance Notice (IAN) pertaining to the Chong Chon Gang case. (Chong Chon Gang was the DPRK-flagged ship detained by Panama on 15 July 2013 on its way from Cuba with weapons and military equipment hidden in a cargo of sugar in violation of the arms embargo against the DPRK. The IAN would alert member states to the kind of sanctions evasion techniques deployed in this case.) Several Council members emphasised the need for continued focus on the human rights situation in the DPRK based on the 7 February report from the commission of inquiry established by the Human Rights Council. (In a 14 April letter, Australia, France and the US transmitted the report to the Council [S/2014/276].)

### Iraq

On 20 May, Council members issued a press statement that welcomed the provisional results of the parliamentary election and looked forward to the results being finalised (SC/11404).

### Israel/Palestine

On 20 May, the Council held a briefing and consultations on the situation in the Middle East (S/PV.7178). Assistant Secretary-General for Political Affairs Oscar Fernández-Taranco focused his remarks on the failure of the nine-month long US-brokered peace talks between Israel and Palestine and said without a credible political horizon the Oslo paradigm is in jeopardy—in reference to the two-state solution. He added that parties could not be rushed back to the table without proper parameters in place.

### Meeting Between the Security

### Council and EU Political and Security Committee (PSC)

On 21 May, Council members held an informal meeting with members of the EU PSC to discuss Central African Republic, Syria and Ukraine.

### Kosovo

On 27 May, the Council held a quarterly debate on Kosovo with a briefing by Farid Zarif, the Special Representative and head of UNMIK (S/PV.7183). Zarif presented the latest Secretary-General's report (S/2014/305). Presidents Tomislav Nikolić of Serbia and Atifete Jahjaga of Kosovo also participated.

### Counter-Terrorism

On 28 May, the Council held the semi-annual briefing of the chairs of its counter-terrorism-related committees (S/PV.7184). The briefers were Ambassador Gary Quinlan (Australia), chair of the 1267/1989 Al-Qaida Sanctions Committee, Ambassador Raimonda Murmokaitė (Lithuania), chair of the 1373 Counter-Terrorism Committee and Ambassador Oh Joon (Republic of Korea), chair of the 1540 Committee, concerning the non-proliferation of weapons of mass destruction.

### Arria-Formula Meeting on IDPs

At press time, Australia and Chile were expected to co-host an Arria-formula meeting of Council members on 30 May to discuss the protection of internally displaced persons (IDPs) and the role of the Security Council.

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## Peacekeeping

### Expected Council Action

In June, the Council is expected to hold an open debate on new trends in peacekeeping, such as the establishment of more robust mandates, the use of new technology, intermission cooperation and multidimensional mandates. At press time it was not decided

who would brief from the Secretariat.

### Background

Regarding the use of force, the debate seems aimed at reflecting on the establishment of robust peacekeeping operations with a mandate to stabilise situations where security is

minimal. This will be an opportunity for member states, including troop- and police-contributing countries (TCC-PCCs), to participate in a more general discussion about the impact of these developments on UN peacekeeping.

On 28 March 2013, the Council

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**UN DOCUMENTS ON PEACEKEEPING** Security Council Resolutions S/RES/2100 (25 April 2013) established MINUSMA. S/RES/2098 (28 March 2013) renewed MONUSCO, including an intervention brigade to neutralise rebel groups in eastern DRC. Security Council Presidential Statement S/PRST/2009/24 (5 August 2009) called for regular dialogue with the Secretariat on peacekeeping. Security Council Meeting Record S/PV.6987 (26 June 2013) was a briefing by Force Commanders. Security Council Letters S/2013/163 (15 March 2013) was from the AU requesting that MINUSMA have a peace-enforcement mandate. S/2013/44 (22 January 2013) took note of the trial use of UAVs in MONUSCO. S/2013/43 (27 December 2012) was from the Secretary-General on the need for UAVs in MONUSCO.

## Peacekeeping (con't)

unanimously adopted resolution 2098, establishing an intervention brigade based in Goma in the Democratic Republic of the Congo (DRC) for an initial period of one year and consisting of three infantry battalions and auxiliary forces under the command of the UN Organization Stabilization Mission in the DRC (MONUSCO). Its key task, renewed in resolution 2147, is to carry out offensive operations to neutralise armed groups that threaten state authority and civilian security. Less than a month later, on 25 April 2013, the Council adopted resolution 2100, establishing the UN Multidimensional Integrated Stabilisation Mission in Mali (MINUSMA). The mission is authorised to use all necessary measures to stabilise “the key population centres, especially in the north of Mali and, in this context, to deter threats and take active steps to prevent the return of armed elements to those areas”.

Two key issues were raised by China, Russia and some elected troop-contributing Council members after the adoption of resolution 2098: involvement in peace enforcement could compromise the impartiality of UN peacekeeping operations and the safety and security of peacekeepers. Russia, the only Council member that explained its vote on resolution 2100, expressed its concern about the growing shift towards the military aspects of peacekeeping and highlighted that “what was once the exception now threatens to become unacknowledged standard practice”.

Caveats were inserted in both resolutions, underscoring in the case of resolution 2098 its exceptional nature and, in resolution 2100, reaffirming the agreed principles of peacekeeping—“including consent of the parties, impartiality and non-use of force, except in self-defence and defence of the mandate”—but the impact of these decisions on the safety and security of peacekeepers remains unclear. The legal protection for UN peacekeepers, historically connected to their impartiality, might be challenged if those missions are considered a party to an armed conflict, with implications under international humanitarian law, namely being considered combatants and legitimate targets.

One of the topics addressed in the 26 June 2013 annual Council briefing by UN Force Commanders was the use of advanced technology in peacekeeping, as MONUSCO prepared for the arrival of the first unarmed aerial vehicles (UAVs). The UAVs, which started deploying in the DRC on 1 December 2013,

are used to identify armed movements, monitor camps for internally displaced persons and provide timely reconnaissance over vast and sensitive areas. Although they are unarmed, they may deter hostile actions by providing accurate information to trigger the use of rapid reaction forces if needed. During that briefing, Russia raised the need for a careful analysis of the use of UAVs and emphasised that this was not a *carte blanche* for similar steps in other missions. When Council members had taken note in January 2013 of the Secretariat’s intention to use UAVs in MONUSCO on a trial basis, they stressed that this was to enhance situational awareness, was on a case-by-case basis and would not prejudice the ongoing consideration by relevant UN bodies of legal, financial and technical implications of the use of UAVs. Other issues raised regarding the deployment of UAVs have to do with access to the information gathered by these systems (operated by commercial contractors) and concerns about sovereignty whenever they fly over border zones. In the briefing, the MONUSCO Force Commander acknowledged that the use of surveillance devices could be regarded as over-intrusive by host nations if not adequately controlled, including how the information that is generated is used.

The June debate could be a good opportunity to assess the performance and utility of UAVs in MONUSCO as there has been talk about the potential use of such systems in other missions, including MINUSMA and the UN Operation in Côte d’Ivoire. South Sudan did not accept their deployment in the UN Mission in South Sudan (UNMISS).

Inter-mission cooperation was another topic raised in the 26 June 2013 briefing as a manner of effectively responding to unforeseen events in peacekeeping operation. It can help provide key assets through pooling or temporary redeployment of equipment and personnel. However, like the sluggish reinforcement of UNMISS approved on 24 December 2013 shows, inter-mission cooperation faces legal, political and logistical challenges for the shifting of assets requiring the approval of TCC-PCCs.

Another topic that might be raised in the debate is the increasing adoption of complex multidimensional mandates whose many objectives compete for limited operational and financial resources and make prioritisation and coordination of tasks by UN missions difficult.

### Options

Although at press time no outcome was planned following the debate, the Council could:

- revive the now-discontinued quarterly briefings on peacekeeping by the Department of Peacekeeping Operations and the Department of Field Support as per a 5 August 2009 presidential statement (S/PRST/2009/24);
- ensure that regular and substantive meetings of the Working Group on Peacekeeping Operations, currently chaired by Rwanda, are held to discuss key issues for peacekeeping;
- ensure that mission-specific consultations with TCC-PCCs are more interactive and instructive;
- debate the (un)feasibility of authorising more holistic mandates in light of the short-term horizons for most missions and the (un)availability of additional resources;
- debate the changing nature of violence—particularly by hybrid threats that may combine criminality, insurgency and terrorism alongside state fragility—and its implications for UN peacekeeping; and
- invite regular participation of Force Commanders in briefings on country-specific issues in addition to the annual Council briefing by Force Commanders, which this year will take place in October.

### Council and Wider Dynamics

Africa has played a key role in calling for peace-enforcement mandates. The DRC, the International Conference on the Great Lakes region and the Southern African Development Community called for the deployment of the MONUSCO intervention brigade, and the AU Peace and Security Council asked that MINUSMA be given a mandate to “actively sustain efforts aimed at dismantling the terrorist and criminal networks operating in the north of the country”. Although Council members that are not among the largest TCC-PCCs seem more prone to support increasingly robust mandates, key TCC-PCCs on the Council in 2013 did not actively oppose such developments.

On the use of UAVs, several Council members, notably France, the UK and the US, appear receptive to the use of this technology, believing that it may be an effective, cost-efficient way to provide surveillance of the activities of armed groups.

## Expected Council Action

Sigrid Kaag, Special Coordinator of the Organization for the Prohibition of Chemical Weapons (OPCW)-UN Joint Mission, will brief Council members on the implementation of resolution 2118 regarding the destruction of Syria's chemical weapons. This will be a sensitive briefing given the Secretary-General has reported that the 30 June final deadline for complete removal and destruction of the arsenal will not be met.

Under-Secretary-General for Humanitarian Affairs Valerie Amos will brief Council members on humanitarian access. At press time, it seemed momentum was building towards a draft resolution to follow-up the lack of any meaningful implementation of resolution 2139 since its adoption on 22 February.

Council members will also be closely watching the 3 June presidential elections—widely viewed as a sham poll in the midst of a violent civil war that will bestow upon President Bashar al-Assad a further seven years in office.

## Key Recent Developments

Kaag last briefed Council members on 8 May, reporting that Syria had missed the extended deadline of 27 April for the complete removal of its declared chemical weapons materiel. The remaining 7.2 percent includes precursors to produce sarin, held at one site that cannot be reached due to the security situation. There was also a discussion of the OPCW's 29 April announcement that it would deploy a fact-finding mission to investigate allegations that the regime had used chlorine-filled bombs against civilians. On 27 May, a team in Syria to investigate the allegations came under attack, there were no casualties.

On 13 May, UN-Arab League Joint Special Representative Lakhdar Brahimi resigned and briefed Council members on the failure of the Geneva peace talks, largely due to the government's intransigence.

The collapse of peace talks and Brahimi's subsequent resignation rendered the political track dead and contributed towards a shift by France and the US, as well as many other Council members, towards taking up High Commissioner for Human Rights Navi Pillay's call to refer Syria to the ICC. On 22 May, China and Russia cast their fourth joint veto

on Syria and blocked the French draft resolution referring Syria to the ICC, co-sponsored by 65 member states. All other Council members voted in favour of the referral.

On 29 May, Assistant Secretary-General for Humanitarian Affairs Kyung-wha Kang briefed Council members on humanitarian access. The most recent Secretary-General's report did not indicate any progress in implementation of resolution 2139's key demands, such as authorising cross-border aid operations, allowing access in besieged or hard-to-reach areas, observing medical neutrality, ceasing aerial bombardments or easing administrative hurdles. In fact, access has dropped significantly since the last reporting period due to a new transport mechanism put in place by the government. The report says that the government is failing its responsibility to look after its own people and that its arbitrary denial of aid, in particular by not opening relevant border crossings, is a violation of resolution 2139 and international law. The report calls on the Security Council to urgently consider its next steps to ensure compliance with its demands.

## Underlying Problems

The situation in Syria is devastating, with a death toll estimated at 162,000. According to UN sources, there are 2.8 million refugees, 6.5 million internally displaced persons and 9.3 million in need of humanitarian assistance, with almost 241,000 living in besieged areas. There are a further 3.5 million in areas rarely accessed by humanitarian workers. (OCHA has said that these numbers will be updated mid-year to better reflect current realities on the ground.)

Adding to the dire humanitarian situation are alarming reports of intentional government policies of starving areas under siege and deliberately attacking the health infrastructure. The regime has increased its use of incendiary weapons, cluster bombs and barrel bombs, with recent allegations that it has used chlorine bombs. The proliferation of extremist armed groups and their increasing use of car bombs, mortars and tunnel bombs under government military positions have contributed to the escalating violence.

Meanwhile, the political and accountability tracks seem indefinitely blocked.

## Key Issues

In the fourth year of the conflict, the key issue is whether and when the parties, in particular the government, will meaningfully implement resolution 2139 on humanitarian access. An issue for the Council is what further steps it might take if substantive implementation continues to lag.

The Council will also need to grapple with the lack of Syria's full compliance with resolution 2118 on chemical weapons as the 30 June completion deadline for all removal and destruction activities approaches.

Finally, another issue for the Council is moving beyond the failed Geneva peace talks to find other ways to resuscitate efforts for a political solution to the crisis.

## Options

On humanitarian access, Council members could adopt a Chapter VII resolution authorising cross-border and cross-line aid operations, legally enabling the UN to get aid to those in besieged and hard-to-reach areas.

Concerning chemical weapons, given that the final deadline for all removal and destruction activities will not be met, Council members will need to determine what, if any, steps to take to compel Syria's full compliance. However, with the focus firmly on humanitarian access it seems unlikely the Council would come forward with any firm action on this track, such as sanctions, ahead of the deadline. The Council could also formally request that the OPCW present its assessment of the alleged use of chlorine bombs to the Security Council.

The conclusion of presidential elections might revive some Council members' desire to stress in a statement that elections should have been held only in the context of a negotiated political solution.

## Council and Wider Dynamics

There is extreme frustration among Council members and the broader international community that resolution 2139 has not led to an appreciably improved humanitarian situation. NGOs have been critical of the fact that the overwhelming majority of the aid entering the country has remained in government-controlled areas. The 15 May communiqué of the core Group of Friends of

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## Syria (con't)

Syria—including Council members France, Jordan, the UK and the US—announced that in their national capacities they would move towards delivering half of their aid across the borders of Syria's neighbouring countries.

There is momentum to table a draft resolution to create legal obligations on the regime to allow aid across borders and conflict lines. Despite the 22 May veto of the ICC referral, humanitarian leads Australia, Jordan and Luxembourg and the P3 are looking for a consensus text. However, the degree of flexibility in negotiations may be limited, given that the precise aim of the resolution will test China and Russia's staunch adherence to the principle of sovereignty.

Anticipating such a text, Russia circulated its own draft humanitarian resolution on 13 May that supported localised ceasefires, like

that reached in Homs on 2 May, as a way towards less violence and an eventual political settlement. Council members met informally at expert level only once, on 16 May, to discuss the text. A significant majority of Council members expressed a strong preference for Australia, Jordan and Luxembourg to remain the penholders on the issue. Many added that the Council could not support a text that described Homs as a positive example of government-opposition engagement when the ceasefire had only been reached after two years of government bombardment and siege tactics to starve the area into submission.

On chemical weapons, the latest report confirms several Council members' long-held belief that the 30 June completion deadline would be missed. Some have also raised questions over whether Syria may be

holding on to the final tranche of chemicals as a bargaining chip until the issue regarding its chemical weapons production facilities is resolved and also perhaps until the 3 June elections are complete.

Either way, these members believe the OPCW-UN Joint Mission will need to continue to play a role past the deadline until there is total removal and destruction, clarification of whether Syria has made a full declaration of its chemical weapon arsenal and destruction of the 12 facilities that were to be destroyed by 15 March. Meanwhile, Russia has expressed a strong preference to move the issue out of the Council after 30 June, allowing the OPCW to deal with any remaining issues on a purely technical level.

France is the penholder on Syria.

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## UNDOF (Golan Heights)

### Expected Council Action

The Council is expected to extend for six months the mandate of the UN Disengagement Observer Force (UNDOF), established in 1974 to monitor the ceasefire between Israel and Syria. The mandate expires on 30 June.

The Department of Peacekeeping Operations will brief Council members in consultations on the UNDOF report, due 11 June. The Council is also expected to hold its regular meeting with troop-contributing countries (TCCs) prior to adopting the mandate renewal.

### Key Recent Developments

UNDOF was faced with a crisis when, on 6 June 2013, armed opposition groups took over the Quneitra crossing on the ceasefire line between Israel and Syria. The clashes that led to the takeover posed such a significant security threat to UN peacekeeping personnel that Austria withdrew its troops—approximately a third of UNDOF's force—leaving the mission with only about 530 troops.

Since then, Fiji, India, Ireland, Nepal, Netherlands and the Philippines have increased their contributions so that UNDOF

now has 1,260 troops. The mission has spent the last year focusing on risk mitigation and enhanced self-defence capabilities. However, the intensity and number of clashes have increased during this period, and UNDOF's extremely challenging operational environment hampers its ability to operate as in the past. For example, many observation posts and UN positions have been vacated due to the security situation. Most observation tasks are now carried out from static positions versus mobile patrols. Also, while inspections of military equipment on the Alpha side (the Israeli-occupied Golan) continue on a normal basis, such inspections on the Bravo side (Syria) remain suspended.

When the Council last renewed UNDOF on 18 December 2013, it drew attention to the deteriorating situation on the ground as a result of spillover from the Syrian conflict and strongly condemned several incidents threatening the safety and security of UNDOF personnel. It also noted the increased use of improvised explosive devices (IEDs) in the UNDOF area of operation and underscored that the theft or destruction of UN weapons, ammunition, vehicles or other assets was unacceptable.

On 26 March, Council members met to consider the 18 March UNDOF report, which detailed continued violations of the ceasefire line (S/2014/199). The presence of Syrian armed forces carrying out operations against armed opposition groups in the UNDOF area of separation continued to interfere significantly with the safety of UNDOF personnel and the mission's freedom of movement (neither Israeli nor Syrian military forces should be in the area of separation under the terms of the 1974 disengagement agreement). Unlike previous reporting periods, this report indicated that UNDOF had begun to observe that the more violent aspects of the conflict were now in evidence in the area of operations, such as the government's almost daily use of airstrikes, including explosions consistent with the use of barrel bombs, and beheadings of government forces by armed opposition elements.

The forthcoming report is likely to highlight renewed and heavy fighting between Syrian government and opposition forces near the Quneitra crossing, the upward trajectory of ceasefire violations and the increasing number of UN personnel. In that context, risk mitigation continues to be the mission's

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UN DOCUMENTS ON UNDOF [Security Council Resolution S/RES/2131](#) (18 December 2013) was the most recent renewal of UNDOF. [Secretary-General's Report S/2014/199](#) (18 March 2014) was on UNDOF, covering 4 December 2013 to 10 March 2014. **OTHER RELEVANT FACTS** [UNDOF Force Commander](#): Major General Iqbal Singh Singha (India) [Size and Composition of Mission](#): 1,260 troops (as of 31 March 2014) [Troop Contributors](#): Fiji, India, Ireland, Nepal, Netherlands and Philippines

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## UNDOF (Golan Heights) (con't)

top priority. Most self-defensive equipment is in place as is an Irish counter-IED team since March. Syria has not given clearance for the team's equipment to enter the country.

The report is also likely to feature a description of the most serious violation of the ceasefire since 1974, which significantly escalated tension between Israel and Syria. On 18 March, a roadside bomb on the Alpha side detonated near an Israeli patrol, wounding four. Israel retaliated the next day with airstrikes against Syrian military facilities, killing one person and wounding several.

Israel did not publicly blame *Hezbollah*—a Lebanese militia, backed by Iran, which has been openly fighting on behalf of the Syrian regime since May 2013—for the roadside bomb, nor did *Hezbollah* claim responsibility. But comments from the Israeli defence minister, who said that if the Syrian regime collaborates with terrorists striving to hurt Israel, the regime would regret its actions, gave rise to such suspicions as did incidents in the weeks prior.

On 24 February, Israel struck a *Hezbollah* position inside Lebanon near the Syrian border. On 5 March, Israel fired at two men near the Alpha line; media reports indicate the two were *Hezbollah* fighters planting IEDs. *Hezbollah* vowed to retaliate and subsequently claimed responsibility for a 14 March incident in which an Israeli military vehicle, patrolling south of the Blue Line between Israel and Lebanon, was hit by a roadside bomb.

Another new trend the forthcoming report is likely to identify is the appearance of “black flags” in government positions that have been taken by armed opposition groups. Media reports indicate this is a symbol associated with the global Al-Qaida movement.

### Key Issues

The spillover of the Syrian crisis into UNDOF's area of operations and increased ceasefire violations will continue to be of primary concern to the Council. Syrian military forces are prohibited from entering the area of separation, but they have nonetheless done so in response to the rebel presence. The fact that armed opposition groups now possess some heavy weapons in the area of operations will also be a key concern.

A continuing key issue will be the safety and security of UN personnel, given the proximity of UNDOF positions to the areas where there have been clashes between Syrian forces and the armed rebels. Syria's refusal to allow counter-IED equipment into the country is a related issue.

### Options

In the resolution renewing the UNDOF mandate, the Council could:

- simply roll over UNDOF's mandate for an additional six months;
- expand upon the acknowledgment in resolution 2131 that the impact of events in Syria negatively affects UNDOF's ability to operate;

- further strengthen the language to call for the elimination of obstacles to UNDOF's freedom of movement in the fulfilment of its mandate;
- urge Syria to expedite authorisation for any necessary self-defensive equipment for the mission to enter the country; and
- further strengthen the language regarding the safety of UNDOF personnel and encourage the mission to continue to identify ways to mitigate risks.

### Council Dynamics

Council members are concerned about the increasing clashes, both in number and intensity, as well as the escalating tension between Israel and Syria, especially over the issue of *Hezbollah*. The Council has always generally agreed that UNDOF contributes to stability in the region in the absence of a peace agreement between Israel and Syria. However, its utility is particularly high now in order to avoid further negative security implications for the region. In this regard, most Council members are keen to maintain good relationships with the TCCs to ensure UNDOF's ability to operate effectively.

Though the US holds the pen on the Golan Heights, resolutions renewing UNDOF have been jointly authored with Russia since June 2012, suggesting consensus on an issue that is increasingly affected by the highly divisive conflict in Syria.

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## Yemen

### Expected Council Action

In June, Council members expect a briefing in consultations on Yemen by Jamal Benomar, the Special Adviser to the Secretary-General on Yemen.

The mandate of the Special Adviser was renewed on 12 June 2013 without an expiration date. The sanctions regime established by resolution 2140 expires on 26 February 2015.

### Key Recent Developments

The security situation in Yemen continues to deteriorate. A 20-21 April air campaign conducted by the army and reportedly supported by US drone strikes targeted Al-Qaida in the Arabian Peninsula (AQAP) militants in the south. As a result of major military operations launched on 29 April against AQAP strongholds in Abyan, Al Bayda and Shabwah governorates, up to 24,500 people have been displaced, according to an estimate by the Office

for the Coordination of Humanitarian Affairs (OCHA). AQAP has targeted military bases in retaliation, including the killing in Shabwah of 15 soldiers on 29 April and 11 soldiers on 11 May in Al-Mukalla. On 5 May, the Council issued a press statement regarding the killing of a French national working at the EU delegation in Sana'a as well as other recent terrorist attacks in Yemen (SC/11381). Clashes between Salafist groups and the army against Zaidi Shi'a Houthis in Amran, Dhammar

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**UN DOCUMENTS ON YEMEN** Security Council Resolution S/RES/2140 (26 February 2014) expressed 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/11381 (5 May 2014) condemned a terrorist attack in Sana'a on 5 May, which killed one French national and injured others, as well as other recent terrorist attacks in Yemen. Security Council Meeting Records S/PV.7175 (14 May 2014) was the first briefing by the chair of the 2140 Yemen Sanctions Committee. S/PV.7119 (26 February 2014) was the meeting where resolution 2140 was adopted.



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## Yemen (con't)

and Sana'a continue. Against this backdrop, OCHA reported that conflict in al-Dhale'e district, where armed local tribesmen from the Southern movement (*Hiraak*) had been fighting the government for months, has now subsided and most internally displaced persons (IDPs) have returned home.

Resolution 2140 established a clear sequence for the political transition process in line with the outcome of the National Dialogue Conference (NDC)—drafting a new constitution, adopting a new electoral law, holding a referendum and general elections and adopting a federal state structure. The Constitution Drafting Commission developed a preliminary draft text on the economic, social and cultural foundational principles for the new constitution. On 25 April, the government appointed a national authority for the implementation of the NDC final outcome. Although a commission was appointed to carry out the NDC recommendation to divide Yemen into six federal regions, with four of them in the north, buy-in from *Hiraak* remains unclear. On 21 May, *Hiraak* organised large demonstrations in Aden to mark the 20th anniversary of the war between the South and the North.

Yemen's economic problems remain a challenge for its stability. The government is currently facing difficulties to pay for highly-subsidised fuel, which has sparked protests, and has recently announced that it is planning to reduce fuel subsidies.

On 14 May, Ambassador Raimonda Murmokaitė (Lithuania), chair of the 2140 Yemen Sanctions Committee, briefed the Council on progress in setting up the Committee. This included the adoption of its

guidelines, the appointment of its Panel of Experts (PoE), its first meetings—including one with representatives from the Gulf Cooperation Council (GCC)—and cooperation with other sanctions committees. (In the 24 April consultations with Council members, Benomar highlighted that there was some evidence that the setting-up of the Sanctions Committee is being closely monitored in Yemen by those who are concerned that they might be listed.)

### Key Issues

Helping ensure the stability of the 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 difficulties—is an ongoing issue.

The government's continuing reluctance to address past human rights violations and

examine lessons learnt despite prior commitments to do so has become an issue of concern for the Council.

### 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.

### Council and Wider Dynamics

Even though some GCC members raised concerns regarding the establishment of the sanctions regime in Yemen, GCC representatives, along with Yemen, participated in the first meeting of the Sanctions Committee. Also, on 24 April, Benomar briefed Council members on his visits to Saudi Arabia and the United Arab Emirates and conveyed the support of the two countries for the political transition in Yemen.

Some Council members seem to be of the opinion that no listing is needed at this point, believing that the threat of being listed may be enough of a deterrent. That view could lead to fundamental discussions about the objectives of the regime if the PoE suggests individuals for listing.

The UK is the penholder on Yemen.

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## Iran

### Expected Council Action

In June, the Council is due to renew, without major modifications, the mandate of the Panel of Experts (PoE) assisting the 1737 Iran Sanctions Committee. Later in the month the chair of the Committee, Ambassador

Gary Quinlan (Australia), is scheduled to present his quarterly briefing on the Committee's work.

### Key Recent Developments

Since Quinlan's last briefing, on 20 March,

there have been no further meetings of the Sanctions Committee. The work appears to be on hold as Council members have been awaiting the PoE's final report under resolution 2105 against the background of intensifying talks between Iran and the P5+1

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**UN DOCUMENTS ON IRAN** [Security Council Resolutions S/RES/2105](#) (5 June 2013) renewed the PoE's mandate until 9 July 2014. [S/RES/1737](#) (23 December 2006) imposed the first round of sanctions on Iran and established the Sanctions Committee. [Security Council Meeting Record S/PV.7146](#) (20 March 2014) was the most recent 90-day briefing. [Sanctions Committee Document S/2013/331](#) (3 June 2013) was the previous report from the PoE. (The latest report has yet to be made public.) **Additional Useful Resources** [Iran and the P5+1: Solving the Nuclear Rubik's Cube](#), International Crisis Group, 9 May 2014. Enrico Carisch and Loraine Rickard-Martin, [United Nations Sanctions on Iran and North Korea: An Implementation Manual](#), International Peace Institute, March 2014. [Sanctions Implementation and the UN Security Council: The Case for Greater Transparency](#), SCR/International Peace Institute, March 2014.

## Iran (con't)

(China, France, Germany, Russia, the UK and the US).

Iran and the P5+1 have continued to hold monthly high-level meetings to negotiate a long-term accord on Iran's nuclear programme as agreed in the Joint Plan of Action (JPA). (The JPA, which took effect on 20 January, set out several measures to be undertaken during an initial six-month interim period, including curbs on Iran's uranium enrichment activities, reductions in its stockpiles of highly enriched uranium, improved access for the IAEA and a partial lifting of unilateral sanctions imposed by the EU and the US. It also specified the main elements of a long-term comprehensive solution to be negotiated during the interim period.) The parties last met in Vienna from 14-16 May to start drafting a text with the aim of reaching agreement before the 20 July expiry of the JPA. (The JPA, however, can be extended by mutual consent for six months if agreement has not been reached by then.)

According to media reports, no tangible progress was made at the last meeting. In particular, positions remain far apart on the key issue of Iran's uranium-enrichment capacity. Iran wants to expand the number of centrifuges it uses for uranium enrichment, but the P5+1 have called for a significant reduction. (Relevant Council resolutions call for Iran to suspend all enrichment-related activities.) Iran's refusal to discuss its ballistic missile programme seems to have further complicated the talks. In comments to the press, both sides described the negotiations as very difficult but also indicated that they thought it was still possible to reach a deal before the 20 July deadline. The next high-level meeting is scheduled for 16-20 June.

Meanwhile, discussions continued between Iran and the IAEA to resolve outstanding issues related to the possible military dimensions of Iran's nuclear programme. In a joint statement following a meeting on 20 May, the two sides said they had "reviewed the good progress that had been made" on the seven practical measures agreed in February and had reached agreement on five additional measures, including Iran providing information relating to allegations it had conducted large scale high explosives experimentation in the past. Iran had also agreed to share information on and facilitate access to its centrifuge-related research, development and production activities and conclude the safeguards approach for the heavy water reactor in Arak. On 23 May, the IAEA submitted

its quarterly progress report on Iran to its board of governors and the Security Council. It is to be discussed at the next board meeting in early June. The report confirmed that Iran had implemented the seven practical measures agreed in February and continued to comply with the JPA requirements.

The Sanctions Committee received the PoE's final report under its current mandate on 7 May. At press time, the Committee was scheduled to consider the report in early June. According to the PoE, there has been a decrease in reported attempts by Iran to procure prohibited items, but it is not clear whether this decrease reflects a change in practice or whether Iran has simply become better at circumventing the sanctions provisions. The report also notes that, despite several allegations in the media about Iran's violating the ban on conventional weapons exports, only one case has been reported to the Committee, namely the interception by Israel of an arms shipment destined for Gaza on board the cargo ship *Klos-C*. (The PoE is investigating the case and will submit an incident report to the Committee.)

With regard to Iran's ballistic missile programme, the PoE asserts that Iran is continuing to engage in prohibited activities, highlighting in particular the construction of a new launching pad near the town of Shahrud and Iran's announcement that it test-fired a long-range *Barani* missile on 10 February. It also notes, however, that Iran did not conduct any missile launches in 2013. The report's recommendations are apparently less specific than in the past, focusing in particular on the Committee's role in providing additional guidance to member states, raising awareness and encouraging greater vigilance to strengthen sanctions implementation.

### Human Rights-Related Developments

On 12 March, four special rapporteurs for the Human Rights Council (HRC) expressed alarm at the steadily increasing rate of executions in Iran: in 2014, at least 176 persons have been hanged. They also expressed serious concern about due process and fair-trial guarantees and urged Iran to heed the calls for an immediate moratorium on executions.

On 17 March, the HRC held an interactive dialogue with the Special Rapporteur on the situation of human rights in Iran, Ahmed Shaheed, who presented his report (A/HRC/25/61). Shaheed said that hundreds of individuals reportedly remained in some form of confinement for exercising their fundamental rights, including journalists, bloggers, human rights defenders, Baha'i, Sunni Muslims,

Christians and Dervish Muslims. He said that his report focused on malfunctions in the administration of justice and reiterated his call for a moratorium on the death penalty. The Secretary-General's report on the human rights situation in Iran, presented to the HRC by Deputy High Commissioner for Human Rights Flavia Pansieri on 26 March (A/HRC/25/26), also expressed concern about the surge in executions and called for a moratorium. On 28 March, the HRC extended the mandate of Shaheed for one year in resolution 25/24 and called on Iran to allow the rapporteur to visit the country.

On 10 April, five HRC special rapporteurs expressed alarm at the denial of medical care to two political prisoners in Iran, blogger Mohammad Reza Pourshajari and religious cleric Sayed Hossein Kazemeyni Boroujerdi, who were deemed to be at risk of dying in detention due to their worsening health.

### Key Issues

A key issue for the Council is how it can best support the ongoing talks between Iran and the P5+1.

A further issue in June is the renewal of the PoE's mandate.

At the Sanctions Committee level, a key issue is whether to take up any of the recommendations in the PoE's latest report.

### Options

The main option for the Council is to renew the PoE's mandate for a further 13 months without any changes and receive a briefing by the chair of the Sanctions Committee.

Other options are limited, given the present stage of the talks between Iran and the P5+1.

In the Sanctions Committee, the main option is to consider the PoE's latest recommendations.

### Council Dynamics

While there is no disagreement in the Council that member states must continue to fully implement all UN sanctions against Iran, it seems clear that the developments in the talks between Iran and the P5+1 are having an impact on the work of the Sanctions Committee. China and Russia in particular have emphasised that the Committee must be guided by the ongoing negotiation process. While other members so far have publicly insisted that the work must continue as before, their priorities are also likely influenced by the status of the talks. It remains to be seen, however, how this will play out in the upcoming discussions in the Committee about the PoE's latest report. The chair's

## Iran (con't)

briefing in June may also provide more clarity on how Council members view recent developments in the talks with Iran and their implications for the work of the Council.

It seems the Committee chair is also considering convening an open briefing for UN

member states aimed at explaining how the P5+1 track with Iran relates to the UN sanctions regime. At press time, he was consulting with other Council members about the timing and format for such a meeting. (According to the PoE, there seems to be some

confusion among member states as to whether UN sanctions should still be enforced.)

The US is the penholder in the Council on Iran.

## Afghanistan

### Expected Council Action

In June, the Council is scheduled to hold its quarterly debate on the UN Assistance Mission in Afghanistan (UNAMA). Special Representative of the Secretary-General and head of UNAMA Ján Kubiš is expected to brief.

Council members are also expected to review the implementation of resolution 2082 of 17 December 2012, which modified the Taliban sanctions regime to allow for a number of exemptions to facilitate travel by listed individuals to participate in Afghanistan's reconciliation process. The Council is planning to adopt a resolution calling for minor adjustments to the functioning of the sanctions regime.

UNAMA's mandate expires on 17 March 2015.

### Key Recent Developments

On 5 April, Afghanistan held presidential and provincial elections. Among the eight presidential candidates, Abdullah Abdullah, a former foreign minister, and Ashraf Ghani, a former finance minister, received 45 percent and 31.5 percent of the vote, respectively, according to the Independent Electoral Commission (IEC). As neither candidate got 50 percent, a run-off election between Abdullah and Ghani has been scheduled for 14 June. The IEC certified the first-round results on 15 May, in spite of accusations of fraud made by Abdullah. On 15 May, the Council issued a press statement welcoming the certification of the first-round results by the IEC, while underscoring the continued need to detect and prevent fraud (SC/11399).

The Taliban had threatened to disrupt the elections with violence, with several deadly attacks in Kabul in the weeks before the vote: on 20 March nine were killed at the Serena Hotel (an incident condemned by the

Council in a press statement [SC/11334]), five were killed at an election office on 25 March and six police officers were killed on 2 April outside the Interior Ministry.

While 16 security personnel and four civilians died in violence on the day of the election, voter turnout was high, with approximately seven million out of 12 million eligible voters going to the polls. Interior Minister Mohammed Umer Daudzai said the security forces had killed more than 80 insurgents and prevented numerous attempted assaults on voting facilities. The Council issued a press statement on 5 April welcoming the elections and commending "the participation and courage of the Afghan people to cast their ballot despite the threat and intimidation of the Taliban and other extremist and terrorist groups" (SC/11347).

On 8 May, the Taliban announced that their yearly spring military offensive would begin on 12 May, stating that the offensive would target foreigners, Afghans working with them (e.g. translators and logistics personnel) and Afghan political and security officials. On 12 May, the Taliban launched attacks throughout the country, leading to 12 deaths, including five civilians and two police officers at the justice ministry in Jalalabad (Nangarhar province), three police officers at a police base in Helmand province and two civilians and a police officer at police facilities in Ghazni province. In Laghman province, the Taliban killed four police officers on 21 May, and at least an additional 10 police officers (two in Nangarhar province and at least eight in Badakhshan) on 22 May. Also on 22 May, the bodies of eight police officers, who had been killed in a Taliban attack two weeks earlier, were located in Zabul province.

Kubiš last addressed the Council on 17 March during the quarterly UNAMA debate.

He noted that the elections would mark the country's first democratic transfer of power. He urged Afghans to be undeterred by extremist threats and to exercise their right to vote. Kubiš noted that while direct negotiations between the government and the Taliban remained elusive, efforts to develop frameworks for negotiation should continue. Ambassador Zahir Tanin (Afghanistan) also addressed the Council noting the historic nature of the elections and asserting that a bilateral security agreement (BSA) would be signed soon with the US. At the meeting, the Council adopted resolution 2145, renewing UNAMA's mandate until 17 March 2015.

While the BSA has yet to be signed, US President Barack Obama announced on 27 May that the US would leave a force of 9,800 troops in Afghanistan after 2014. These troops are expected to train Afghan government security forces and conduct counter-terrorism activities. Obama further noted that nearly all US troops in the country would be withdrawn by the end of 2016. (There are currently approximately 32,000 US soldiers in Afghanistan.)

### Key Issues

An immediate key issue for the Council is what adjustments, if any, it would like to make to the 1988 Taliban sanctions regime.

Another immediate key issue is ensuring that the second round of the presidential elections are conducted peacefully and transparently, unmarred by violence and fraud.

As the International Security Assistance Force (ISAF) continues its drawdown, another key issue is the ability of Afghan security forces to maintain security in the country.

The need to promote human rights and to fight drug production and trafficking are key

UN DOCUMENTS ON AFGHANISTAN Security Council Resolutions S/RES/2145 (17 March 2014) renewed UNAMA until 17 March 2015. S/RES/2082 (17 December 2012) modified the Taliban sanctions regime. Security Council Meeting Record S/PV.7139 (17 March 2014) was the most recent quarterly debate on UNAMA. Security Council Press Statements SC/11399 (15 May 2014) welcomed the certification of the first round presidential elections by the IEC. SC/11347 (5 April 2014) welcomed the first round of presidential and provincial elections.

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## Afghanistan (con't)

ongoing issues.

Ensuring that UNAMA has adequate resources to fulfil its mandate is another important issue, given budget cuts to the mission in recent years.

### Options

With regard to the implementation of resolution 2082, the most likely option is for the Council to adopt a resolution maintaining the fundamental elements of the Taliban sanctions regime, while underscoring recommendations made in the latest report (S/2013/656) of the Monitoring Team assisting the 1988 Taliban Sanctions Committee, including:

- listing additional Taliban leaders “with significant military command authority” and mid-level commanders with responsibility for military operations, as well as businesses affiliated with the Haqqani terrorist

network;

- encouraging states to provide information on residence, travel documents and aliases, as it becomes available; and
- encouraging states to include a notation in travel documents of listed individuals indicating that they are subject to a travel ban.

With respect to the situation in Afghanistan more broadly, the Council may wish to issue a statement at the conclusion of the second round of presidential elections. If the elections are deemed fair and transparent, the statement could welcome the democratic transition. Alternatively, if necessary, it could deplore any violence and electoral misconduct that might occur.

### Council Dynamics

Council members were generally encouraged by the conduct of the first round of

presidential and provincial elections. Given the challenging security environment in Afghanistan, most Council members emphasise the critical role of the Afghan National Security Forces in ensuring stability as ISAF draws down. Most members are also keen to ensure that the human rights gains that have been made since 2001 continue to be built upon, including the rights of women and children. Some members—notably Chad, France, Russia and Rwanda—are especially concerned about the threat posed by drug production and trafficking in Afghanistan, in large part because they believe that the illicit funds from narcotics fuel extremism.

Australia is the penholder on UNAMA and the chair of the 1988 Taliban Sanctions Committee.

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## South Sudan

### Expected Council Action

In June, the Council is expected to receive a briefing, likely in consultations, on the situation in South Sudan, in accordance with resolution 2132, which increased the military and police capacity of the UN Mission in South Sudan (UNMISS) to address the outbreak of violence following the 15 December 2013 crisis within the ruling Sudan People's Liberation Movement (SPLM). It is possible that the Council may hold other meetings on South Sudan during the month, depending on how events unfold on the ground.

The mandate of UNMISS expires on 30 November.

### Key Recent Developments

Secretary-General Ban Ki-moon met with President Salva Kiir of South Sudan in Juba on 6 May and had a telephone conversation with former Vice President Riek Machar, the leader of the SPLM in Opposition. He emphasised to both Kiir and Machar the importance of making peace and reported during a press conference that same day that they had committed to meet one another. The visit followed

in the footsteps of a 2 May visit by US Secretary of State John Kerry during which the US made a similar appeal to both leaders to resolve their differences through dialogue.

The government and the SPLM in Opposition signed a statement on 5 May in Addis Ababa in which they committed to opening up humanitarian corridors and to consider “one month of tranquillity from 7 May to 7 June” to allow for the planting of crops, tending to livestock, safe relocation of civilians.

Kiir and Machar met in Addis Ababa on 9 May, their first face-to-face contact since the conflict broke out on 15 December 2013. They reached an agreement for “an immediate cessation of hostilities within 24 hours of signing” and the establishment of a transitional government of national unity to “oversee a permanent constitutional process and guide the country to new elections”. The agreement was violated over the next few days, with fighting reported in Bentiu, and the two sides exchanging accusations over who broke the ceasefire. Subsequently, the two sides said they had recommitted to the ceasefire. At press time, the level of fighting

had decreased since approximately 11 May, although clashes between the parties were reported on 20 May in Upper Nile state.

On 11 May, Kiir announced that the 2015 presidential elections would be postponed until 2017 or 2018, arguing that extra time was needed to conduct a national census and ensure that political stability was achieved.

The US imposed targeted sanctions against Peter Gadet, an SPLM in Opposition commander, and Marial Chanuog, head of the presidential guard, on 6 May. The measures include a ban on travel to the US and the freezing of whatever US-based assets they may hold. While some analysts doubt that Gadet and Chanuog have meaningful (or any) personal or financial ties to the US, the political message sent to other actors in South Sudan is clear.

An international donor conference, co-hosted by the Office for the Coordination of Humanitarian Affairs (OCHA) and Norway, was held in Oslo on 20 May to raise funds to address the humanitarian situation in South Sudan. More than \$600 million was pledged (in addition to \$532 million that has already

## South Sudan (con't)

been secured through May). If these pledges are fulfilled, financial support will still fall well short of the \$1.8 billion that the UN South Sudan Crisis Response Plan says is required for the remainder of 2014 and for the repositioning of supplies through March 2015.

The conference took place amidst an unfolding humanitarian catastrophe in South Sudan. Thousands have died, over 1 million have been internally displaced and approximately 370,000 have fled to neighbouring countries since the conflict erupted on 15 December 2013. Of the internally displaced, approximately 83,000 are sheltered in UN camps. On 19 May, the World Health Organization reported a cholera outbreak in and around Juba. According to the UN Crisis Response Plan Update on South Sudan for May, “millions are at risk of death from famine and disease”.

The Council maintained its intensive engagement on South Sudan throughout May. Following a 24 April request by the Security Council for the Office of the High Commissioner for Human Rights to undertake an immediate investigative mission to South Sudan (SC/11363), High Commissioner for Human Rights Navi Pillay and the Secretary-General’s Special Adviser on the Prevention of Genocide, Adama Dieng, travelled to the country from 28-30 April. Pillay and Dieng briefed the Council on their findings on 2 May (S/PV.7168). Pillay argued that the parties were engaged in a power struggle and had exhibited “little or no regard for the appalling suffering” that the conflict had caused, while Dieng reported that the conflict demonstrated “elements...of risk factors for genocide and other atrocity crimes”.

On 8 May, Council members received a briefing in consultations on South Sudan from Under-Secretary-General for Peacekeeping Operations Hervé Ladsous and Military Adviser Lieutenant General Ahmed Maqsood from the Office of Military Affairs in the Department of Peacekeeping Operations. Special Representative of the Secretary-General for South Sudan and head of UNMISS, Hilde Johnson, was also available (via video-conference) to respond to questions. Ladsous described efforts on the diplomatic track to resolve the conflict while Maqsood briefed on the status of the deployment of forces through inter-mission cooperation. Johnson drew attention to the UNMISS human rights report, circulated to

Council members earlier in the day.

On 12 May, the Council held a public briefing, followed by consultations, on South Sudan. Ban briefed the Council on his 6 May visit to the country. Ban warned that “if the conflict continues, half of South Sudan’s 12 million people will either be displaced internally, refugees abroad, starving or dead by the year’s end”. He outlined five priorities: an end to the fighting; a commitment by the parties to allow humanitarian access; international support for humanitarian efforts; justice and accountability, including consideration of a hybrid tribunal; and inclusive nation-building with the participation of all political leaders and civil society.

On 27 May, the Council adopted resolution 2155 on UNMISS. The resolution streamlines the UNMISS mandate so that it focuses on four key tasks: protection of civilians; monitoring and investigating human rights; creating enabling conditions for the delivery of humanitarian assistance; and supporting the implementation of the cessation of hostilities agreement. (Prior to the Kiir-Machar 9 May agreement, South Sudan and the SPLM in Opposition had agreed to a cessation of hostilities on 23 January, which was violated by the parties.)

### Human Rights-Related Developments

On 8 May, UNMISS released a report based on more than 900 eyewitness accounts of human rights violations perpetrated since 15 December 2013. The report states that there are reasonable grounds to believe that violations of international human rights and humanitarian law have been committed by both parties to the conflict and that crimes against humanity have occurred. Commenting on the report, Pillay said on 9 May that she recognises in this account many of the precursors of genocide. She urged Kiir and Machar to prevent any further violations by forces under their command and to make it clear that anyone committing such crimes will be arrested and prosecuted.

### Key Issues

A key immediate issue is how the Council can help stop the fighting.

A related issue is how to support the peace negotiations between South Sudan and the SPLM in Opposition in Addis Ababa.

Also a key issue is the Council’s role in facilitating humanitarian access, given the dire predictions of a possible famine in the coming months.

### Options

One option for the Council is to adopt a statement:

- demanding that the parties adhere to the 9 May ceasefire agreement;
- deploring the humanitarian crisis in South Sudan;
- commending the support provided at the Oslo conference; and
- appealing for additional aid to reach the \$1.8 billion in donations that is needed “to save lives, prevent famine and avert the loss of another generation of South Sudanese children in 2014”, according to the UN Crisis Response Plan for South Sudan.

A related option is for the UN Security Council and the AU Peace and Security Council to include in the communiqué issued at the conclusion of their 6 June meeting a strong message demanding that the parties comply with the ceasefire agreement and allow for humanitarian access.

Other potential options include:

- considering targeted sanctions against those in South Sudan that undermine the peace process;
- conducting a Council visiting mission to South Sudan to put pressure on the parties; and
- referring the situation in South Sudan to the ICC (a less likely option).

### Council Dynamics

The Council continues to maintain its intensive focus on South Sudan. Council members are disappointed with Kiir and Machar for plunging the country into civil war and are disturbed by violations of the Status of Forces Agreement by the government of South Sudan. There is also widespread support for the Intergovernmental Authority for Development mediation process. While the Council is generally united in its approach to the conflict, there are some differences of perspective. One main area of disagreement regards the issue of accountability. Several members believe that the Council should consider targeted sanctions against those responsible for the violence, and some (Australia and France) have mentioned referral to the ICC as a viable option. Others, notably Russia, are wary of sanctions. Some members would likely also be opposed to a referral of South Sudan to the ICC.

The US is the penholder on South Sudan.

# Sudan (Darfur)

## Expected Council Action

In June, in accordance with resolution 1593, the Council is scheduled to hear the semi-annual briefing by Prosecutor Fatou Bensouda on the work of the ICC in Darfur. No outcome is expected from the meeting.

## Key Recent Developments

Bensouda last briefed the Council on Sudan on 11 December 2013, highlighting its “inaction and paralysis” with regard to Darfur (S/PV.7080). In delivering her 18th report to the Council on Darfur, she emphasised the deteriorating situation on the ground, noting the large-scale displacement in 2013, the continued attacks on peacekeepers, pervasive sexual and gender-based violence and inter-communal violence, while adding that justice was required for Darfur to experience lasting peace.

In recent months, President Omar al-Bashir of Sudan has visited the Democratic Republic of the Congo (DRC) and Chad, both state parties to the Rome Statute. He attended the Common Market of East and South Africa summit in Kinshasa on 26-27 February. On 29 March, he visited eastern Chad to participate in the Um Jaras Forum for Peace, Security and Peaceful Co-Existence, which was designed to promote peace in Darfur.

The trial of Abdallah Banda Abakaer Nourain, a leader of the rebel Justice and Equality Movement (JEM) accused of war crimes, was scheduled to begin at The Hague on 5 May. The ICC said in a 16 April press release that the trial would be delayed due to “logistic difficulties”. It is not clear when a new start date would be set.

The situation in Darfur continued to be marked by instability and violence. On 11 May, the UN Office for the Coordination of Humanitarian Affairs (OCHA) referred to an assessment by the East Darfur state authority that estimated that 1.5 million people were likely to experience a food shortage. Among other things, this shortage was attributed to inter-communal conflict, a poor harvest and population displacement. OCHA has also reported that 28,000 additional internally displaced people have recently arrived at the ZamZam camp in North Darfur, apparently

having escaped violence in two areas in which the government-affiliated Rapid Support Forces (RSF) reportedly targeted civilians in April. On 19 May, the JEM alleged that it had ambushed a government convoy, killing over 30 Sudan Armed Forces troops and related militia.

An AU/UN Hybrid Operation in Darfur (UNAMID) peacekeeper was shot and killed in Kubkabiya, North Darfur on 24 May while trying to mediate between members of the Fur ethnic group and an Arab militia. Three other peacekeepers were wounded in the incident. Council members issued a press statement the same day condemning the attack (SC/11413).

On 17 May, Al-Sadiq al-Mahdi, the head of the National Umma Party, was arrested for accusing the RSF of murdering and raping civilians in Darfur. The National Umma Party, one of only two major opposition parties that have expressed their intention to participate in Sudan’s national dialogue process, suspended its involvement in that process following the arrest.

On 20 May, Ambassador María Cristina Perceval (Argentina), chair of the 1591 Sudan Sanctions Committee, provided the quarterly briefing to the Council on the Committee’s work in consultations. Perceval reported that concerns had been expressed by a number of Committee members about ongoing violations of the arms embargo. She added that several Committee members would welcome information from the Panel of Experts (PoE) on the impact of the conflict in South Sudan on Darfur.

## Key Issues

An ongoing key issue is whether the ability of Bashir to travel outside Sudan with impunity erodes the effectiveness of the ICC and undermines the credibility of the Council’s own binding resolutions.

Another key issue is whether ICC indictments of Bashir and other key government officials in Sudan hinder the prospects for constructive diplomacy.

A related issue is whether a compromise solution can be found that balances peace and justice.

## Options

One option is for the Council to prepare a letter to Sudan noting that the Council has received notices from the ICC that Bashir has travelled abroad with impunity to countries that are State Parties and that the Council is considering appropriate measures in response. Although unlikely, the Council could consider placing one or more of the ICC indictees on the 1591 sanctions list, as none have been listed to date.

Another option is to adopt a statement that deplores the upsurge in violence in Darfur in recent months and emphasises that protection of civilians is a strategic priority of UNAMID, as outlined in resolution 2148 of 3 April.

The Council might also consider authorising a Commission of Inquiry or requesting the High Commissioner for Human Rights to investigate the allegations of atrocities committed by the RSF in Darfur.

## Council and Wider Dynamics

Although the Council is comprised of 11 ICC States Parties and four non-Parties at present, Council members do not necessarily split along that line vis-à-vis the work of the ICC in Darfur or beyond. The US, for example, has been supportive of the ICC in Darfur, although it abstained on resolution 1593. In addition, Chad and Nigeria have hosted Bashir, even though the Rome Statute requires them as State Parties to apprehend ICC indictees on their territory.

Several African states have viewed the ICC as a political instrument exclusively focused on Africa, and questioned whether its pursuit of justice complements the pursuit of peace. Although the attempt to refer the situation in Syria to the ICC on 22 May failed, despite the support of 13 Council members, including the African members, the effort may contribute to attenuating the anti-Africa allegations levelled against the ICC.

With respect to Darfur, the AU has in the past advocated for a deferral of the proceedings against Bashir.

The UK is penholder in the Council on Darfur.

**UN DOCUMENTS ON DARFUR** Security Council Resolutions S/RES/2148 (3 April 2014) endorsed the revised priorities of UNAMID. S/RES/2138 (13 February 2014) renewed the mandate of the PoE 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/2014/279** (15 April 2014) was the most recent quarterly report on UNAMID. **Security Council Meeting Records S/PV.7159** (24 April 2014) was the most recent quarterly briefing on UNAMID. S/PV.7080 (11 December 2013) was the last semi-annual briefing on Darfur by the ICC Prosecutor. **Security Council Press Statement SC/11413** (24 May 2014) condemned the killing of an UNAMID peacekeeper.

# Sudan and South Sudan

## Expected Council Action

In June, the Council is scheduled to hold its monthly meeting on Sudan-South Sudan issues, likely in consultations. The Special Envoy for Sudan and South Sudan and head of the UN Office to the AU, Haile Menkerios, is expected to brief. At press time, no outcome is anticipated.

## Key Recent Developments

There was heightened fighting in South Kordofan and Blue Nile states in Sudan in April and May, as Sudan Armed Forces (SAF) and affiliated militia stepped up attacks in rebel-held territories. In early May, the UN Office for the Coordination of Humanitarian Affairs (OCHA) reported that the government offensive had resulted in “a number of civilian casualties and repeated massive civilian displacement”. OCHA has reported that the rebel Sudan People’s Liberation Movement-North (SPLM-N) alleges that approximately 800,000 civilians are either internally displaced or severely affected by conflict in parts of South Kordofan and Blue Nile not under government control; however, these figures have not been verified. In one widely reported incident, Sudan bombed a hospital in Gidel, South Kordofan, on 1 May, with no casualties reported.

Sudan and the SPLM-N reconvened for face-to-face negotiations in Addis Ababa on 22 April, but the talks collapsed by the end of the month, with the sides again unable to agree on a framework for negotiations. (The SPLM-N believes that its grievances should be addressed within a national context, while Sudan disagrees.) At press time, it was unclear when the parties would meet again for negotiations.

On 12 May, the ruling National Congress Party stated that the national dialogue process in Sudan would begin by the end of the May. President Omar al-Bashir stated that the process is designed to “stop the war and bring peace, free political society, fight against poverty and revitalise national identity”. The National Consensus Forces, an umbrella group of opposition parties, and the Sudan Revolutionary Front, which consists of several rebel groups, have refused to join the process, arguing that it needs to result in a transitional government that will oversee a process leading to a new constitution and democratic elections.

The National Umma Party and the

Popular Congress Party were the only major opposition parties that expressed willingness to participate in the national dialogue process. However, the National Umma Party suspended its involvement in the aftermath of the 17 May arrest of its leader, al-Sadiq al-Mahdi, for “defamation” after he publicly accused the Rapid Support Forces (RSF), a government-affiliated militia, of murdering and raping civilians in Darfur.

The situation in Abyei, the disputed region straddling the Sudan-South Sudan border, has remained tense. A number of violent incidents between the Misseriya and Ngok-Dinka communities have taken place so far this year. The Abyei Area Administration has still not been formed, nearly three years after it was mandated, and security forces from both Sudan and South Sudan remain in the region in violation of Security Council resolutions. The Abyei Joint Oversight Committee (AJOC), meant to enable joint political and administrative oversight in Abyei, has not convened in over a year.

On 19 May, the Security Council held consultations on Sudan-South Sudan and on the UN Interim Security Force for Abyei (UNISFA). Menkerios briefed on Sudan-South Sudan relations, while UNISFA Force Commander Major General Yohannes Gebremeskel Tesfamariam briefed on UNISFA. Menkerios noted that Sudan and South Sudan had not made progress recently in addressing the issues dividing them, while Tesfamariam described the challenges facing UNISFA in Abyei. The most recent Secretary-General’s report on Abyei noted that Ethiopian officials have indicated that Ethiopia would have to reconsider its military commitment to UNISFA if Sudan and South Sudan continue their lack of cooperation in administering the area and in establishing law and order and inter-communal mechanisms there (S/2014/336). This would present an enormous challenge for the mission as UNISFA is almost exclusively comprised of Ethiopian troops.

At press time, the Council was expected to adopt a resolution renewing the mandate of UNISFA for an additional four months on 29 May.

## Key Issues

One key issue is whether and how the Council can facilitate progress between Sudan

and South Sudan in addressing any of their mutual challenges (border demarcation, the centreline of the Safe Demilitarized Border Zone, the temporary administration of Abyei and the final status of Abyei), given the instability in both countries.

Another key issue is whether anything can be done to break the ongoing impasse in the Council regarding how to address the crisis in South Kordofan and Blue Nile states.

Also a key issue is how the Council chooses to approach the national dialogue process in Sudan.

## Options

One option is to listen to the briefing in consultations but take no action.

The Council might consider a visiting mission to Abyei to meet with the Misseriya and Ngok-Dinka communities and get a better understanding of the challenges facing the region.

The annual consultative meeting between Council members and the members of the AU Peace and Security Council scheduled for 6 June might also provide an opportunity for the two Councils to send a strong political signal to Sudan and South Sudan on the need to reinvigorate the stalled negotiations on Abyei and other matters. (This could be done in the context of the joint communiqué issued at the conclusion of the meeting.)

The Council might also consider hosting an Arria-formula meeting on the humanitarian situation in South Kordofan and Blue Nile that includes civil society actors knowledgeable about the situation on the ground.

## Council Dynamics

The Council continues to discuss Sudan-South Sudan relations once per month, yet its attention has been focused on the situation in South Sudan since the 15 December 2013 outbreak of hostilities. There are ongoing concerns in the Council about the lack of progress made by Sudan and South Sudan in resolving many of the mutual challenges facing them. Several Council members view the national dialogue process in Sudan as a step in the right direction, although some would like to see concrete progress before commending the process.

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

# Central African Republic

## Expected Council Action

In June, the Council may be briefed on the preliminary report of the Commission of Inquiry (CoI) established by the Council in resolution 2127 to investigate reports of violations of international humanitarian law, international human rights law and abuses of human rights in the Central African Republic (CAR).

The Council may also be briefed on recent developments, depending on events on the ground.

The 2127 CAR Sanctions Committee may meet to consider the interim report of its Panel of Experts in June.

The mandate of the UN Multidimensional Integrated Stabilization Mission in the Central African Republic (MINUSCA) expires on 30 April 2015.

## Key Recent Developments

Thousands are estimated to have been killed in the CAR since 24 March 2013, when the Séléka rebel group ousted President François Bozizé. Recent months have seen an increase in violence against Muslims, who constitute roughly 15 percent of the population. The Christian *anti-balaka* militias have increased their attacks on Muslims, as have civilian mobs. As a result, thousands of Muslims have been forced to flee towards the majority Muslim northern CAR.

On 8 April, High Commissioner for Human Rights Navi Pillay briefed Council members in consultations on several situations, including the CAR. Following her recent visit to the country, she noted that the situation remains dire, with inter-communal hatred “at a terrifying level”. She said that, while large-scale massacres that characterised the situation in most of the country in January and February seem to have ended, people are still killed daily, especially by the *anti-balaka*. Pillay urged the Council to deploy a robust peacekeeping mission and stressed the need for police forces to restore law and order.

On 10 April, the Council adopted resolution 2149, establishing MINUSCA with an initial authorised deployment of up to 10,000 military and 1,800 police personnel (S/PV.7153). MINUSCA is to take over from the AU troops currently deployed in the

country by 15 September. Its tasks include protecting civilians; facilitating the delivery of humanitarian assistance; protecting human rights; supporting the rule of law; and ensuring the disarmament, demobilisation, reintegration and repatriation of former combatants. At the request of the CAR authorities, MINUSCA will also have the mandate to adopt temporary measures to maintain basic law and order and fight impunity (such measures may include the authority to arrest and detain individuals). The resolution also welcomed the recommendation of the Secretary-General to adjust the mandate of MINUSCA as the situation on the ground evolves and requested him to develop a concept of operations and benchmarks for this sequencing. The resolution also authorised the French forces of *Opération Sangaris* in the CAR to use all necessary means to support MINUSCA. The UN Integrated Peacebuilding Office in the Central African Republic (BINUCA) is to become the civilian component of MINUSCA.

Following the killing of French journalist Camille Lepage in western CAR, Council members issued a press statement on 13 May, recalling their demand that all parties comply with applicable international humanitarian law, including as related to the protection of civilians in armed conflict. They also called on the transitional government to bring the perpetrators to justice.

The preliminary report of the CoI was circulated to Council members on 28 May (S/2014/373). Its initial findings are that individuals from both sides of the conflict perpetuated serious breaches of international Humanitarian Law and crimes against humanity as well as war crimes, from 1 January 2013 until this day. However at this stage, the CoI finds that it is premature to talk of genocide or ethnic cleansing, or significant involvement of other states in the conflict.

Regarding the 2127 CAR Sanctions Committee, the Special Representative of the Secretary-General for Children and Armed Conflict, Leila Zerrougui, and the Special Representative of the Secretary-General on Sexual Violence in Conflict, Zainab Bangura, briefed the Committee on 5 May. The

two conveyed that the security situation in the CAR is worsening and that the number of victims of violent attacks, including sexual attacks, was staggering. The Committee issued a press release (SC/11388) stating appreciation for proposals made by the two briefers for designations and encouraging them to exchange information on possible designations with the Panel of Experts (PoE) established in resolution 2127 (2013).

The Committee made its first sanctions designations on 9 May (SC/11389). *Séléka* leader Nourredine Adam, *anti-balaka* leader Levy Yakete, and former President Bozizé were listed for undermining the peace, stability or security in the CAR. Adam was also listed for suspected international human rights law and international humanitarian law violations. (Early drafts of resolution 2149 designated the three, yet some Council members asked for more time to consider the listings, and the issue was discussed in the Committee.)

On 13 May, the US imposed sanctions on the three individuals in addition to *Séléka* leader Michel Djotodia, the former transitional president of the CAR, and Abdoulaye Miskine, leader of the Democratic Front of the Central African Republic People, one of the groups composing the *Séléka* rebel alliance.

## Human Rights-Related Developments

Following a 29 March incident in which troops from Chad fired into a market in Bangui killing 30 and wounding more than 300 people, BINUCA's Human Rights and Justice Section conducted an initial investigation. It found that the action appeared totally disproportionate and without provocation.

The Independent Expert on the human rights situation in the CAR, Marie-Thérèse Keita Bocoum, visited the CAR from 10-18 April. In a 23 April statement she said that the climate of insecurity in the country was such that some communities, especially Muslims, were leaving the country. She emphasised that the lack of judicial infrastructure and the insecurity faced by judges would impede the fight against impunity and called on the government to take all necessary measures to re-establish its authority within the territory. (The Human Rights Council will consider a report of the Independent Expert on CAR [A/HRC/26/53] during its June session.)

In a 25 April statement, the special rapporteurs on the human rights of internally displaced

**UN DOCUMENTS ON THE CAR** Security Council Resolutions S/RES/2149 (10 April 2014) established MINUSCA. 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 MINUSCA and a French intervention force. Security Council Meeting Record S/PV.7153 (10 April 2014) was the meeting in which MINUSCA was established. Security Council Press Statement SC/11394 (13 May 2014) was on the death of a French journalist. Security Council Letter S/2014/373 (28 May 2014) was the preliminary report of the CAR CoI. **OTHER RELEVANT FACTS** Special Representative and Head of MINUSCA Babacar Gaye (Senegal) MINUSCA Authorised strength 10,000 military personnel, 1,820 police MINUSCA Duration 10 April 2014 to present. Chair of the Sanctions Committee Ambassador Raimonda Murmokaitė (Lithuania)



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## Central African Republic (con't)

persons (IDPs), Chaloka Beyani, and on minority issues, Rita Izsák, said that evacuation to protect the lives of religious minorities under threat in the CAR must be a measure of last resort, conducted voluntarily and in accordance with international standards. The statement stressed that any evacuation should be short-term, with a prospect for the evacuees to return to their homes and a guarantee to return in safety and dignity. Whether they decide to stay or are evacuated, those persons should be granted protection immediately. While welcoming the establishment of MINUSCA, the rapporteurs expressed concern that the mission would only be operational in September. They stated that in the interim, the government should receive adequate support from the international forces already on the ground.

### Key Issues

Following the establishment of MINUSCA, an overall issue is to sustain a hands-on approach towards the CAR, including monitoring developments on the ground closely and following up with Council action accordingly.

Until MINUSCA is fully operational, a key issue is providing effective support to the African-led International Support Mission to the CAR (MISCA) and the other international forces so they can restore security in

the country immediately.

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:

- discussing and taking up the recommendations made in the preliminary report of the CoI;
- undertaking a Council visiting mission to the CAR, a country the Council has never visited despite it being on its agenda since 1997;
- listing further individuals for violations of the criteria set out under resolution 2134, either through the Committee or by the Council; or
- taking no action at this time.

### Council and Wider Dynamics

With the establishment of MINUSCA, Council members are now looking to monitor the situation on the ground and MINUSCA's

preparations for deployment. As the security and humanitarian situation remains dire, the penholder may request a briefing from the Secretariat with updates on MINUSCA and the current operations of MISCA. Resolution 2149 does not authorise a support package for MISCA until the deployment of MINUSCA and some countries, such as the US, have been contributing to the force bilaterally. Council members may need to address the lack of improvement in the short-term due to operational gaps in MISCA.

Council members will also be eager to discuss the initial findings of the CoI and, later in July, of the PoE assisting the sanctions committee. These may provide Council members with further information related to accountability and sanctions that the Council (or the Committee) may need to address. These may also inform the mission concept of MINUSCA (due in August) on issues of law and order and rule of law. Some Council members are hoping that the Secretariat produces the mission concept sooner as it will enable approaching potential troop-contributing countries with a better understanding of the needs of MINUSCA.

France is the penholder on the CAR.

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## Peace and Security in Africa (Sahel)

### Expected Council Action

In June, the Council will be briefed by the new Special Envoy of the Secretary-General for the Sahel, Hiroute Guebre Sellassie. Council members will consider the Secretary-General's report on progress in implementing the UN integrated Sahel strategy, to be released in early June. The Council may adopt a presidential statement.

### Key Recent Developments

Over the past few months, the UN sought to further implement its Sahel strategy. On 1 January, the Office of the Special Envoy of the Sahel relocated from Rome to Dakar to be co-located with the UN Office for West Africa (UNOWA). As expected, after the mandate of the Special Envoy, Romano Prodi, ended on 31 January, responsibility for implementing

the strategy was entrusted to the Office of the Special Envoy under "the overall authority" of Said Djinnit, the Secretary-General's Special Representative for West Africa and head of UNOWA (S/2014/51). On 1 May, the UN announced the appointment of Sellassie as the new Special Envoy. Sellassie formally began her work in Dakar on 12 May.

The five core Sahel countries identified in the UN strategy (Burkina Faso, Chad, Mali, Mauritania and Niger) established the "G5 Sahel" on 16 February. The G5 Sahel, a new regional organisation to be headquartered in Nouackhott, Mauritania with its own secretariat, seeks to enhance cooperation on development and security in the Sahel region and to coordinate efforts to develop infrastructure.

UN efforts to advance the UN strategy included producing a draft 2014-2016

implementation plan, with UN agencies and programmes in the region developing country-specific and regional projects in line with the three pillars of the strategy: governance, security and resilience. The implementation plan was scheduled to be presented to the five core Sahel countries for their validation on 9 April in Nouackhott. However, this meeting and two subsequent rescheduled meetings, the latest being on 26 May, were postponed due to scheduling conflicts with G5 Sahel initiatives.

On 16 May, Mali presented the plan for its two-year presidency of the Coordination Platform at a ministerial meeting in Bamako. The Coordination Platform is meant to coordinate and prevent duplication of international efforts. The establishment of the other mechanism key to the UN Sahel strategy, the

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**UN DOCUMENTS ON PEACE AND SECURITY IN AFRICA (SAHEL)** Security Council Presidential Statements S/PRST/2013/20 (12 December 2013) reaffirmed that the Secretary-General should ensure early implementation of the UN Sahel strategy. S/PRST/2013/10 (16 July 2013) welcomed the objectives and indicative actions of the UN Sahel strategy. **Secretary-General's Report S/2013/354** (14 June 2013) contained the UN Sahel strategy.

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## Peace and Security in Africa (Sahel) (con't)

Action Fund, to be administered by the African Development Bank for financing infrastructure, remained stalled.

In response to concern over the regrouping of terrorist groups from Mali into southern Libya and other Sahel countries, in May, France announced a new counter-terrorism strategy. Following agreements with the G5 Sahel countries, France would redeploy many of its troops participating in *Opération Serval* in Mali to regional bases in Burkina Faso, Chad and Niger to be able to operate freely across borders. The forces would further be supported by French troops currently in Côte d'Ivoire. (Due to the deterioration in Mali, France has postponed plans to redeploy these forces, and on 22 May announced it was reinforcing *Opération Serval* with 100 troops.)

Meanwhile, instability across the region worsened. In Mali, at least eight government soldiers and six government officials were killed on 18 May by Tuareg separatists, who then seized Kidal, Tessalit and other locations in an embarrassing defeat for the government, renewing concerns about a civil war and raising serious questions about the coordination, or lack thereof, of operations with the UN Multidimensional Integrated Stabilisation Mission in Mali (MINUSMA) and *Opération Serval*. That same weekend, Libya saw some of its worst fighting since the end of the 2011 revolution; Prodi previously described Libya as “especially critical” to security in the

Sahel and urged the international community to coordinate its strategies on the Sahel and Libya (S/PV.7081). Continuing and worsening attacks by *Boko Haram* in Nigeria drew more international attention to the group. The organisation was added by the 1267/1989 Al-Qaida Sanctions Committee to its sanctions list on 22 May, and has reportedly metastasized into Cameroon, Chad, Mali, Niger and the Central African Republic.

When the Council last considered the Sahel on 12 December 2013, it adopted a presidential statement that reiterated its concerns about the region and reaffirmed that the Secretary-General should ensure early implementation of the integrated strategy (S/PRST/2013/20).

### Key Issues

The key issue for the Council is ensuring that the Sahel strategy produces impact. A related issue of concern is the slow progress in its implementation, and whether the strategy remains adequate with the current security deterioration across the region and the recent lapses in coordination between relevant actors on the ground, most recently between Mali vis-à-vis MINUSMA and *Opération Serval*.

Another issue is concern about competition and lack of cooperation between the UN and other initiatives, such as the G5 Sahel. The AU and ECOWAS have also been

developing Sahel strategies, in addition to the EU's Sahel strategy.

### Options

The Council might adopt a presidential or press statement that:

- conveys its support for the new Special Envoy, expresses concern over slow implementation of the UN Sahel strategy and calls for greater cooperation from countries and actors in the region; or
- mandates a review of the strategy in light of the changes in security situations on the ground.

Taking no action is another option for the Council.

### Council Dynamics

Several Council members have high stakes in the Sahel, particularly Chad, a member of the G5 Sahel, and Nigeria, where *Boko Haram* is based. This will be the first meeting on the Sahel since both countries joined the Council. Additionally, France, having forces in Mali and with plans to conduct broader counter-terrorism operations in the Sahel, has keen interests in the region.

In 2013, France and Morocco both took the lead to draft presidential statements on the Sahel. If the Council seeks a presidential statement in June, it might be initiated by France or Chad.

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## Mali

### Expected Council Action

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

MINUSMA's mandate expires on 30 June.

### Key Recent Developments

The security situation has significantly deteriorated in the north. At press time, Kidal and Ménaka were under control of the armed groups. On 16 May demonstrations against the newly appointed prime minister, Moussa Mara, on his first visit to Kidal since taking office, erupted into violent clashes. Seven civilians were reportedly injured, and two UN peacekeepers and 21 UN police officers deployed to control the situation were wounded as well. On 17 May, the *Mouvement*

*National de Libération de l'Azawad* (MNLA) seized and burned the governor's office in Kidal; at least eight civilians were killed, including six government officials, with no clear estimate as to the number of Mali Defence and Security Forces (MDSF) and MNLA casualties at press time. Moreover, some 32 detained officials were released on 19 May, according to MINUSMA. In a televised speech that evening, President Ibrahim Boubacar Keïta said he considered the attack on Kidal a “declaration of war”.

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**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. [Security Council Press Statement SC/11406](#) (20 May 2014) condemned the violence in Kidal. [Secretary-General's Reports S/2014/267](#) (14 April 2014) was on children and armed conflict in Mali. [S/2014/229](#) (28 March 2014) covered developments in MINUSMA and Mali from 22 December 2013 to 24 March 2014. [Security Council Meeting Records S/PV.7179](#) (20 May 2014) was a briefing by Koenders on the violence in Kidal. [S/PV.7158](#) (23 April 2014) was a briefing by Koenders on MINUSMA and developments in Mali. **OTHER RELEVANT FACTS** [Special Representative of the Secretary-General Albert Gerard Koenders](#) (Netherlands) [MINUSMA Duration](#) 25 April 2013 to present

## Mali (con't)

After being briefed by Koenders, on 20 May Council members released a press statement condemning the violent clashes in Kidal and called on all parties to act with restraint and refrain from any further violence that could threaten civilians. A 21 May offensive by the MDSF to retake Kidal resulted in some 50 dead according to the government. The UN Children's Fund reported on 22 May that some 3,000 people had been displaced from Kidal following the clashes. On 23 May a ceasefire was signed between representatives of the armed groups and the government under the auspices of the African Union and MINUSMA, accepting to start negotiations as soon as possible and providing for the facilitation of humanitarian access, the liberation of prisoners and the establishment of an international commission of inquiry. At press time, Council members were scheduled to be briefed in consultations by Koenders on 28 May on the ceasefire agreement and its implementation.

The developments came at a moment when the security situation was already volatile in northern Mali. MINUSMA has observed an increasing use of improvised explosive devices by terrorist groups, and its camps have been targeted by increasingly precise rockets. Incidents of inter-communal violence between Tuaregs and Peuls continue in the Gao region. Four staff members of the ICRC who had been kidnapped by the *Mouvement pour l'Unité et le Jihad en Afrique de l'Ouest (MUJAO)* were rescued by *Opération Serval* and MDSF on 17 April. On 23 April, the government confirmed the death of a French hostage kidnapped by MUJAO in November 2012. Following the most recent violence in Kidal, France announced a delay in its plan to redeploy 3,000 soldiers to fight terrorism across the Sahel; instead, they will focus on the situation in Mali in the coming weeks.

Prime Minister Oumar Tatam Ly resigned on 5 April and his successor, Mara, appointed a new cabinet on 11 April. The former foreign minister, Zahabi Ould Sidi Mohamed, was named minister for national reconciliation and development of the north. On 23 April, Keïta announced the appointment of Modibo Keïta, a former prime minister, as high representative for the inclusive inter-Malian dialogue. Also on 23 April, Council members released a press statement

expressing their concern over the lack of progress in peace talks and calling upon all parties to urgently agree on a road map for an inclusive and credible negotiation process (SC/11361). In late April, MNLA conveyed a three-day congress in Kidal, with the *Haut Conseil pour l'Unité de l'Azawad (HCUA)* holding its own congress on 12 May. The MNLA and HCUA have recently called for a unification of armed groups.

In early May, a mission led by Assistant Secretary-General for peacekeeping operations Edmond Mulet conducted a strategic review of MINUSMA. The recommendations resulting from this mission are expected to feed into the Secretary-General's report to be considered in June and to inform the discussions on the renewal of MINUSMA's mandate.

As of 8 May, there were still more than 137,000 internally displaced persons in Mali and more than 141,000 refugees in neighbouring countries. 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. OCHA's strategic response plan was only funded at 19 percent.

### Human Rights-Related Developments

On 26 March, the Independent Expert of the Human Rights Council (HRC) on the situation of human rights in Mali, Suliman Baldo, briefed the HRC on his report (A/HRC/25/72). Baldo said that despite significant progress, the country remained fragile, with human rights violations committed in the north by armed jihadists, the MNLA, and the MDSF. Refugees and displaced persons were still facing obstacles to their return. According to Baldo, fighting impunity is one of the most important tasks.

On 28 March, the HRC adopted resolution 25/36, extending the mandate of the Independent Expert for another year. The resolution called on the government to promote national reconciliation, including through strengthening the judiciary, developing transitional justice mechanisms and reintroducing state services throughout the country. In a 20 May statement, Baldo condemned the attack in Kidal and called for an inquiry.

### Key Issues

An overarching issue is preventing the escalation of the conflict in Mali and the reversal of the gains achieved since the establishment of MINUSMA.

A key issue for the Council in the next period will be to ensure that all parties respect the ceasefire and participate in an inclusive peace process without additional

preconditions and despite the recent violence.

Ensuring accountability for the crimes in Kidal while pursuing a political settlement is a related issue. The effective implementation of the general principles for the cantonment process that were agreed to by the government and the armed groups in February is a further related issue.

As MINUSMA redeploys to more rural areas and shifts its centre of gravity towards the north, the impact of its robustness on the humanitarian and political tasks of its mandate is a key issue.

A key issue is the impact that the 16-17 May violence in Kidal might have on the public image of the mission and on its ability to implement its mandate.

### Options

The resolution renewing MINUSMA's mandate could:

- call on all parties to act with restraint and refrain from any further violence;
- recall the need for inclusive peace talks as soon as possible;
- prioritise MINUSMA's good offices mandate and its role in confidence-building and conflict prevention;
- welcome the decision by the Secretary-General to reconsider MINUSMA's force layout to enhance its projection throughout the north and in rural areas;
- lay out benchmarks for MINUSMA to adequately assess progress, define an exit strategy and enhance the public understanding of its mandate;
- request the Secretary-General to establish an international commission of inquiry to investigate international crimes, including the 16-17 May violence in Kidal;
- request the Secretary-General to speed up MINUSMA's deployment; and
- establish an expert group to identify those involved in transnational organised crime in Mali and the Sahel, with the possibility of imposing targeted sanctions, as recommended in the Secretary-General's report (S/2013/189).

### Council Dynamics

Council members are increasingly worried about the lack of progress in the political process and the risk for further escalation of the conflict, especially due to the expectations impressed on the Council visiting mission to

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## Running Head (con't)

Mali on 1-3 February.

Following the recent violence in Kidal, the strained relationship between the government and MINUSMA has become more apparent. In the 20 May briefing, Foreign Minister Abdoulaye Diop requested a more

robust mandate for MINUSMA and for it to include the disarmament of armed groups. (During the negotiations of resolution 2100, the AU and Mali requested a peace-enforcement mandate for MINUSMA.) It seems highly unlikely that Council members will

respond to this request as they seem to agree that even though security challenges are an important dimension of the crisis, emphasis has to be placed on inclusive political dialogue in order to reach a sustainable solution.

France is the penholder on Mali.

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## Libya

### Expected Council Action

In June, the Security Council expects a briefing, followed by consultations, from Tarek Mitri, the Special Representative of the Secretary-General and head of the UN Support Mission in Libya (UNSMIL). The Council will also receive the periodic briefing by the chair of the 1970 Libya Sanctions Committee, Ambassador Eugène-Richard Gasana (Rwanda), and hold consultations on the Libya sanctions.

The mandates of UNSMIL and the Panel of Experts (PoE) assisting the 1970 Libya Sanctions Committee expire on 13 March and 13 April 2015, respectively.

### Key Recent Developments

The security situation is critical in Libya. On 16 May, former Libyan army General Khalifa Haftar launched a military operation in Benghazi targeting Islamist militias, which resulted in at least 70 dead. Haftar, who had attempted an unsuccessful coup on 14 February, framed the operation in response to the recent wave of assassinations and attacks targeting army and police personnel in Benghazi. On 18 May militias loyal to Haftar attacked the General National Congress (GNC) in Tripoli. These attacks came after allegations questioning the legality of the 4 May election of Ahmed Maiteeq as Prime Minister, whose cabinet was finally approved by the GNC on 25 May. (On 13 April, Abdullah al-Thinni—who had substituted Prime Minister Ali Zeidan after being ousted by the GNC on 11 March—decided to resign after an attack on his family.) In a 19 May statement, UNSMIL called on all sides to immediately cease all military action

and to address differences by political means.

On 13 May, the Jordanian ambassador to Libya, who had been held since being kidnapped on 15 April, was released after a Libyan citizen serving a life sentence on terrorism charges in Jordan was transferred to Tripoli. The whereabouts of two Tunisian diplomats kidnapped in March and April remain unknown.

The Constitution Drafting Assembly (CDA) met for the first time on 21 April, but is still missing six of its 60 members. The GNC adopted a law on 30 March providing for the 25 June election of a new House of Representatives to replace the GNC, although the prospects that they will take place are unclear. Municipal elections were held throughout April and May.

A deal was reached in early April between the government and militias to re-open blockaded oil export terminals, but two out of four ports (Ras Lanuf and Es-Sider) have not reopened following claims by militia leaders that the government had not honored its commitments (including the disbursement of compensation payments to militiamen). Militia leaders also publicly rejected Maiteeq's appointment as prime minister.

A trial of 37 Qaddafi-era officials accused of serious crimes during the 2011 revolution has been adjourned multiple times since March. While former intelligence chief Abdullah Al-Senussi appeared in court in Tripoli, Saif Al-Islam Qaddafi, son of deposed leader Muammar Qaddafi, testified via video-link from a militia-held prison in Zintan. On 21 May, the International Criminal Court (ICC) reiterated its decision that Qaddafi should be

tried in The Hague and in a 14 May briefing to the Council, ICC Prosecutor Fatou Bensouda insisted that Libya should immediately surrender him to the Court. She also deplored the slow progress in Al-Senussi's trial after the Court ruled in October 2013 that his case was being investigated by Libya, thus making it inadmissible before the ICC.

On 14 March, the Council unanimously adopted resolution 2144, extending the mandate of UNSMIL and the PoE. The resolution did not include significant changes to the sanctions regime. Some recommendations contained in the latest report of the PoE—such as enlarging the PoE, clarifying the mechanisms by which frozen assets are disposed of or calling on the government to ensure clearer procurement procedures for military materiel and more precise end-user certificates—were not included following disagreements among permanent members of the Council. On 19 March the Council unanimously adopted resolution 2146, imposing sanctions on vessels designated by the 1970 Libya Sanctions Committee to be transporting crude oil that had been illicitly exported from Libya.

### Key Issues

An overarching issue is the current fighting between militias and factions of the army, as well as the challenges to the legitimate authorities (the prime minister and the GNC).

Agreeing on a roadmap for an inclusive political process and ensuring the swift work of the CDA is a key issue.

A pressing issue is ensuring the protection of UNSMIL staff so it can carry out its mandate.

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**UN DOCUMENTS ON LIBYA** **Security Council Resolutions** S/RES/2146 (19 March 2014) imposed measures on vessels transporting crude oil that has been illicitly exported from Libya. S/RES/2144 (14 March 2014) extended the mandates of UNSMIL and the PoE. S/RES/1970 (26 February 2011) referred the situation in Libya to the ICC. **Secretary-General's Report** S/2014/131 (26 February 2014) was the latest report of the Secretary-General on Libya. **Security Council Letter** S/2014/288 (17 April 2014) appointed six experts to serve on the PoE. **Security Council Meeting Records** S/PV.7173 (13 May 2014) was the seventh briefing by the Prosecutor of the ICC on Libya. S/PV.7130 (10 March 2014) was a briefing on Libya. **Security Council Press Statement** SC/11354 (15 April 2014) condemned the abduction of the Jordanian ambassador to Libya. **Sanctions Committee Document** S/2014/106 (15 February 2014) was the final report of the PoE. **OTHER RELEVANT FACTS** **Special Representative of the Secretary-General and Head of UNSMIL** Tarek Mitri (Lebanon) **UNSMIL Strength as of 31 January 2014** 151 international civilians, 81 local civilians, 11 police officers and three UN volunteers. **UNSMIL Duration** 16 September 2011 to present.

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## Libya (con't)

Coordinating the different international initiatives put in place to work towards a political settlement in Libya is an ongoing issue, as despite resolution 2144 spelling out UNSMIL's "good offices" mandate, key actors such as the UK, the US, the Arab League and the EU have appointed special envoys to Libya.

### Options

Options for the Council include:

- condemning the use of violence against the legitimate authorities;
- calling upon the militias and army factions in Libya to refrain from using violence and to agree to work together for national reconciliation, justice, respect for

human rights and the rule of law;

- threatening or adopting targeted sanctions against spoilers of the political process; and
- calling for improved coordination of international support under the auspices of UNSMIL.

### Council Dynamics

The overall deterioration of the security situation and the fragility of the political situation are sources of concern for Council members. At press time, no Council member had circulated a statement or called for a Council meeting on the 18 May, or for that matter the 14 February, coup attempt by Haftar.

The discussions in March regarding the

changes to the UNSMIL mandate and prioritisation and adaptation of its tasks to the challenging security situation were not difficult. Regarding sanctions, however, Council members found it difficult to agree on amendments to impose measures on vessels transporting crude oil that had been illicitly exported from Libya. In the end, this was addressed in a separate resolution drafted by the US and negotiated separately. Although China and Russia made clear their uneasiness during the negotiations of the resolution, which authorises the interception of vessels without consent from the flag state if the Committee agrees to do so after a request from Libya, resolution 2146 was adopted unanimously.

The UK is the penholder on Libya.

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## Côte d'Ivoire

### Expected Council Action

In June, the Council is expected to renew the mandate of the UN Operation in Côte d'Ivoire (UNOCI) before it expires on 30 June. The Special Representative of the Secretary-General for Côte d'Ivoire, Aïchatou Mindaoudou Souleymane, is also expected to brief the Council on recent developments and the Secretary-General's report.

The current mandate of the French forces in the country also expires on 30 June.

### Key Recent Developments

A strategic review of UNOCI and the UN Mission in Liberia (UNMIL) conducted by the Department of Peacekeeping Operations in February concluded that the situation in the Liberia-Côte d'Ivoire border area had considerably improved since 2012, encouraging the voluntary return of refugees (S/2014/342). Due to security improvements, the deployment of surveillance drones at the border—requested by Côte d'Ivoire last year—has been put on hold until further consultations with the government.

Recent events, however, call into question these conclusions about the improved situation at the border. On 15 May, 10 civilians and three soldiers were reportedly killed

during an attack by gunmen in the southwestern Côte d'Ivoire. The army retook control of the area on 16 May after launching a counter-offensive. This was the third attack reported near the border with Liberia since the beginning of the year, with the first two occurring on 23 February and 26 April.

At a 16 May meeting of the 1521 Liberia Sanctions Committee with its Panel of Experts (PoE), the PoE said it had determined that the 23 February attack was a politically motivated cross-border attack. Further investigations were needed to determine the nature of the two other attacks. The PoE warned that the number of such attacks could increase with the upcoming October 2015 presidential elections. Additionally, the latest report of the Group of Experts (GoE) of the 1572 Côte d'Ivoire Sanctions Committee noted that the mercenaries in Liberia and the Ivorian militia remained highly operational (S/2014/266).

Ahead of the presidential elections, tensions remain between the government and the former ruling party, *Front populaire ivoirien* (FPI). Following the 20 March decision by the government to transfer Charles Blé Goudé, an ally of former President Laurent Gbagbo, to the ICC, the FPI announced it would no longer participate in dialogue

with the government. On 29 March, the FPI called for a boycott of the national census that began on 17 March. The government and the FPI resumed dialogue on 22 May.

A new coalition composed of 12 opposition parties under FPI coordination, the *Alliance des forces démocratiques de Côte d'Ivoire* (AFDCI), was created on 26 March. The AFDCI called on 3 April for the establishment of a new framework for discussions with the government, including a neutral mediator. Additionally, a new pro-Gbagbo political party, the *Front populaire uni* (FPU), was created on 19 April, distinguishing itself from the more radical opposition of the FPI.

On 9 April, the government approved a draft bill restructuring the composition of the Independent Electoral Commission (IEC). Following criticism from the opposition, the bill was later amended, but it remains controversial. On 28 May, the National Assembly adopted the bill. The Central Committee of the IEC was reduced from 31 to 16 members.

In resolution 2112 of 30 July 2013, the Council expressed its intention to consider reducing UNOCI's troop strength by 1,700 military personnel between July 2014 and June 2015. In his latest report, the

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**UN DOCUMENTS ON CÔTE D'IVOIRE** Security Council Resolutions S/RES/2153 (29 April 2014) modified the sanctions regime on Côte d'Ivoire until 30 April 2015 and renewed the GoE mandate until 30 May 2015. S/RES/2112 (30 July 2013) renewed the mandate of UNOCI until 30 June 2014. Security Council Meeting Records S/PV.7163 (29 April 2014) was the adoption of resolution 2153. S/PV.7102 (27 January 2014) was the last briefing by Mindaoudou. Secretary-General's Report S/2014/342 (15 May 2014) was the latest Secretary-General's report on UNOCI. Sanctions Committee Document S/2014/266 (14 April 2014) transmitted the final report of the GoE.

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## Côte d'Ivoire (con't)

Secretary-General recommended that the Council take a prudent approach in downsizing the mission given the sensitivity of the electoral period. He called for a reduction of 1,100 troops by June 2015, with an additional reduction of 2,000 troops by mid-2016 after the peaceful conclusion of the 2015 elections. The Secretary-General also asked the Council to approve the establishment of a 650-troops quick-reaction force within UNOCI that could be deployed to Liberia in case of a serious deterioration in security there.

During a visit to Côte d'Ivoire on 10 May, Defence Minister Jean-Yves Le Drian of France announced that the French forces stationed in Côte d'Ivoire since 2002 would be restructured as of 1 January 2015 as an advance operational force that would support the fight against terrorism in the Sahel.

In justice-related developments, on 8 April the defence team for former First Lady Simone Gbagbo confirmed to the ICC her preference to be tried in Côte d'Ivoire.

### Sanctions-Related Developments

On 24 April, Ambassador Cristián Barros (Chile), the chair of the Côte d'Ivoire Sanctions Committee, briefed Council members in consultations on the final report of the GoE (S/2014/266). On 29 April, the Council adopted resolution 2153, lifting the ban on importing rough diamonds from Côte d'Ivoire. It partially lifted the arms embargo, making a distinction between non-lethal and lethal arms, and eased the embargo on light arms. It renewed the modified sanctions regime until 30 April 2015 and the mandate of the GoE for 13 months.

### Human Rights-Related Developments

On 23 April, Doudou Diène, the independent expert on the situation of human rights in Côte d'Ivoire for the Human Rights Council (HRC), called for broad consultations with all political and civil society actors on the bill reforming the IEC. The IEC has been the most sensitive institution of the post-electoral crisis. Diène said political actors must reach consensus on the mapping of electoral districts and lists and on the composition of the IEC. The HRC will consider Diène's report (A/HRC/26/52) during its June session.

Following its 29 April review of Côte d'Ivoire, the HRC's working group of the Universal Periodic Review adopted a report on 2 May. Côte d'Ivoire accepted 178 of the 186 recommendations from the interactive dialogue, including those on accountability, sexual violence and national reconciliation. Another six recommendations will be examined by the country before September (A/HRC/WG.6/19/L.4).

### Key Issues

The extent of UNOCI's downsizing, in the period leading up to the 2015 elections is the key issue.

The resurgence of attacks along the Liberia-Côte d'Ivoire border is a key issue, especially in the context of Council discussions about whether and when to scale back or lift entirely the remaining Liberia sanctions.

### Underlying Problems

Remaining deep political divisions is a key concern, especially while elections-related reforms are underway.

The revival of hate speech with a potential

of inciting violence is a growing concern.

### Options

Main options for the Council include:

- authorising the reduction of UNOCI's force by 1,100 troops by June 2015 as recommended by the Secretary-General; or
- maintaining the reduction of UNOCI's force by 1,700 military personnel by June 2015 as expressed in resolution 2112. The Council may also:
- authorise the establishment of a quick-reaction force within UNOCI that could provide support in Liberia;
- call on the government to undertake further efforts to ease political tensions ahead of the elections; or
- affirm its readiness to impose sanctions on individuals inciting public hatred.

### Council Dynamics

Council members generally agree on the establishment of a quick-reaction force and the downsizing of the mission, while keeping in mind the remaining political and security challenges and the 2015 presidential elections. During the adoption of resolution 2153 on the Côte d'Ivoire sanctions, the US initially advocated for a more prudent approach than the one suggested by France with regards to easing the arms embargo. It remains to be seen whether this dynamic will reappear during the negotiations on UNOCI.

France is the penholder on Côte d'Ivoire.

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## Liberia

### Expected Council Action

In June, the Council will review the Liberia sanctions regime as renewed by resolution 2128 of 10 December 2013. The resolution called for a review six months after its adoption, "with a view to modifying or lifting all or parts" of the sanctions. The chair of the 1521 Liberia Sanctions Committee, Ambassador Zeid Ra'ad Zeid Al-Husseini (Jordan), is due to brief the Council in consultations. No outcome is expected.

### Key Recent Developments

Council members received the midterm report of the Panel of Experts (PoE) assisting the Sanctions Committee in late April (S/2014/363). It highlights continued failure by Liberia to adopt national firearms legislation, shortcomings to mark arms as mandated in resolution 1903 (2009) and weak state capacity to control the borders. While the report said that militia and former combatants do not threaten state security, they can create localised instability, in particular

along the Liberia-Côte d'Ivoire border, with cross-border attacks likely to increase before the 2015 elections in Côte d'Ivoire. Additionally, a rise in drug trafficking in Liberia, with the involvement of some security personnel, was highlighted as a concern that can facilitate illegal arms trafficking. Also troubling to the PoE is the absence of any drug legislation in Liberia to combat drug trafficking.

The PoE report detailed its investigation of the 23 February attack in the towns of Fete and Grabo in Côte d'Ivoire near the border

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UN DOCUMENTS ON LIBERIA Security Council Resolutions S/RES/2128 (10 December 2013) renewed the Liberia sanctions for a further 12 months. S/RES/2116 (18 September 2013) renewed the mandate of UNMIL until 30 September 2014. Sanctions Committee Document S/2014/363 (23 May 2014) was the mid-term report of the PoE.

## Liberia (con't)

with Liberia, in which four soldiers were killed and two peacekeepers from the UN Operation in Côte d'Ivoire (UNOCI) were injured. The PoE concluded that nationals from both Côte d'Ivoire and Liberia were involved, making these the first cross-border attacks since March 2013. A new, apparent cross-border attack on Fete, occurred on 15 May, which reportedly left three soldiers and 10 civilians dead.

The PoE briefed the 1521 Liberia Sanctions Committee on the mid-term report on 16 May. Discussing the 23 February attack the PoE said that it had been politically motivated and organised locally without the funding previously provided from abroad by loyalists of former President Laurent Gbagbo of Côte d'Ivoire. The PoE had yet to investigate the most recent attacks. The upcoming sanctions review was also discussed as was the importance of an international mechanism or technical assistance to monitor arms supply and financing of combatant networks in Liberia if sanctions are lifted and the PoE disbanded.

When the Council last considered Liberia in March, Assistant Secretary-General for Peacekeeping Operations Edmond Mulet delivered a harsh assessment during consultations of the Ellen Johnson Sirleaf administration. In addition to critiquing its slow progress in taking over security responsibilities from the UN Mission in Liberia (UNMIL), Mulet noted that latent threats risked undermining peace if the political elite did not demonstrate greater will to improve governance, combat corruption and address long-standing socio-economic problems that were root causes of the civil war in Liberia.

He suggested that a speedier UNMIL draw-down might be appropriate to put more pressure on the government.

### Key Issues

The key issue for the Council is whether and when to further scale back the remaining sanctions or lift them entirely.

Another key issue is for the Committee to decide whether to delist individuals and entities still facing travel bans or asset freezes. Most are thought to no longer pose a threat to Liberia.

A related issue for the Council is identifying an international mechanism that could continue to monitor arms movements in Liberia if the sanctions regime is ended.

### Underlying Problems

Ending the arms embargo is complicated by Liberia's failure to adopt the Firearms Control Act. In its recommendations, the PoE has said lifting the embargo would be premature until such legislation is in place.

### Options

The Council could:

- request the Secretariat to present options for continued international monitoring of arms or technical assistance for Liberia to do so, including through UNMIL, before the sanctions expire in December; and
- direct the Sanctions Committee to accelerate the delisting of designated individuals and entities.

### Council and Wider Dynamics

The UK, France and the US are keen to roll back sanctions further or lift them entirely. The measures have been in place for 11 years, and they want to demonstrate to members that are often sceptical of sanctions—China and Russia—that such regimes will not last indefinitely. At the last Sanctions Committee meeting, it seems all of the P5 appeared to support the idea of ending the sanctions regime in December. The push by France last April to roll back the sanctions on Côte d'Ivoire, along with a UK and US initiative to partially lift the arms embargo on Somalia, is in line with this trend by P3 members to scale back long-standing sanctions regimes.

During negotiations on resolution 2128, proposals to reduce the sanctions met with scepticism from several elected members, including Australia and Luxembourg, which still serve on the Council. This reluctance was in large part due to concerns raised by the PoE regarding Liberia's poor management of natural resources and failure to adopt the Firearms Control Act. Despite initial resistance to ending PoE monitoring of natural resources, this aspect of its mandate was removed. For many members, the problems that the PoE has identified are considered less issues of security than of governance, for which sanctions are not viewed as an appropriate tool.

The US, the penholder on Liberia, has been working for the past six months to identify individuals and entities for delisting. (It seems that one permanent member has held up this process.)

## Annual Meeting with AU PSC Members

### Expected Council Action

In June, Council members are scheduled to hold the eighth annual consultative meeting with members of the AU Peace and Security Council (PSC). Following the meeting,

which will be held in New York this year, a joint communiqué will likely be issued.

### Background

Council and PSC members have held

annual joint meetings since 2007, alternating between their respective headquarters. The underlying purpose has been to address peace and security issues in Africa, particularly with respect to strengthening cooperation

**UN DOCUMENTS ON THE ANNUAL MEETING WITH AU PSC MEMBERS** Security Council Resolutions S/2013/660 (15 November 2013) was a draft resolution calling for a one-year deferral of ICC prosecution of President Kenyatta and Deputy President Ruto of Kenya. S/RES/2033 (12 January 2012) called for strengthening cooperation between the UN and the AU on maintaining peace and security in Africa. Security Council Presidential Statement S/PRST/2013/12 (6 August 2013) was a presidential statement on peace and security cooperation between the UN and regional and subregional organisations. Security Council Meeting Records S/PV.7060 (15 November 2014) concerned the vote on a draft resolution for a one-year deferral of ICC prosecution of President Kenyatta and Deputy President Ruto of Kenya. S/PV.7045 (21 October 2013) was a briefing on the Council mission to Africa from 3-9 October 2013. S/PV.7015 and Resumption 1 (6 August 2013) was an open debate on cooperation with regional organisations. S/PV.6702 and Resumption 1 (12 January 2012) was an open debate on strengthening cooperation between the UN and AU on peace and security in Africa. Security Council Letters S/2013/778 (30 December 2013) transmitted the annual report of the Ad Hoc Working Group on Conflict Prevention and Resolution in Africa. S/2013/611 (14 October 2013) transmitted the joint communiqué from the seventh annual consultative meeting. Secretary-General's Reports S/2012/614 (9 August 2012) was on cooperation between the UN and regional and subregional organisations. S/2011/805 (29 December 2011) was on UN-AU cooperation in peace and security.

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## Annual Meeting with AU PSC Members (con't)

between the UN and AU and more fully utilising the comparative advantages of the two organisations. Each annual consultative meeting has resulted in a communiqué. From 2007 to 2010, the communiqués were brief and principally affirmed a commitment to hold another meeting, but since 2011 they have become more substantive.

The most recent meeting between members of the two Councils was held at AU headquarters in Addis Ababa on 8 October 2013. On 14 October, the communiqué for the seventh annual consultative meeting was transmitted via a letter to the Council (S/2013/611). It covered the six agenda items discussed at the meeting: the Great Lakes Region and the Democratic Republic of Congo (DRC), Sudan and South Sudan, Somalia, Central African Republic (CAR), the Sahel and AU-UN partnership. On 21 October, Ambassador Eugène-Richard Gasana (Rwanda), who along with Ambassador Agshin Mehdiyev (Azerbaijan) co-led the Council delegation in Addis Ababa as part of a visiting mission to Africa from 3-9 October, briefed the Council (S/PV.7045).

### Key Issues

While the meeting is likely to be structured primarily around country-specific situations, there are a number of issues relating to peacekeeping and peace enforcement that may come up in different contexts: financing and re-hatting of regional and subregional operations to UN peacekeeping operations, such as in Mali and CAR; identifying the trade-offs involved with incorporating forces from subregional organisations or regional troop-contributing countries into UN peacekeeping operations, as with the Intervention Brigade in the DRC or, as is now under consideration, for South Sudan; addressing any lingering differences regarding UN coordination of

financing and logistical support for AU forces (e.g., the AU Mission in Somalia); and reviewing lessons learned from the AU/UN Hybrid Operation in Darfur regarding host-country relations and troop capacity constraints.

Regarding mediation, the discussion is likely to focus on the work of the UN Special Envoy of the Secretary-General for Sudan and South Sudan, Haile Menkerios, and the AU High-Level Implementation Panel for Sudan and South Sudan (AUHIP), chaired by Thabo Mbeki. There has been a conspicuous lack of progress in AUHIP mediation of the conflict in the Two Areas and AUHIP facilitation in implementing past agreements between Sudan and South Sudan on border issues and Abyei. Likewise, the Darfur mediation process under Joint Chief Mediator Mohamed Ibn Chambas, which is based on the Doha Document for Peace in Darfur, has also stalled. The meeting could be an opportunity for the AU and UN to creatively rethink their mediation strategies for the Two Areas, Sudan-South Sudan and Darfur.

Council and PSC members may also choose to discuss institutional mechanisms for UN and AU cooperation in response to transnational and regional threats, such as organised crime, piracy, poaching and terrorism. Strategic coordination is an important dimension of mitigating transnational and regional threats but one that can be overlooked in practice (a current example perhaps being the proliferation of international, regional and subregional Sahel strategies). On the other hand, there may be a useful parallel to be drawn between UN, AU and member state collaboration on counter-insurgency measures against the Lord's Resistance Army and the potential to develop a similar approach for dealing with Boko Haram. Another area of focus could be to follow up on the 24-25 June 2013 Yaoundé summit on

maritime security, which included participation by the UN and AU.

Although justice and accountability issues were not on the agenda at the last meeting with PSC members, Council members did discuss the ICC in a separate meeting on 8 October 2013 with AU Commission Chair Nkosazana Dlamini-Zuma. There are eight situations in Africa before the ICC: two referred by the Council (Libya and Sudan), two initiated by the ICC Prosecutor (Côte d'Ivoire and Kenya) and four self-referred (CAR, DRC, Mali and Uganda). Following an informal interactive dialogue between Council members and an AU Contact Group on 31 October, a draft resolution for a one-year deferral of the ICC's prosecution of President Uhuru Kenyatta and Deputy President William Ruto of Kenya (S/2013/660) was not adopted on 15 November, with seven votes in favour and eight abstentions (S/PV.7060). The AU Commission of Inquiry on South Sudan, appointed 7 March, and how it could relate to other justice and accountability mechanisms under consideration, such as a hybrid tribunal, may also be of interest.

Two principal drawbacks of the annual joint consultative meetings thus far have been inadequate advance agenda planning and insufficient follow-up and implementation. Nonetheless, Council and PSC members are aware of the need for better coordination and cooperation between the UN and AU in response to the evolving peace and security challenges facing Africa. In the text of their last communiqué, they committed to agreeing upon an agenda in advance of the next meeting, including an item covering issues requiring follow-up. In the next communiqué, it may be useful to further specify a timetable for this process, as well as to designate (or create) an institutional mechanism for implementation.

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## Counter-Terrorism

### Expected Council Action

In June, the Council is likely to adopt a resolution reviewing and possibly modifying the measures imposed in resolution 2083

on individuals and entities associated with Al-Qaida. The mandates of Ombudsperson and the Analytical Support and Sanctions Monitoring Team assisting the 1267/1989

Al-Qaida Sanctions Committee might also be modified.

The mandates of the Ombudsperson and the Monitoring Team expire on 17 June 2015.

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**UN DOCUMENTS ON COUNTER-TERRORISM** Security Council Resolution S/RES/2083 (17 December 2012) renewed the mandates of the Ombudsperson and the Monitoring Team for 30 months. Security Council Letters S/2014/73 (31 January 2014) included the report of the Ombudsperson. S/2014/41 (22 January 2014) included the 15th report of the Monitoring Team. S/2013/467 (2 August 2013) included the 14th report of the Monitoring Team.



## Counter-Terrorism (con't)

### Key Recent Developments

The Ombudsperson, Kimberly Prost, submitted her seventh report to the Council on 31 January (S/2014/73). The report highlights that 51 delisting petitions have been submitted since the Office was established, of which 43 cases have been completed. They resulted in the delisting of 31 individuals and 27 entities and the removal of one entity that was an alias of a listed entity, as well as the rejection of three delisting requests. In addition, one petition has been withdrawn. The Committee delisted three individuals before the Ombudsperson process was completed.

On 3 January, Jaber Abdallah Jaber Alhmad al-Jalahmah, a petitioner from Kuwait, was delisted following the Ombudsperson's recommendation and then listed again that same day. In a press release, the Committee stated that it had received new information concerning his recent support for Al-Qaida-related entities. A permanent Council member had not made the information available to the Ombudsperson at the time she delivered her report, so the Committee first approved the petition for removal from the list based on her report and then decided to re-list him based on the new information. (Regarding access to classified or confidential information, the Ombudsperson only has one formal agreement with Austria and arrangements with Australia, Belgium, Costa Rica, France, Germany, Liechtenstein, the Netherlands, New Zealand, Portugal, Switzerland and the UK.)

On 26 December 2013, the Monitoring Team circulated its 15th report to the Committee (S/2014/41). The report stresses that although Al-Qaida has not recovered its former strength, it remains a threat, mostly through its often autonomous affiliates. The report focused on enhancing the implementation of sanctions by deterring ransom payments, using biometrics, making changes to national inadmissible passenger criteria and improving measures to limit the availability of components for improvised explosive devices.

On 22 May, the Committee decided to list Boko Haram. The narrative summary for the

listing states that *Boko Haram* has maintained a relationship with Al-Qaida in the Islamic Maghreb for training and material support purposes. The request was put forward by Nigeria following a 17 May summit on *Boko Haram* in Paris. A 19 May letter from France and Nigeria referred Council members specifically to the summit commitment to accelerate “the implementation of international sanctions against *Boko Haram*, Ansaru and their main leaders, within the UN framework as a priority.” At press time, *Boko Haram* offshoot Ansaru was still not listed.

### Key Issues

The key issue is whether there is a need to modify the Al-Qaida sanctions regime to improve its effectiveness and address better the evolving nature of the terrorist threat. Another key issue is to improve the fairness of the listing and delisting mechanisms.

### Options

One option for the Council is to conclude that no changes to the Al-Qaida sanctions are currently needed.

Another option would be to adopt a resolution:

- including provisions to limit the availability of components for improvised explosive devices;
- requesting the Secretary-General to effectively create the Office of the Ombudsperson with improved contractual arrangements for the Ombudsperson to ensure independence;
- encouraging all member states to establish mechanisms to share confidential or classified information with the Ombudsperson;
- mandating the Ombudsperson to follow up on claims of continued sanctions measures despite delisting;
- mandating the Committee, when conducting the triennial review, to refer cases to the Ombudsperson in which no state objects or presents a delisting request or in which the information submitted is insufficient or conflicting;
- imposing time constraints for the reasons

to retain or delist to be delivered to the petitioner by the Ombudsperson (when the decision is taken following her recommendation) or the Committee (in case of a reversal); and

- mandating the Ombudsperson to make public the reasons for recommending delisting or retaining a listing.

### Council and Wider Dynamics

Four years after her appointment, Council members actively support the work of the Ombudsperson. In no case did the Committee take a decision contrary to her recommendation, and no matter was referred to the Security Council. (In the al-Jalahmah case, instead of reversing the Ombudsperson's recommendation, the Committee decided to delist as recommended by the Ombudsperson on the basis of the information provided to her, and then relist due to previously unavailable information.)

Some Council members are of the view that several improvements in the mandate of the Ombudsperson are necessary. Some of these positions are reflected in the views of the Group of Like-Minded States on Targeted Sanctions (Austria, Belgium, Costa Rica, Denmark, Finland, Germany, Liechtenstein, the Netherlands, Norway, Sweden and Switzerland). Some permanent Council members (which are also reluctant to share relevant intelligence with the Ombudsperson) seem to think that only minimal adjustment is needed as considerable improvements of due process procedures have already been done.

Even though the Monitoring Team had included information on *Boko Haram* and its affiliation with Al-Qaida in its reports to the Council since October 2012, the listing only happened following the media attention and pressure on Nigeria after the abduction of approximately 276 girls on 5 April. At press time, it was not entirely clear why *Ansaru*, which according to the Monitoring Report has “close Al-Qaida connections” had not been listed in addition to *Boko Haram*, which is “a complex group with looser links to Al-Qaida” (S/2013/467).

# International Criminal Tribunals

## Expected Council Action

In June, the Security Council will hold its semi-annual debate on the ad hoc international criminal tribunals. The presidents and prosecutors of the International Criminal Tribunal for the former Yugoslavia (ICTY) and the International Criminal Tribunal for Rwanda (ICTR) are expected to brief the Council.

The ICTY President, Theodor Meron, will also brief the Council as President of the Residual Mechanism for International Criminal Tribunals, established to complete the work of the Tribunals. The ICTR Prosecutor, Hassan Bubacar Jallow, will also brief the Council as Prosecutor of the Residual Mechanism.

The Council's Informal Working Group on International Tribunals may meet with the presidents and prosecutors prior to their appearance at the Council.

## Key Recent Developments

In April, the Council adopted resolution 2150, on the prevention and fight against genocide, to commemorate the 20th anniversary of the genocide in Rwanda (S/PV.7155). Calling on all states to prevent and fight against genocide and other serious crimes under international law, the resolution reaffirms the principle of the responsibility to protect populations from genocide, war crimes, ethnic cleansing and crimes against humanity and emphasises the important role that the ICTR has played in this respect. It further calls on states to cooperate with the ICTR and notes with concern that nine fugitives indicted by the ICTR are still at large.

Since the beginning of the year, the ICTY Appeals Chamber has issued two judgments. Nikola Šainović, Nebojša Pavković, Vladimir Lazarević and Sreten Lukić were convicted

in relation to a joint criminal enterprise, the purpose of which was to forcibly displace the Kosovo Albanian population both within and outside of Kosovo through a widespread and systematic campaign of terror and violence. Šainović was the deputy prime minister of the Former Republic of Yugoslavia; Pavković and Lazarević were army commanders; and Lukić was the head of the interior ministry staff of the Republic of Serbia in Priština. Following its acceptance of some of their arguments on appeal, the Appeals Chamber granted a limited reduction in the sentences imposed on Šainović, Lazarević and Lukić on 23 January.

In the case of Vlastimir Đorđević, the assistant to the Serbian interior minister who was convicted of various crimes against humanity and war crimes related to his participation in the joint criminal enterprise, the Appeals Chamber reduced his prison sentence from 27 years to 18 years on 27 January, following an overturn of some of his convictions.

On 11 February, the ICTR Appeals Chamber reversed the convictions of Augustin Ndindiliyimana and François-Xavier Nzuwonemeye and shortened the prison sentence of Innocent Sagahutu from 20 years to 15 years. The Appeals Chamber affirmed Sagahutu's criminal responsibility for aiding and abetting and as a superior in relation to the killing of at least two Belgian peacekeepers on 7 April 1994, but it reversed the Trial Chamber's finding that he had ordered the killings. Nzuwonemeye was acquitted of responsibility as a superior officer for that event, and Ndindiliyimana was acquitted of responsibility as a superior for other events related to the genocide.

A long-standing issue with respect to the ICTR is the status of nine people who were acquitted and two convicted individuals who have served their sentences. All 11 are without

identity documents, proper immigration status or any means of survival, and they continue to reside near the Tribunal in Arusha. The ICTR's recent report states that despite two Council resolutions calling upon states to assist in this matter, none have offered such assistance. The ICTR once again calls in the report for the urgent assistance of the Council to find a solution to this issue.

With respect to the nine remaining ICTR fugitives, the Tribunal decided to transfer six of these cases to courts in Rwanda for trial, and the remaining three, when apprehended, will be tried by the Residual Mechanism.

The Informal Working Group on International Tribunals last met in December 2013.

## Key Issues

The main issue for the Council is the continuing review by the working group of the ICTY's and ICTR's completion strategies.

## Council Dynamics

The Tribunals are now expected to complete their case load after the initial timeframe envisioned when the Council adopted resolution 1966 on 22 December 2010. The ICTY in particular sees completion as late as 2017, which has led to criticism by Russia of its effectiveness and a call for an independent review of its workload. Russia is also critical of the ICTY's jurisprudence, claiming that it has not done justice on behalf of Serbian victims of the Yugoslav conflict. The Russian position has in the past led to difficulties with respect to the extension of ICTY judges' terms. As no such requests are expected in June, these differences should not have practical effect until such requests are expected to be made towards the end of the year.

**UN DOCUMENTS ON INTERNATIONAL CRIMINAL TRIBUNALS** Security Council Resolution S/RES/2081 (17 December 2012) was on the extension of ICTY judges' terms. Security Council Letters S/2014/350 (16 May 2014) transmitted the report of the Residual Mechanism. S/2014/343 (15 May 2014) transmitted the report on the completion strategy of the ICTR. S/2013/678 (18 November 2013) transmitted the report on the completion strategy of the ICTY. Security Council Meeting Record S/PV.6977 (12 June 2013) was the latest Council briefing by the presidents and prosecutors of the ICTY and ICTR. **OTHER RELEVANT FACTS** Chair of the Informal Working Group on International Tribunals Cristián Barros (Chile) ICTY Four accused on trial and 18 at the appeals stage ICTR Nine accused at large, of which three are considered high-ranking, and 16 accused at the appeals stage

# UNRCCA (Central Asia)

## Expected Council Action

In June, Miroslav Jenča, the Special Representative of the Secretary-General and head of the UN Regional Centre for Preventive Diplomacy for Central Asia (UNRCCA), is expected to brief Council members in consultations. A press statement is likely.

## Key Recent Developments

Jenča last briefed Council members on 21 January. In a press statement following the briefing, Council members welcomed UNRCCA's initiatives to assist Central Asian countries in managing their trans-boundary water resources and encouraged their active participation in ongoing UNRCCA-facilitated discussions on a regional legal framework for trans-boundary water management (SC/11255). Council members also welcomed UNRCCA's focus on cooperation in the areas of counter-terrorism and religious extremism and encouraged regional efforts to implement the UN global counter-terrorism strategy. In addition, they commended UNRCCA's role in helping Central Asian states combat drug trafficking and in facilitating their engagement in the reconstruction and stabilisation of Afghanistan.

In the period since his briefing, Jenča has held a series of high-level bilateral meetings in the region. In February, he visited Kazakhstan, Kyrgyzstan and Uzbekistan, and on 16 May, he met with several high-level Russian officials in Moscow.

With regard to the key issue of water management, UNRCCA and the World Bank organised a meeting in Vienna on 6-7 March that brought together the Central Asian states and the International Fund for Saving the Aral Sea to discuss the management of trans-boundary water resources in the Aral Sea based on key principles of international law.

In response to a recent increase in border tensions between Kyrgyzstan and Tajikistan, a joint UNRCCA/UN Development Programme team visited the Batken-Isfara section of the border on 9-11 April. (An 11 January incident resulted in injuries to border guards on both sides.) The mission was described as part of UNRCCA's broader preventive efforts and aimed at assessing the overall situation on the ground to produce recommendations regarding possible confidence-building measures to be discussed with the two governments.

Meanwhile, tensions erupted again on 7 May, when 25 people were reportedly injured in clashes in the border area. On 8 May, residents of Kok Tash in Kyrgyzstan held a demonstration to demand that the border between the two countries be demarcated as soon as possible. (The border has remained un-demarcated since the breakup of the Soviet Union in 1991.)

On 6 May, on the margins of the Nuclear Non-Proliferation Treaty preparatory committee meeting in New York, China, France, Russia, the UK and the US signed the protocol to the Central Asian nuclear-weapon-free zone treaty. (The treaty entered into force on 21 March 2009.) The protocol commits the nuclear-weapon states not to use or threaten to use nuclear weapons against any of the five Central Asian states parties to the treaty (so-called negative security assurances).

## Background on UNRCCA

Based in Ashgabat, Turkmenistan, UNRCCA was inaugurated on 10 December 2007 as a special political mission by the Department of Political Affairs with the aim of assisting the countries of the region (Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan and Uzbekistan) in building conflict-prevention

capacities. UNRCCA's latest programme of action for 2012 to 2014 focuses on three areas:

- impact of trans-boundary threats facing the region (terrorism, organised crime and drug trafficking);
- implications of national developments on regional stability; and
- management of common natural resources and of environmental degradation.

## Key Issues

A key issue for Council members is the general security situation in the region, including recent border tensions, potential water management disputes, drug trafficking, and the threat of terrorism. A related issue is the potential regional impact of the situation in Afghanistan.

A further issue is whether opportunities exist to enhance UNRCCA's role as a preventive-diplomacy tool.

## Options

The most likely option for Council members is to issue a press statement, as they have done in the past, reaffirming their support for UNRCCA's activities in the region.

## Council Dynamics

Council members remain generally supportive of the work of UNRCCA and believe it plays a useful role in preventive diplomacy and conflict prevention. They continue to welcome the semi-annual briefings as an opportunity to focus on the security situation in Central Asia as a whole, including the impact of developments in Afghanistan.

Russia is the penholder on UNRCCA press statements

## Notable Dates for June

REPORT DUE	REPORTS FOR CONSIDERATION IN JUNE	REQUESTING DOCUMENT
15 May	SG report on UNOCI (Côte d'Ivoire)	S/RES/2112
23 May	OPCW report on the implementation of resolution 2118 (Syrian chemical weapons)	S/RES/2118
23 May	Midterm report of the 1521 Liberia Group of Experts (S/2014/363)	S/RES/2128
3 June	ICTY and ICTR semi-annual report on the residual mechanism	S/RES/1966
9 June	SG report on implementation of the Sahel Strategy	S/PRST/2013/10 S/PRST/2013/20
9 June	Final report of the Panel of Experts assisting the 1737 Iran Sanctions Committee	S/RES/2105
10 June	SG report on MINUSMA (Mali)	S/RES/2100
11 June	SG report on UNDOF (Golan Heights)	S/RES/2131
18 June	SG report on UNAMA (Afghanistan)	S/RES/2145
20 June	SG report on the implementation of resolution 2139 (humanitarian access in Syria)	S/RES/2139

MANDATES EXPIRE		RELEVANT DOCUMENT
30 June	MINUSMA (Mali)	S/RES/2100
30 June	UNDOF (Golan Heights)	S/RES/2131
30 June	UNOCI (Côte d'Ivoire)	S/RES/2112
9 July	Panel of Experts for the 1737 Iran Sanctions Committee	S/RES/2105

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