

Monthly Forecast

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Overview

Early in Egypt's presidency of the Security Council in May, there will be a briefing by the ICRC and Médecins Sans Frontières on [protection of civilians](#) with a focus on health care in armed conflict. The Council is expected to adopt a resolution on the issue.

Egypt is also organising two open debates, one on the issue of [counter-terrorism](#) and another with a focus on [AU-UN peace and security cooperation](#). Prior to the latter, Council members will hold their annual joint meeting with the AU Peace and Security Council.

Egypt is also planning a visiting Council mission to [Somalia](#) with other possible stops in Africa. Somalia will be a feature of the Council's work this month with a briefing on UNSOM activities and the renewal of the AU peacekeeping operation AMISOM.

Other African issues the Council will consider are:

- [Liberia](#), action on the 1521 sanctions regime prior to its expiry on 2 June;
- [Libya](#), the semi-annual briefing by the ICC Prosecutor; and
- [Sudan/South Sudan](#), the quarterly consultations on Sudan/South Sudan issues, the renewal of UNISFA in Abyei, the renewal of the 2206 South Sudan sanctions and the quarterly briefing by the chair of the 1591 Sudan Sanctions Committee.

Council members will continue to monitor closely developments on the [Syria](#) political and

humanitarian tracks and the [Yemen](#) peace talks. In addition, the Council may reach agreement on a draft resolution circulated by China and Russia in mid-April addressing the use of chemical weapons by non-state actors, focused on Syria, Iraq and Libya.

Other Middle East issues that will be considered this month are:

- [Israel/Palestine](#), the regular monthly briefing;
- [Iraq](#), the quarterly briefing on UNAMI; and
- [Lebanon](#), the semi-annual consideration of resolution 1559 on the disarmament of militias and the extension of government control over Lebanese territory.

Regarding European issues, the Council will hold its regular meetings on UNMIK in [Kosovo](#) as well as consider the report of the High Representative for [Bosnia and Herzegovina](#). There will also be an informal meeting between Council members and the members of the EU Peace and Security Committee.

There will also be a joint briefing by the Council's [counter-terrorism](#) committees.

The chair of the 1718 Sanctions Committee will provide the quarterly briefing on the [DPRK](#).

Additionally, Council members will attend a [retreat with the Secretary-General](#), and an informal interactive dialogue with [force commanders of several peace operations](#).

The Council will also be closely following developments in [Burundi](#), [Guinea-Bissau](#) and [Yemen](#) in May.

In Hindsight: Better Negotiations for Clearer Mandates

Mandating and overseeing peace operations, whether multidimensional peacekeeping operations with a military component or smaller political field missions, consume the largest proportion of the Council's time and energy.

The 2015 reports by the High-Level Independent Panel on Peace Operations (HIPPO) and the

Secretary-General put forward sets of recommendations for reforming how operations are carried out. This peace operations review requires action by the Secretariat, the Council and the General Assembly. Some of the most challenging issues raised in these reports relate to the strategic alignment among the Council, the Secretariat and the

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In Hindsight: Better Negotiations for Clearer Mandates (con't)

troop- and police- contributing countries, which is heavily influenced by some of the Council's working methods that frame (and limit) the authorisation, design and oversight of peace operations.

The Council has already taken on board some recommendations, but much remains to be done to improve comprehensively how peace operations are mandated. One of the issues that require further discussion and reflection among Council members is the negative impact of negotiating patterns in the drafting and the design of mandates. Already in 2000 the Brahimi report, concerned about the ambiguity that could result from compromises required to build consensus in the Council and the disparity between mandates and resources, argued for “clear, credible and achievable mandates”. Even though the Secretariat may sometimes be responsible for providing unrealistic recommendations, the Council's own practices in negotiating resolutions that establish or renew peace operations contribute to the lack of focus in mandates and the gap between mandates and their implementation.

Language becomes an end in itself. The HIPPO report noted that “too often, mandates and missions are produced on the basis of templates instead of tailored to support situation-specific political strategies”. The lack of strategic focus is exacerbated by the tendency of Council members to seek the inclusion of favoured issues, sometimes irrespective of their relevance or priority in the context of the situation under discussion. These so-called “Christmas tree” mandates also reflect advocacy efforts by Secretariat departments and NGOs, which also sometimes focus on language as an objective in itself without considering its urgency or achievability. The HIPPO report said that the Secretariat and the UN system should present the Secretary-General's recommendations without recourse to lobbying Council members for specific interests. Council members are often unable to assess whether particular language in a resolution makes a significant difference in the implementation of the mandate.

Personnel numbers drive Council discussions. As a result of the 2009 New Horizon reform initiative, the Departments of Peacekeeping Operations and Field Support committed to develop a capability-driven approach to mandates, moving away from a “number-intensive” strategy to one that focuses on the

results and impact of peace missions—and therefore on the necessary skills, capacity and willingness—rather than simply on generating adequate numbers of troops, police and equipment. However, the Council has done little to embrace this approach, and troop and police numbers continue to drive Council discussions about mandates. At the same time, the numbers of civilian personnel dominate budgetary negotiations in the Fifth Committee. Sequencing, prioritisation and flexibility, as recommended by HIPPO and the Secretary-General, require the Council to emphasise its strategic objectives and to promote a new approach to budgetary discussions. In this context, the timid attempts to prioritise or sequence mandates at the Council level are rarely reflected in Fifth Committee discussions.

Irrespective of developments on the ground, most mandates are reviewed only at the end of their cycle, a fixed period (often a year) after the mandate is established. The conditions on the ground might change (for example, an increase in asymmetric attacks, a change in the nature of threats to civilians or the unravelling of the political process), but Council members are often reluctant to reassess the appropriateness of mandates in light of bad news, in the hope that tactical changes within the existing mandates can mitigate the new threats. Sometimes, however, the deterioration of a particular situation makes changing existing mandates unavoidable, as in South Sudan in December 2013.

Council members are usually not involved in strategic discussions about the overall direction of the operations before negotiating the renewal of their mandates. One could argue that mandate cycles provide a tentative timeframe that can be used to forge a common strategic approach among Council members ahead of these renewals, but such exercises are very uncommon. Council members, particularly the elected ones, are sometimes discouraged by the penholder arrangement from taking the initiative on country situations on which they “do not hold the pen”.

Most discussions among all 15 members regarding mandate renewals happen only after a first-draft resolution has been circulated by the penholder to the full Council, more often than not about a week before the needed adoption. Council members—usually represented by relatively junior diplomats—meet in person a few times, but the greater part of negotiations takes place through emails or in bilateral

discussions between the penholder and Council members who have raised concerns. The time pressure generated by the pattern of late circulation to all Council members also increases the barriers to significant reflection and changes. This process effectively precludes the collective development of strategic thinking.

Even though some Council members have started convening informal meetings with troop- and police-contributing countries ahead of mandate renewals, these still depend on the goodwill of the organisers rather than a systematic effort by the Council as a whole to engage early in the negotiation process with all relevant stakeholders. Also, troop- and police-contributing countries continue to request that more information is made available to them ahead of mandate renewals.

A 25 November 2015 presidential statement noted that the Secretary-General's report identified a number of areas where the Council could play a key role in strengthening UN peace operations and expressed its general intention to continue to consider the relevant recommendations. Although it encouraged the Secretary-General to take forward those steps under his authority to contribute to improving UN peace operations and to provide the Council with updates on progress, the statement did not indicate how the Council itself would further consider the recommendations regarding its own responsibilities for peace operations. Council members could address some of the trends identified above by modifying the way business is conducted in the Council: flexibly tweaking peace operations mandates as conditions on the ground change, allowing for more time to negotiate resolutions, thinking about the objectives to attain before negotiating the numbers of uniformed personnel needed to reach them and prioritising mandates so they are achievable and not a Turtle Bay-centred wish list. By focusing more on these incremental changes and with the objective of delivery on the ground, rather than making use of general exhortations or negotiating more formal outcomes, the Council could significantly improve the way it designs and oversees peace operations.

For further analysis, see Security Council Report's May 2016 research report, *The Security Council and UN Peace Operations: Reform and Deliver*. This report addresses what the peace operations review requires of the Council.

Status Update since our April Forecast

Burundi

On 1 April, the Council adopted resolution 2279 requesting the Secretary-General to provide options for a police component to increase UN presence in Burundi (S/PV.7664). The options were submitted on 15 April (S/2016/352), and discussed by Council members under “any other business” on 27 April.

Mali

On 5 April, Under-Secretary-General for Peacekeeping Operations Hervé Ladsous briefed the Council (S/PV.7665) on the latest MINUSMA report (S/2016/281). Mali’s Foreign Minister Abdoulaye Diop briefed as well.

Western Sahara

Council members held two meetings on Western Sahara under “any other business” on 7 and 13 April, at the request of Uruguay and Venezuela. Peacekeeping head Hervé Ladsous briefed at both meetings on the situation concerning MINURSO following the withdrawal of dozens of mission staff as demanded by Morocco. On 26 April, Angola convened an Arria-formula meeting on Western Sahara to allow Special Envoy of the Chairperson of the AU Commission Joaquim Chissano to brief Council members on the efforts he is undertaking in the discharge of his mandate. Also on 26 April, a meeting of MINURSO troop-contributing countries was held ahead of 27 April consultations when Council members were briefed by Special Envoy Christopher Ross and Special Representative Kim Bolduc who presented the latest MINURSO report (S/2016/355). At press time, the Council was scheduled to adopt a resolution on 29 April to renew the MINURSO mandate.

Côte d’Ivoire

On 12 April, peacekeeping head Hervé Ladsous briefed (S/PV.7669) the Council on the strategic review of UNOCI (S/2016/297) that commended the progress made by the Ivorian government since the post-election crisis in 2011 and recommended the further drawdown and near-term exit of the UN mission. The Council was also briefed by Ambassador Elbio Rosselli (Uruguay), chair of the 1572 Côte d’Ivoire Sanctions Committee, who presented the final report of the Committee’s Group of Experts (S/2016/254). On 28 April, the Council adopted resolution

2283 that terminated the sanctions regime in Côte d’Ivoire. The same day, the Council also adopted resolution 2284 which extended the mandate of UNOCI for a final period until 30 June 2017, after which the mission would be terminated.

Counter-Terrorism

On 14 April, the Secretary-General briefed the Council during an open debate on efforts to strengthen international counter-terrorism cooperation and coordination (S/PV.7670 and Resumption 1). China circulated a concept note ahead of the debate (S/2016/306). Also on 14 April, a joint open briefing was organised by the 1373 Counter-Terrorism Committee and the 1267/1989/2253 Al-Qaida and ISIL Sanctions Committee on countering the financing of terrorism. The 1267/1989/2253 Committee met again on 20 April to consider two comprehensive reports on delisting requests prepared by the Ombudsperson, as well as an oral briefing by the Monitoring Team on global implementation of resolutions 2178 and 2199 (SC/12323). Also on 20 April, the 1267/1989/2253 Committee added five entries to its sanctions list (SC/12332).

Central African Republic

On 15 April, Under-Secretary-General for Peacekeeping Operations Hervé Ladsous briefed the Council (S/PV.7671) on the latest MINUSCA report (S/2016/305). The chair of the Burundi configuration of the Peacebuilding Commission, Abdeslam Jaidi (Morocco) also briefed. On 26 April, the Council adopted resolution 2281 that extended MINUSCA’s mandate until 31 July, and requested the Secretary-General to conduct a strategic review of its mandate by 22 June. Council members issued a press statement on 18 April condemning the killing of a MINUSCA peacekeeper (SC/12329). At press time, the 2127 CAR Sanctions Committee was scheduled to hold a meeting on 29 April, with representatives of the EU regarding the activities the European External Action Service and the planned EU training mission in the CAR.

Yemen

On 15 April, Special Envoy Ismael Ould Cheikh Ahmed, and deputy head of OCHA, Kyung-wha Kang, briefed the Council (S/PV.7672). On 25 April, the Council adopted

a presidential statement (S/PRST/2016/5) to support peace talks that had started on 21 April in Kuwait (S/PV.7676). The presidential statement called for Yemeni parties to develop a roadmap for the implementation of interim security arrangements, withdrawals, handover of heavy weapons and the restoration of state institutions and resumption of political dialogue. It further requested a plan from the Secretary-General within 30 days on how the Special Envoy’s office can support the parties, in particular regarding the roadmap. Also on 25 April, the 2140 Yemen Sanctions Committee met with the new members of its Panel of Experts.

Israel/Palestine

On 18 April, the Council held its quarterly debate on the Middle East, with Secretary-General Ban Ki-moon briefing on his trip to the region in late March (S/PV.7673 and Resumption 1). Ban said that the demolition of Palestinian homes and businesses in the West Bank were continuing at an alarming rate and plans for more illegal Jewish settlements cast doubt on Israel’s commitment to a two-state solution. He also reported on the six-month surge in deadly violence in Israel and the Occupied Palestinian Territories, triggered by individual attacks perpetrated by Palestinians, which he condemned. He also reported that the Middle East Quartet was moving forward on a report that would review the situation and threats to a two-state solution, and provide recommendations on how to move forward.

Afghanistan

On 19 April, Council members issued a press statement condemning a terrorist attack in Kabul by the Taliban that claimed at least 28 lives and injured more than 300 people (SC/12331). The 1988 Sanctions Committee met on 20 April that focused on counter-narcotics efforts. Afghanistan’s Deputy Minister of the Interior Baz Mohammed Ahmadi briefed, as did the Committee’s Monitoring Team, which discussed the efforts of the Combined Maritime Force to track narcotic flows from Afghanistan.

Water, Peace and Security

On 22 April, Senegalese President Macky Sall chaired an Arria-formula meeting on the interlinkages between water, peace and security;

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best practices in water cooperation; and cooperation between UN and regional organisations in water resources management. Kabiné Komara, the former prime minister of Guinea and High Commissioner of the International Basin Organization of the Senegal River, Assistant-Secretary-General for Political Affairs Miroslav Jenča and Caritas International representative Joseph Donnelly briefed.

Gulf of Guinea

On 25 April, the Council held an open debate on piracy in the Gulf of Guinea (S/PV.7675). Angola, China and Senegal organised the meeting together, previously circulating a concept note (S/2016/321). At the meeting, Assistant Secretary-General for Political Affairs Tayé-Brook Zerihoun briefed. The Council also adopted a presidential statement on the issue, which encouraged regional states, regional organisations and international partners to make fully operational the Gulf of Guinea counter-piracy mechanisms as soon as possible (S/PRST/2016/4). It further

urged the international community to continue assisting Gulf of Guinea states with funds and other forms of capacity-building support.

Golan Heights

On 26 April, Council members were briefed under “any other business” by Assistant Secretary-General for Political Affairs Taye Brook Zerihoun on the Golan Heights. The briefing was requested by Egypt, on behalf of the Arab League, following remarks by Israeli Prime Minister Benjamin Netanyahu that the Golan Heights will remain forever under Israeli sovereignty. The Golan Heights were captured in the 1967 Six-Day War and were illegally annexed by Israel; under international law it is considered occupied territory. In elements to the press, Council members stressed the status of the Golan Heights remains unchanged.

Peacebuilding

On 27 April, the Security Council adopted a concurrent resolution with the General

Assembly on the review of the UN peacebuilding architecture (S/RES/2282). Among its key elements, the resolution expanded the notion of peacebuilding as a process occurring before, during and after conflict situations, and requested a Secretary-General’s report that includes options, including through assessed and voluntary contributions, for increased funding for peacebuilding efforts.

Ukraine

On 28 April, the Council held a meeting (S/PV.7683) on the situation in Ukraine with briefings from Deputy Secretary-General Jan Eliasson and Chief Monitor of the OSCE Special Monitoring Mission Ertugrul Apakan (via video teleconference). Martin Sajdik, the Special Representative of the OSCE Chairperson-in-Office in Ukraine and in the Trilateral Contact Group also briefed. The discussion focused on the implementation of the Minsk Agreements and overall security situation in eastern Ukraine.

UN-AU Cooperation on Peace and Security

Expected Council Action

In May, the Council will hold an open debate on cooperation between the UN and the AU on peace and security: Chapter VIII application and the future of the African peace and security architecture. The AU Commissioner for Peace and Security, Smail Chergui, the newly-appointed Chair of the Peacebuilding Commission Ambassador Macharia Kamau (Kenya) and a high-level UN official are expected to brief the Council. Also in May, Council members are expected to hold in New York their annual meeting with the members of the AU Peace and Security Council (PSC).

Background

With its increasing involvement in peace and security issues across the continent since its creation in 2001, the AU has become the UN’s key partner in peace operations. This

partnership was a major focus of the 2015 peace operations review, highlighted in the reports by the High-Level Independent Panel on Peace Operations (HIPPO) and the Secretary-General.

The HIPPO report called for the UN to deepen its strategic partnership with the AU “to enable swift and effective responses to crises underpinned by mutual responsibilities and clear comparative advantages”. It stated that the UN-AU strategic partnership should be based on the following principles of cooperation: “consultative decision-making and common strategy; the division of labour based on respective comparative advantage; joint analysis, planning, monitoring and evaluation; integrated response to the conflict cycle, including prevention; and transparency, accountability and respect for international standards”.

While acknowledging that a pragmatic

and case-by-case approach is needed for cooperation with regional organisations, the Secretary-General in his report also recognised a need to “move away from improvisation in how we work together” and to build on previous experience to establish standing arrangements and procedures that can be applied flexibly when operations are established. The establishment of the first AU-UN hybrid operation in Darfur in 2007, the funding for support to the AU Mission to Somalia through UN assessed contributions and the re-hatting of AU operations in Mali and the Central African Republic, illustrate the broad range of ad-hoc modalities for AU-UN cooperation on peace operations in the last decade.

To ensure the coherence of the peace and security architecture in both systems, the UN Secretariat and the AU Commission are planning, among other initiatives, to finalise in 2016 a Joint UN-AU Framework for an

UN DOCUMENTS ON UN-AU COOPERATION ON PEACE AND SECURITY Security Council Resolution S/RES/2167 (28 July 2014) was on regional partnerships and peacekeeping. Security Council Presidential Statement S/PRST/2015/22 (25 November 2015) took note of the recommendations of the HIPPO report and the Secretary-General’s implementation report. Secretary-General’s Reports S/2015/682 (2 September 2015) was on the implementation of the HIPPO recommendations. S/2015/229 (1 April 2015) was entitled “Partnering for peace: moving towards partnership peacekeeping”. Security Council Letters S/2015/446 (17 June 2015) forwarded the HIPPO report. S/2008/813 (24 December 2008) forwarded the AU-UN panel report on how to support AU peacekeeping operations established under UN mandate, also known as the Prodi Report. Security Council Meeting Record S/PV.7343 (16 December 2014) was an open debate on “Peace Operations: The UN-AU Partnership and Its Evolution”.

UN-AU Cooperation on Peace and Security (con't)

Enhanced Partnership in Peace and Security, which is expected to provide a blueprint for early and continuous engagement between these organisations before, during and after conflict. This framework is expected to institutionalise the strategic partnership between the AU and the UN, and provide the basis for practical cooperation on peace operations.

The issue of funding has become one of the most contentious aspects of AU-UN cooperation. The lack of flexible, sustainable and predictable funding for AU peacekeeping operations authorised by the Security Council is raised frequently in the Council, mostly by African members. Building on the work of a 2008 joint AU-UN panel, known as the Prodi Report, the HIPPO report recommended the use of UN assessed contributions on a case-by-case basis to support AU peace operations authorised by the Council, including the costs associated with deployed uniformed personnel, to complement African funding. In January 2015, the AU Assembly agreed to contribute up to 25 percent of the cost of AU peace and security efforts, including peace support operations, to be fully achieved by the year 2020, envisaging that the other 75 percent of the cost of such missions would be provided by the UN through assessed contributions. In his implementation report, the Secretary-General announced a joint UN-AU review and assessment of various mechanisms currently available to finance and support AU peace operations authorised by the Council. In January, the AU appointed Donald Kaberuka, the outgoing president of the African Development Bank Group, as its High Representative for the Peace Fund.

Since 2007, PSC members have held annual consultative meetings with Council

members, and peace operations have featured prominently in these discussions. The last of these meetings, which alternate between New York and Addis Ababa, took place in Addis Ababa on 12 March 2015. In recent years, there has been a joint press conference with the president of the UN Security Council and the chairperson of the PSC (something resisted in the past by certain Council members, concerned that it could be perceived as undermining the standing of the UN Security Council as the principal body responsible for maintaining international peace and security). In the last communiqué, it was agreed to conduct a joint field mission to a conflict situation or area in Africa, to be identified through consultations during 2015. Although this mission did not take place, the Council stopped in Addis after its visit to Bujumbura, Burundi in January, to have discussions about mediation efforts and the possible deployment of an AU force to Burundi.

Key Issues

A key issue is to ensure that the partnerships are effective at the strategic, operational and tactical level, and for the Council to devise an effective, sustainable and fair working relationship with the AU, including a solution to the issue of financing of Council-authorized operations.

A related issue is for African Council members to articulate concerns that African regional organisations may have regarding Council decisions.

Options

The Council could issue a joint communiqué with the AU PSC reiterating their intention to undertake a joint visiting mission with the AU

PSC in 2016, as originally foreseen in 2015.

The Council could also adopt a presidential statement:

- addressing the need to enhance the predictability, sustainability and flexibility of financing for regional organisations when they are implementing Security Council mandates; and
- encouraging its ad hoc Working Group on Conflict Prevention and Resolution in Africa to meet more regularly on topics pertaining to the efforts of African-led initiatives in support of UN-mandated operations.

Council and Wider Dynamics

In addition to the annual consultations between the Security Council and the AU PSC, the relations between the UN and the AU on peace operations have been discussed in several open debates. The last discussions took place in July 2014 (at the initiative of Rwanda) and in December 2014 (under the presidency of Chad).

Although Council members agree in general terms on the importance of partnerships with regional organisations in Africa and elsewhere in maintaining international peace and security, acting on that principle continues to be a challenge. This is the case, for example, regarding the financing of AU operations. In the negotiations over a 25 November 2015 presidential statement, Council members could not even agree on a reference to the Prodi Report by name. As a compromise, the statement merely noted the recommendations of the HIPPO report, including with respect to the strategic partnership with the AU.

Protection of Civilians

Expected Council Action

In early May, the Security Council will hold a briefing on attacks on medical facilities and personnel in armed conflict as a part of its protection of civilians agenda. During the

meeting, the Council is expected to adopt a resolution condemning attacks on health care workers and facilities and demanding compliance with international humanitarian law with regard to this issue. While yet to

be confirmed at press time, it appeared that briefers would include high-level representatives from the UN, the ICRC and Médecins Sans Frontières (MSF).

UN DOCUMENTS ON THE PROTECTION OF CIVILIANS [Security Council Resolution S/RES/2175](#) (29 August 2014) condemned violence and intimidation against those involved in humanitarian operations. [Security Council Meeting S/PV.7244](#) (19 August 2014) was a briefing on the protection of humanitarian workers. [Secretary-General's Report S/2015/453](#) (18 June 2015) was the 11th report on the protection of civilians. [General Assembly Documents A/70/709](#) (2 February 2016) was Secretary-General's report for the 2016 World Humanitarian Summit. [A/70/383](#) (21 September 2015) was the report of the Secretary-General on "Safety and security of humanitarian personnel and protection of UN personnel."

Useful Additional Resource [Attacks on Health Care in Armed Conflict: Role of the Security Council](#), International Peace Institute, Policy Forum, 14 April 2016, video link available at <https://www.ipinst.org/2016/04/healthcare-in-armed-conflict#4>

Protection of Civilians (con't)

Background

The Council has emphasised the importance of protecting humanitarian and UN personnel in various country-specific and thematic resolutions since the adoption of resolution 1265 in 1999, its first thematic resolution on the protection of civilians. Underpinning these efforts is a strong foundation of international law that affirms the safety and protection of humanitarian workers. Relevant international instruments include the 1949 Geneva Conventions, the 1977 Additional Protocols to the Geneva Conventions, the 1994 Convention on the Safety of UN and Associated Personnel and the 2005 Optional Protocol to the Convention on the Safety of UN and Associated Personnel.

Key Recent Developments

Over the past decade, the world has become a more dangerous place for humanitarian workers. According to Humanitarian Outcomes, a consulting service that works with donor governments and aid organisations on humanitarian issues, major attacks on aid workers such as shootings, kidnappings, bodily assaults and attacks with explosives were highest in 2014 in Afghanistan (54), Syria (26), South Sudan (18) and the Central African Republic (14). Attacks on health care workers and medical facilities have also been a factor in conflicts in Iraq, Nigeria, Pakistan, Somalia and Yemen, among other cases. In addition to the harm caused to health care workers and facilities, such attacks have a devastating impact on people in need whose access to health care and humanitarian assistance is curtailed.

In recent months, hospitals have been bombed or otherwise damaged in several conflict zones, resulting in numerous casualties. On 3 October 2015, 42 people were killed when US forces accidentally bombed an MSF hospital in Kunduz, Afghanistan. In Yemen, at least six people died when a projectile struck the Shiara Hospital in the Razeh district in northern Yemen on 10 January. In Syria, missiles struck two hospitals on 15 February, one in Idlib province and one in Aleppo province; at least 25 people reportedly died as a result of these incidents. Following the outbreak of violence on 18 February in the UN's protection of civilians site in Malakal, South Sudan, one medical facility in the

town was looted, while a second was reportedly set on fire.

Recent UN reports have highlighted attacks on health workers and medical facilities as a serious problem facing the UN system and its partners. In his June 2015 report to the Council on the protection of civilians, the Secretary-General described how such attacks undermine humanitarian access to civilians in dire need. In his September 2015 report to the General Assembly, "Safety and security of humanitarian personnel and protection of UN personnel", the Secretary-General emphasised the importance of protecting humanitarian and health care workers through "legislation and adherence to international humanitarian norms". Most recently, in his February report on the upcoming World Humanitarian Summit, the Secretary-General said, "States and other parties to conflict must ensure that all context-specific political, legal, social and safety measures are put in place and strictly adhered to in order to protect humanitarian and medical personnel and facilities".

On 19 August 2014, the Council held a briefing on the safety and security of humanitarian workers, coinciding with World Humanitarian Day, which honours the efforts of aid workers and takes place on the anniversary of the 2003 bombing of the UN Baghdad compound, in which 22 people were killed. The Council adopted resolution 2175 ten days later, which:

- strongly condemned violence and intimidation against those involved in humanitarian operations;
- urged parties to armed conflict to allow complete and unhindered humanitarian access;
- urged states to ensure that they hold accountable those who commit crimes against humanitarian workers within their respective territories; and
- requested the Secretary-General to include in his reports on country-specific situations and other relevant reports information regarding the safety and security of humanitarian workers and to present recommendations about how to strengthen their protection.

Key Issues

The key issue for the Council is how the draft

resolution that is expected to be adopted, which is broadly focused on medical neutrality in all conflict situations, can have a concrete impact on country-specific situations in which medical workers and facilities are attacked. A related question is how the Council can continue to maintain attention on this issue and ensure that its decisions appropriately reflect the imperatives of medical neutrality under international humanitarian law.

Options

The most likely option for the Council is to adopt the draft resolution on medical neutrality that has been negotiated for the past several months. Moving forward, the Council may consider:

- ensuring continuity of focus on this issue through annual briefings;
- calling on the UN system to develop a mechanism to collect data on attacks on medical workers and facilities across conflicts in a standardised way; and
- emphasising the importance of medical neutrality in relevant future Council country-specific decisions.

Council Dynamics

The protection of humanitarian workers and medical facilities is an issue of growing concern to several Council members. This is largely because of the high number of aid workers who are subjected to violence, the damage to medical facilities in numerous conflict settings, and the negative implications of these attacks on the lives of civilians in need of medical care and humanitarian assistance. Furthermore, there seems to be a rising perception among Council members that parties to conflict in many contexts show little respect for international humanitarian law, which includes protections for aid workers.

The draft resolution on medical neutrality that is expected to be adopted in May was the product of several months of intensive effort by the five penholders—all elected members that collectively reflect the regional diversity of the Council. At press time, it appeared that the penholders were attempting to garner co-sponsorship from a large number of states consisting of the broader UN membership.

DPRK (North Korea)

Expected Council Action

In May, the chair of the 1718 Democratic People's Republic of Korea (DPRK) Sanctions Committee, Ambassador Román Oyarzun (Spain), is due to brief Council members in consultations on the Committee's work.

Key Recent Developments

Following the Council's decision on 2 March in resolution 2270 to expand sanctions against the DPRK (for further details, please refer to our 26 February What's in Blue story), Pyongyang has maintained its defiant posture. In a 4 March Council letter, it called the resolution "the most undisguised and the most hideous international crime aimed to isolate and stifle an independent and righteous sovereign state under unjustified pretexts", and on 10 and 18 March it conducted additional missile launches. Council members condemned the launches in a press statement, stressing the Council's intention to ensure full implementation of resolution 2270 and "act as appropriate".

On 5 April, the Republic of Korea (ROK) informed the Council that since 31 March the DPRK had been sending jamming signals "dangerously affecting" the Global Positioning System (GPS) in the ROK. It characterised the GPS jamming as a security threat and a clear violation of the 1953 Korean Armistice Agreement. On 9 April, Pyongyang announced that it had successfully conducted a ground test of an engine for an intercontinental missile capable of striking the US mainland with a nuclear warhead. Also, in a series of letters to the Council, the DPRK denounced the ROK-US ongoing joint military exercises and the US' "hostile policy" against it and threatened to use nuclear force to defend itself. (The exercises, which began on 7 March, will end on 30 April.)

On the occasion of the 15 April commemoration of the birthday of its founding leader, Kim Il-sung, the DPRK attempted to launch an intermediate ballistic missile. In a press statement, Council members condemned the attempt as a clear violation of relevant Council resolutions and urged all member states to redouble their efforts to implement their

obligations under the resolutions.

Subsequently, the ROK warned that the DPRK appeared to be preparing for another nuclear test, possibly ahead of the Workers' Party of Korea's congress in May, its first since 1980. Following a tri-lateral meeting in Seoul on 19 April, Japan, the ROK and the US made clear that any further provocations by the DPRK would be met with a firm response. Also, at the end of a bilateral meeting with China in Beijing on 21 April, the US said the two countries were united in their firm opposition to further DPRK provocations.

Despite these and the Council's previous warnings against any further provocations, the DPRK on 23 April announced that it had successfully conducted a submarine launch of a ballistic missile. Council members strongly condemned the launch in a 24 April press statement. On 28 April the DPRK conducted another failed launch of an intermediate ballistic missile. At press time it was unclear whether Council members would respond with another press statement.

Sanctions-Related Developments

On 16 March, Oyarzun held an open briefing for UN member states with the coordinator of the outgoing Panel of Experts, Hugh Griffiths, to explain the new measures imposed by resolution 2270. Oyarzun emphasised the importance of implementing the resolution and reminded member states that national implementation reports are due by 2 June.

On 24 March, the Council renewed the mandate of the Committee's Panel of Experts. The adoption was originally scheduled for 17 March but was delayed after China insisted as a condition for the adoption that four of the ships listed in resolution 2270 as operated and controlled by Ocean Maritime Management (OMM) – and therefore subject to the asset freeze – be removed from the list. Following assurances from China that the ships had no association with OMM and would no longer use DPRK crew, the Committee on 21 March agreed to remove the ships.

On 29 March, as mandated by resolution 2270, the Committee designated additional goods for the list of prohibited items.

On 31 March, the Committee met to discuss implementation of resolution 2270. The chair proposed that a template for national implementation reports be posted on the Committee's website for use by member states on a voluntary basis.

(At press time, a draft circulated by the chair for approval was under consideration.) The Committee also considered two requests for guidance – one from the Department of Political Affairs (DPA) concerning the need to address the impact of some of the new financial measures on the UN's ability to transfer funds to the DPRK for its humanitarian operations there and to clarify the procedures regarding participation of DPRK representatives in UN fora, and one from Australia regarding the long-term management of vessels seized under the terms of resolution 2270. The Committee responded to DPA's request on 26 April.

Human Rights-Related Developments

On 23 March, the Human Rights Council (HRC) adopted a resolution on the situation of human rights in the DPRK condemning in the strongest terms the human rights violations committed in the country; urging the government to take immediate steps to end all such violations and abuses; and extending the mandate of the special rapporteur on the situation of human rights in the DPRK for one year. The resolution also asked the High Commissioner for Human Rights to designate, for a period of six months, two independent experts to explore appropriate approaches to seek accountability, as recommended in the special rapporteur's latest report, in particular where such violations amount to crimes against humanity, and to recommend practical mechanisms of accountability to secure truth and justice, including through the ICC. It requested that the special rapporteur include the experts' recommendations as an annex to the next report to the HRC.

Key Issues

A key issue for the Council is the growing threat by the DPRK to international peace and security as it continues to develop its nuclear and ballistic missile capabilities. Another main issue is whether the tightening of sanctions currently underway will achieve the stated objectives of preventing the DPRK from making further progress and inducing Pyongyang to engage with the international community on the issue of denuclearisation.

A further issue is the need to ensure effective implementation of the new sanctions by all member states while avoiding adverse humanitarian consequences or negative effects on legitimate livelihood activities, as specified in resolution 2270.

UN DOCUMENTS ON THE DPRK [Security Council Resolutions S/RES/2276](#) (24 March 2016) extended the Panel of Experts' mandate. [S/RES/2270](#) (2 March 2016) imposed additional sanctions on the DPRK. [Security Council Meeting Record S/PV.7638](#) (2 March 2016) was the adoption of resolution 2270. [Security Council Press Statements SC/12335](#) (24 April 2016) condemned the 23 April ballistic missile launch. [SC/12326](#) (15 April 2016) condemned the DPRK's failed missile launch. [SC/12293](#) (18 March 2016) condemned the DPRK's missile launches. [Security Council Letters S/2016/315](#) (5 April 2016) was the ROK letter regarding the GPS jamming. [S/2016/214](#) (4 March 2016) was the DPRK letter on resolution 2270. [Sanctions Committee Documents S/2016/308](#) (4 April 2016) was a letter from the Committee chair containing the list of additional prohibited goods. [SC/12296](#) (21 March 2016) was the press release announcing the removal of four vessels from the OMM related sanctions list. [S/2016/157](#) (22 February 2016) was the Panel of Experts' final report under its previous mandate. [Human Rights Council Documents A/HRC/RES/31/18](#) (23 March 2016) was the resolution on the human rights situation in the DPRK. [A/HRC/31/70](#) (19 January 2016) was the latest report from the special rapporteur.

DPRK (North Korea) (con't)

Options

One option for the Council is to change the format of the chair's briefing from a closed to an open meeting to provide a forum for Council members to publicly express their concerns about the DPRK's actions and remind member states about the importance of implementing resolution 2270.

At the Committee level, the main option is to work closely with the Panel of Experts to assist states with implementation of the new sanctions measures and provide additional guidance, when needed, without delay.

A further option is to implement the

recommendations in the Panel of Experts' latest report aimed at encouraging member states to submit national implementation reports, including for individual Council members to submit their reports as soon as possible "as models of good practice".

Council Dynamics

Council members appear united in their concern about the DPRK's continuing provocations and possible fifth nuclear test and are closely monitoring the situation on the Korean Peninsula. Although there are so signs yet of any changes in Pyongyang's bellicose

posture, members anticipate that more time is needed before the full impact of resolution 2270 will become apparent. The main focus now is therefore on ensuring full implementation of the new measures by all member states. It seems generally agreed that China is increasingly serious about implementing the sanctions, and there is also an expectation that the toughening of the Chinese position will enable the Council to respond more effectively to any further provocations by the DPRK.

The US is the penholder on the DPRK.

Sudan (Darfur)

Expected Council Action

In May, Ambassador Rafael Ramírez (Venezuela), the chair of the 1591 Sudan Sanctions Committee, is expected to provide the quarterly briefing to Council members on the Committee's work. At press time, no outcome was anticipated.

Key Recent Developments

The AU High-level Implementation Panel (AUHIP), entrusted with mediating between the Sudanese government and the opposition, produced a roadmap agreement for peace in Sudan that was signed by the government on 21 March. The roadmap calls for a cessation of hostilities in Darfur, South Kordofan and Blue Nile, with separate negotiations to ensue with the Darfur rebel groups and with the Sudan People's Liberation Movement-North (SPLM-N) regarding South Kordofan and Blue Nile. The rebel groups have not signed the roadmap. They are concerned that the government is attempting to include them in a national dialogue process designed to prop up the regime rather than initiate real political reform. The opposition forces have further expressed disappointment with the AUHIP, believing that it proposed a roadmap that legitimises the government's control over a non-inclusive and unfair national dialogue process.

On 12 April, a spokesman for the government, Ahmed Khalifa Al-Shami, announced that Sudanese forces had overrun the final

bastion of resistance held by the Sudan Liberation Army-Abdul Wahid (SLA-AW) in Srounq in the Jebel Marra region, where government forces had been engaged in heavy fighting with the SLA-AW since January. On 13 April, however, SLA-AW spokesman Shihab al-Din Ahmed Hagar claimed that the group had repelled the attack on Srounq and had inflicted heavy casualties on government forces.

A referendum on the administrative status of Darfur was conducted between 11 and 13 April. The referendum was intended to determine whether the Darfur region would remain as five administrative units (i.e. North Darfur, South Darfur, East Darfur, West Darfur and Central Darfur) or become one administrative unit. The government prefers the status quo, with some analysts maintaining that it will be able to continue to exert greater control over an administratively divided region. Meanwhile, opposition forces argued against holding the referendum, expressing concerns that ongoing fighting and displacement in the region would make participation difficult for many potential voters. On 24 April, the Darfur Referendum Commission announced the results, reporting that almost 98 percent of the participants chose the status quo (i.e. five states). The Justice and Equality Movement, a key Darfur rebel group, has refused to accept the results and called the vote fraudulent.

On 10 February, the Security Council

adopted resolution 2265 renewing the mandate of the Panel of Experts of the 1591 Sudan Sanctions Committee until 12 March 2017. Negotiations on the resolution were difficult. The penholder on this issue, the US, proposed incorporating new language that would link funds from the trade in Darfur gold to armed conflict, in keeping with the findings of the Panel of Expert's 2015 final report. However, some members disputed these findings, and this language was omitted from resolution 2265. While the Sanctions Committee received the final report of the Panel of Experts in December 2015, the report has yet to be published, as Russia has placed a hold on its publication, reportedly maintaining that the report contains inaccuracies.

On 19 April, the Sanctions Committee met with Leila Zerrougui, the Special Representative of the Secretary-General for Children and Armed Conflict, who said that Sudan had recently signed an Action Plan committing to prevent the recruitment and use of children in armed conflict.

On 6 April, Under-Secretary-General for Peacekeeping Operations Hervé Ladsous briefed the Council on the AU-UN Hybrid Operation in Darfur (UNAMID). He said that since his last briefing to the Council in January, fighting had continued in Darfur's Jebel Marra region between government forces and the SLA-AW faction, leading to significant displacement of people. Ladsous

Sudan (Darfur) (con't)

recounted the 22 March meeting of the tripartite group—consisting of representatives from the AU, the UN and the government of Sudan—which focused on relations between UNAMID and the Sudanese government. “Concrete steps by the government are required in terms of lifting restrictions on the mission’s operations, including customs clearances, visas and access to Darfur overall”, he said, reporting that the government had taken “some significant steps” on these issues since the meeting.

Council members discussed Darfur under “any other business” on 12 April at the UK’s request. The meeting focused on restrictions imposed by the Sudanese government on UNAMID’s operations, mainly delays in issuing visas for UNAMID staff and in providing customs clearances for supply containers to be shipped to UNAMID. Some members advocated that China, as Council president in April, should meet with Sudan’s permanent representative to the UN to discuss efforts to improve cooperation between UNAMID and Sudan. However, consensus could not be reached on the need for China to intervene on behalf of the Council, although it does appear that some members may be meeting with Sudan in a bilateral capacity to discuss the importance of cooperation with UNAMID.

Human Rights-Related Developments

The independent expert on the situation of human rights in Sudan, Aristide Nononsi, carried out his second mission to the country from 14 to 28 April

to assess the efforts being undertaken by the Sudanese government to comply with its international human rights obligations. He travelled to Khartoum, Darfur and South Kordofan. The independent expert will present his findings and recommendations to the Human Rights Council in September.

Key Issues

The key issue for the Council is how to make the 1591 Sudan sanctions regime more effective, given reports of violations of the arms embargo, the travel ban and the assets freeze.

Also a key issue is the need to appoint experts to serve on the Sudan Panel of Experts. Given its misgivings about the final report of the Panel in 2015, Russia has placed a hold on the appointment of the new experts.

Another important issue is whether the final report of the 2015 Panel will be published. While some emphasise the importance of transparency in the work of the Council, there have been instances when final reports of panels were never published. For example, the 2011 final report of the Sudan Sanctions Committee Panel of Experts was never publicly released, apparently because of objections from China regarding accusations that Chinese-made ammunition found in Darfur violated the arms embargo.

Options

While efforts are being made to garner support for the appointment of the full slate of five experts, one temporary option could be to appoint the two individuals who, unlike the

other three experts proposed for this year, did not serve on the panel last year. The two new experts would probably not be objectionable to Russia since they had no role in producing the controversial report last year.

A further option would be for members of the Sanctions Committee to visit Darfur to assess the difficulties with implementation of the sanctions regime and report back to the Council on their findings. Based on the results of such a visiting mission, the Council could adopt a resolution or presidential statement that outlines measures that could be taken to improve the effectiveness of the regime.

Council Dynamics

Sharp divisions on Darfur were reflected by the response of Council members to the 2015 final report of the Panel of Experts. The report’s conclusion that the illicit trade in gold is a driver of conflict in Darfur resonated with the UK, the US and other Council members. However, members such as China, Russia and Egypt found this analysis unconvincing; within this group, there further appeared to be some trepidation that linking the gold trade to instability in Darfur and the region could bolster arguments for additional targeted sanctions, which they believe would be counterproductive in the current context.

The UK is the penholder on UNAMID, while the US holds the pen on Darfur sanctions and Venezuela chairs the 1591 Sudan Sanctions Committee.

Syria

Expected Council Action

Special Envoy Staffan de Mistura is expected to brief in early May on the intra-Syrian proximity talks in Geneva and the challenges to the cessation of hostilities in light of the resumption of intensified fighting, particularly in northern Syria.

Council members will receive their regular monthly briefings on the humanitarian and chemical weapons tracks. The Council may reach agreement on a draft resolution

circulated by China and Russia in mid-April addressing the use of chemical weapons by non-state actors, with a particular focus on Syria as well as Iraq and Libya.

In addition, the Security Council is expected to adopt a resolution condemning attacks on health care workers and facilities and demanding compliance with international humanitarian law. While the draft resolution is not country-specific, it is relevant to Syria in light of ongoing attacks against medical

facilities there, in particular the airstrike targeting a hospital in rebel-held Aleppo on 27 April that killed at least 27 people.

Key Recent Developments

The first round of talks ended on 24 March and de Mistura provided a “Paper on Points of Commonality” to the government and the Riyadh-based umbrella Syrian opposition group, the High Negotiations Committee (HNC). As in 2012 and 2014, UN mediation

UN DOCUMENTS ON SYRIA [Security Council Resolutions S/RES/2268](#) (26 February 2016) was on the cessation of hostilities and the resumption of political talks. [S/RES/2254](#) (18 December 2015) was on a political solution for the Syrian crisis. [Security Council Meeting Record S/PV.7682](#) (28 April 2016) was on the humanitarian situation. [Secretary-General's Reports S/2016/384](#) (26 April 2016) was on the humanitarian situation. [S/2016/285](#) (28 March 2016) was on chemical weapons.

Syria (con't)

hit an impasse over the issue of political transition and the future of President Bashar al Assad. The 24 March paper reflects this obstacle by citing the 30 June 2012 Geneva Communiqué without a specific reference to the Communiqué's call for a transitional governing body with full executive powers.

De Mistura planned for the April talks to focus on "political transition, governance, and constitutional principles," presumably in line with resolution 2254 that called for UN-mediated political talks, agreement on a parallel ceasefire and political process leading to credible, inclusive and non-sectarian governance within six months, followed by the drafting of a constitution and elections within 18 months.

A second round began on 13 April amidst several warning signs that the talks would falter. The opposition HNC signalled its concern over the lack of meaningful concessions as the government: (1) proposed a national unity government, but explicitly rejected a transitional governing body with full executive powers and insisted that Assad's presidency was not subject to negotiation; (2) held parliamentary elections in government-controlled areas on the same day that the second round of talks began; and (3) announced a revised constitution could be ready "within weeks" for a referendum, implying that a constitution would not be drafted and agreed within the Geneva process.

Aside from the expected maximalist positions, the near collapse of the political talks came about due to a noticeable slow-down in the delivery of humanitarian aid in tandem with an unravelling cessation of hostilities in Aleppo, Idlib, and around Damascus. In Aleppo, government forces, supported by Russian air power, have resumed targeting armed rebel groups fighting in coordination with Al Nusra Front, which is not a party to the cessation of hostilities. Meanwhile, further north, armed opposition groups lost territory to an offensive by the Islamic State of Iraq and al-Sham (ISIS) near the border with Turkey. Finally, on 20 April, opposition leaders left Geneva following government airstrikes that hit two markets in Idlib province, killing 44 people. Some members of the delegation stayed behind, cognisant that completely abandoning the talks would allow the government to blame the opposition for the failure.

Regarding aerial bombardment, when de Mistura briefed Council members on 14 March, he said that the Syrian minister of defence had assured his Russian counterpart that the government would not "arbitrarily" use weapons, presumably in reference to strikes against civilian targets. Nevertheless, on 31 March, government air strikes hit civilian infrastructure in the Damascus suburb of Deir al-Asafir, killing approximately 30 people. The US produced a draft press statement condemning the attack, but it was blocked by Russia, which cited the lack of convincing information about the attack and argued that the International Syria Support Group's (ISSG) ceasefire task-force had agreed to investigate the incident. The increasing violations of the cessation of hostilities and the challenges they pose to successful political talks were a key concern when de Mistura briefed Council members again on 12 April and then again on 27 April. De Mistura called for engagement by Russia and the US at the highest level and a ministerial meeting of the ISSG to try and shore up the cessation of hostilities and regain political momentum.

Regarding the humanitarian situation, the slow-down in aid delivery, the continued removal by government forces of medical supplies from convoys and the lack of access to besieged suburbs of Damascus, particularly government-besieged Darraya, negatively affected the overall political climate in Geneva. On 5 April, the US called for a briefing from OCHA on these besieged areas under "any other business." During the consultations, Russia argued that Darraya was controlled by Al-Nusra and ISIS. The US and OCHA said that there was no evidence of terrorist groups controlling Darraya. The Syrian government claimed there were no civilians in Darraya. Subsequently, a fact-finding mission by de Mistura's office visited Darraya in April and confirmed the presence of civilians in need of food and medicine.

On 21 April, de Mistura said the ISSG humanitarian task force and the UN had made modest progress on humanitarian issues. He reported that over half of those living in besieged areas had received some level of aid, including by air-drops in ISIS-besieged Deir ez-Zor. However, the government continued to deny access to the remaining six of 18 besieged areas. He also reported on the medical evacuation of 515

people; however, getting medical supplies to those in need, even if other aid was permitted, remained difficult. On 28 April, Jan Egeland, who chairs the ISSG humanitarian task force, said the situation in Aleppo was catastrophic and the supply route into Aleppo was at risk of being blocked, once again raising the spectre of a government siege of Aleppo. OCHA echoed many of these observations in its monthly briefing to the Council on 28 April.

On chemical weapons, Acting UN High Representative for Disarmament Affairs Kim Won-soo briefed Council members on 13 April. He reported on the 23 March decision by the OPCW Executive Council that its Director-General should engage directly with Syrian government officials regarding gaps in Syria's declared chemical weapons arsenal since 15 visits over the course of two years by the OPCW's Declaration Assessment Team had been unable to clarify discrepancies. Virginia Gamba—the head of the UN-OPCW Joint Investigative Mechanism (JIM), the body mandated to determine responsibility for the use of chemical weapons in Syria—also briefed on the nine cases for which in-depth investigations began on 1 March.

During those consultations, China and Russia circulated a draft resolution to expand the JIM's mandate to include the monitoring and investigation of the potential use of chemical weapons by non-state actors. Since August 2015 there have been several allegations of ISIS using mustard gas in Iraq and Syria.

Human Rights-Related Developments

On 23 March, the Human Rights Council adopted a resolution submitted by the P3, Germany, Italy, Jordan, Kuwait, Morocco, Qatar, Saudi Arabia and Turkey on the human rights situation in Syria, with a vote of 27 in favour, six against (including current Security Council members China, Russia and Venezuela) and 14 abstentions (A/HRC/RES/31/17). The resolution strongly condemns the continued systematic, widespread and gross violations and abuses of human rights and all violations of international humanitarian law by all parties; demands that all parties take all appropriate steps to protect civilians; stresses the need to pursue practical steps towards accountability, noting the important role the ICC can play; demands that the Syrian authorities facilitate, and all other parties do not hinder, the full, immediate and safe access of UN and humanitarian actors; and extends for one year the mandate of the Commission of Inquiry. The resolution also recommends that the General Assembly submit

Syria (con't)

[the reports of the Commission of Inquiry to the Security Council for appropriate action.](#)

Key Issue

The essential issue for the Council—entering the sixth year of a war that has exacted a death toll of 470,000 and displaced half of the Syrian population, including 4.84 million refugees, is to exert effective leadership in supporting a cessation of hostilities and efforts to reach a political solution.

Options

The ISSG and resolutions 2254 and 2268 have identified roles for the Council in the event that talks in 2016 produce concrete results towards a national ceasefire and a parallel political process, including elections. In the near term, however, Council options are limited as the day-to-day oversight of resolutions 2254 and 2268 has been outsourced to the ISSG broadly, and Russia and the US in particular.

Council Dynamics

In late March, the general perception among

Council members was that the cessation of hostilities had lowered overall levels of violence, allowed increasing flows of humanitarian aid and created a more conducive political environment. That optimistic outlook has now shifted towards caution. There is a sense that the government's recent offensives, particularly around Aleppo, could again shift the trajectory of the conflict away from negotiations back towards prolonged armed conflict.

During the course of April, Council members were unable to reach consensus on several draft press statements attempting to address violations of the cessation of hostilities, besieged areas, the participation of the Kurdish Democratic Union Party in the Geneva talks and victories against ISIS in Syria. It is unclear to many Council members whether the lack of consensus on these statements reflects larger disagreements between Moscow and Washington DC about the way forward on the Syrian political track. Russia and the US have invested a great deal of political capital in the Geneva talks and seem to still be on the path of engagement. However, tensions have flared over Russia's

recent uptick of air operations (though well under February levels) and redeployments of artillery units near Aleppo, and provisional planning by the US to provide anti-aircraft weaponry to the opposition if the cessation of hostilities collapses.

Tensions have also re-emerged on the chemical weapons track after China and Russia circulated a draft resolution that would expand the JIM's mandate to monitor and investigate the use of chemical weapons by non-state actors. While all Council members agree this is a serious issue, the P3 and many other members believe it is a broad threat that should not be tied to the JIM's mandate, which is specific to Syria. They are in favour of anchoring the issue in the Chemical Weapons Convention and the work of the OPCW. At press time, no agreement had been reached.

Most outcomes on Syria are agreed between Russia and the US prior to agreement by the Council. Egypt, New Zealand and Spain lead on humanitarian issues.

Iraq

Expected Council Action

In May, Special Representative Ján Kubiš will brief on developments in Iraq and the UN Assistance Mission for Iraq (UNAMI). UNAMI's mandate expires on 31 July.

In addition, the Council may reach agreement on a draft resolution circulated by China and Russia in mid-April addressing the use of chemical weapons by non-state actors, in light of several allegations since August 2015 that the Islamic State of Iraq and al-Sham (ISIS) has used mustard gas in Iraq and Syria.

Key Recent Developments

Since Kubiš last briefed the Council on 16 February, a serious political crisis has developed in Iraq. There have been large-scale protests, led by influential Shi'a cleric Moqtada al-Sadr, against the government's patronage system. The protesters have demanded an end to the sectarian quota system that determines cabinet posts. The system has become

unsustainable in an economy which is on the verge of collapse because of the government's reliance on oil revenue in a context of plunging oil prices. The situation is exacerbated by the high cost of fighting ISIS and popular discontent with failing public services.

Prime Minister Haider al-Abadi attempted to put forward a reform cabinet of technocrats to counter corruption and curtail the power of political actors opposed to reform efforts. Former Prime Minister Nouri al-Malaki—of the Shi'a Dawa party, which Abadi also belongs to—has posed a significant obstacle to popular demands for reform and to the stability of the current government. There are reports that Maliki was positioning himself to reclaim the premiership as parliamentarians fought over the proposed technocratic cabinet's negative implications for their own leverage. However, it seems Malaki's efforts were averted when both Iran and the US intervened in early April to signal their support for Abadi.

On 26 April, parliamentarians approved nominees for six of the less controversial ministries of health, labour and social affairs, water resources, electricity, higher education, and culture. At press time, Abadi was expected to submit nominees for the remaining cabinet posts by 28 April. However, it seemed there remained concern that the line-up of proposed technocrats may change to reflect previous sectarian political groupings seeking to maintain power. In addition, Abadi said he was not seeking to replace the defence and interior ministers, two portfolios that wield significant power and reflect entrenched interests in the government.

Malaki is seen as being aligned with the Shi'a militia Hashd al-Shaabi—or the popular mobilisation forces (PMF)—that are nominally under the command and control of the government. The PMF is popular in the Shi'a community for its pivotal role in maintaining Baghdad's security and effectively

UN DOCUMENTS ON IRAQ [Security Council Resolution S/RES/2233](#) (29 July 2015) renewed UNAMI. [Security Council Meeting Record S/PV.7623](#) (16 February 2016) was the most recent briefing on Iraq. [Secretary-General's Report S/2016/77](#) (26 January 2016) was the most recent UNAMI report.

Iraq (con't)

reclaiming many areas from ISIS. However, the PMF has been accused of reprisal violence against Sunnis, kidnappings, lootings, attacks on mosques, killings, and refusing to allow Sunni residents back to their homes once areas have been liberated from ISIS.

Regarding anti-ISIS operations, there have been further government gains in Anbar province, including retaking Ramadi and Hit. Iraqi government forces have undertaken these offensives with the cooperation of local Sunni tribal fighters and Kurdish Peshmerga forces, backed by air support from the US-led anti-ISIS coalition. The PMF has not been included in these offensives, in deference to the US position that Iraq's use of Shi'a militias in Sunni areas stokes sectarian tension and deepens the distrust of the Shi'a-led government among Sunni leaders.

Recently the government has been gearing up to retake Mosul, which was captured by ISIS in June 2014. The PMF has insisted it will play a role in that offensive, despite objections from the US-led coalition and Iraqi government forces. Meanwhile, Sunni tribal leaders have signalled their unwillingness to participate in the Mosul offensive alongside the government if Shi'a militias are involved. At press time, planning for the Mosul offensive had been put on hold due to a lack of sufficient ground support.

Despite the government's military gains against ISIS, the situation of civilians has not seen a corresponding improvement. OCHA reports that the violence between armed groups and government forces has resulted in 3.4 million internally displaced persons and ten million people who require humanitarian assistance. The UN has also reported new waves of displacement in Anbar province since the beginning of the year, presumably as a result of civilians fleeing the anti-ISIS offensives.

Meanwhile, many thousands of civilians are unable to flee and are trapped on the front lines of battle. The World Food Programme estimates that 60,000 civilians are trapped in ISIS-controlled Fallujah, besieged by government forces that restrict supply routes into the city. The UN does not have humanitarian access to Fallujah, where civilians are facing acute shortages of food and medicine. Separately, the UN Refugee Agency has expressed concern about restrictions placed on the freedom of movement of internally displaced Iraqis

fleeing ISIS-controlled areas that are disproportionate to any legitimate security concern.

Even in areas already liberated from ISIS, UN officials are increasingly concerned that lagging re-stabilisation efforts could undermine progress. UNAMI has said that for military advances against ISIS to hold, the government, in cooperation with the UN, would have to work quickly to restore the rule of law and basic services and thus give civilians confidence that it was safe to return. This is particularly important in relation to the Sunni provinces, which have a strained relationship with the Shi'a-led government in Baghdad.

Further complicating the humanitarian situation are warnings that the Mosul dam could collapse, a catastrophic scenario for 500,000 to 1.5 million Iraqis living in the path of the potential flood. The Mosul dam is not controlled by ISIS, but is very near ISIS-controlled territory. An Italian company has been contracted to maintain and reinforce the dam.

At press time, the Security Council's 2242 Informal Expert Group on Women, Peace and Security was expected to consider the situation in Iraq at a 29 April meeting. Several UN officials are expected to brief the 2242 Group, including the deputy head of UNAMI Lise Grande and Deputy High Commissioner for Human Rights Kate Gilmore.

Human Rights-Related Developments

Gilmore, following a week-long visit to Iraq in April, said the international community's focus on military action needs comparable investment in non-military relief. She added that the international community must not allow itself to be made complicit with the failed leadership of Iraq. A 25 April press statement by Gilmore added that Iraq must immediately take concrete steps to plan for "the day after" the defeat of ISIS, grounded in equality, the rule of law and a vision that has earned the confidence of all the country's diverse communities. "All the leaders of Iraq, at every level, in both word and action, need to demonstrate a far greater commitment to peace, equality and to the rule of law," the statement said. "Unchecked corruption, lack of accountability for past and present crimes, the problem of militias, the growing number of internally displaced people, the partial or total destruction of entire villages and towns, violence against women, and the need for constitutional and legislative reforms are some of the many pressing human rights concerns in Iraq that need priority attention," the statement added. Gilmore also urged the international community to provide more support to humanitarian needs, the rebuilding of essential infrastructure, and towards justice and reconciliation in Iraq.

Key Issues

The key issue for the Council is promoting a genuinely inclusive government accountable to the Iraqi people. A related issue is determining how the Council and UNAMI can support Prime Minister Abadi's reform process and encourage greater cooperation on financial, security and humanitarian issues between Abadi's dominant Shi'a Dawa party and Kurdish and Sunni parliamentarians, and thereby build confidence in the central government and fortify Iraq's response to ISIS.

Options

Options seem limited since the security response to ISIS is happening outside the Council's purview. However, an option is to adopt a statement calling for the government to work towards enhanced security and humanitarian coordination with Kurdish and Sunni leaders, and for UNAMI to support the government in that effort. In such a statement, the Council could also condemn human rights violations by ISIS and by Iraqi security forces, including the PMF.

Such a statement could also call on the government to cooperate with UNAMI in areas that may require enhanced mission activities, such as human rights, rule of law, electoral assistance, security sector reform, stabilisation activities in areas liberated from ISIS, best practices for child protection and gender policies and contingency planning in light of the Mosul dam's possible collapse.

Council Dynamics

Council members uniformly support UNAMI and believe that the mission's mandate is sufficiently broad and flexible to allow Kubiš to fulfil the mission's good offices role. However, the Council has been largely disengaged from grappling with the underlying political divisions among Iraq's Shi'a, Sunni and Kurdish populations, beyond bland calls for an inclusive government. It has been similarly disengaged from directly addressing the humanitarian crisis, in stark comparison to its engagement with the humanitarian crises in Syria and Yemen.

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

Sudan and South Sudan

Expected Council Action

The quarterly consultations on Sudan/South Sudan issues will be held in May. The Council is also expected to renew the mandate of the UN Interim Security Force for Abyei (UNISFA) prior to the expiration of its mandate on 15 May.

Key Recent Developments

Relations between Sudan and South Sudan have deteriorated in recent weeks. On 17 March, Sudan announced that it would close its border with South Sudan, which it had reopened earlier this year. It accused South Sudan of continuing to support the Sudan People's Liberation Movement/Army-North (SPLM/A-N) rebel group, an allegation South Sudan denied. Also on 17 March, Sudan announced that South Sudanese living in Sudan would no longer have access to health care and educational opportunities they had previously been accorded. In late March, South Sudan claimed that on two separate occasions Sudan's air force dropped bombs on its territory in Renk, Upper Nile state, killing livestock. Sudan has rejected this claim.

Fighting continues to be reported in Sudan's South Kordofan state between government forces and the SPLM/A-N rebels. On 29 March, Sudanese Armed Forces (SAF) said that they had taken control of Um Sirdiba, a town previously held by the rebels that had been "one of [the rebel's] important command centres", according to SAF spokesman Ahmed Khalifa Al-Shami. On 6 April, the SPLM/A-N attacked Sudanese forces at their Haluf base in South Kordofan, later claiming that they had destroyed the base and killed numerous government troops during the engagement.

UNISFA has continued to facilitate efforts to promote reconciliation between the Misseriya and Ngok-Dinka communities in Abyei, the disputed area straddling Sudan and South Sudan. On 25 February, it provided security for a meeting of some 300 people from both communities in central Abyei. According to the Secretary-General's recent UNISFA report, the participants discussed "issues of mutual concern including the sharing of resources, water and pasture, migration, cattle rustling and the establishment of a common market". On 6 March, leaders from both communities convened at UNISFA's Todach base. They decided to establish a joint

committee to address cattle-raiding and other criminal acts, but they were unable to agree on how to make the committee operational. Finally, according to the Secretary-General, Misseriya and Ngok-Dinka leaders agreed on 24 March "to establish a traditional court system to mediate civil disputes and deal with criminal activity, with support from UNISFA; form a joint committee to locate and agree on appropriate grazing corridors for Misseriya nomads; and continue with trading activities between the two communities".

The operation of the Joint Border Verification and Monitoring Mechanism (JBVMM), which UNISFA is mandated to support, continues to falter. In recent months, aerial patrols have been hindered by South Sudan's restrictions on flight and landing permissions for monitoring along the border.

On 27 April, Under-Secretary-General for Peacekeeping Operations Hervé Ladsous briefed Council members in consultations on UNISFA. He reportedly noted that recent dialogue between the Ngok-Dinka and Misseriya communities in Abyei was encouraging.

Key Issues

Key issues for the Council on Sudan/South Sudan and Abyei include:

- fostering improved relations between Sudan and South Sudan, given the recent tensions;
- inducing both states to establish temporary administrative and legal institutions in Abyei, given the lack of progress in determining area's final status;
- ensuring that both states exhibit greater cooperation with UNISFA; and
- renewing efforts to address the humanitarian impact of fighting in South Kordofan and Blue Nile states in Sudan.

Options

In adopting a resolution renewing the mandate of UNISFA, the Council might consider:

- urging Sudan to issue visas in a timely fashion to UNISFA personnel, especially its police component, which is understaffed, and to permit the delivery of construction materials to Abyei to allow for the building of improved living accommodations for UNISFA staff;
- urging South Sudan to remove flight and landing restrictions for UN aircraft

monitoring the JBVMM;

- urging a reopening of the Sudan/South Sudan border, noting that mutually beneficial cross-border trade will result;
- encouraging recent reconciliation efforts between the Ngok-Dinka and Misseriya; and
- calling for the parties to reconvene the Abyei Joint Oversight Committee, which has not met since March 2015.

Given the continuing lack of humanitarian access to rebel-held areas of Blue Nile and South Kordofan, the Council could request a report from the Secretariat, in consultation with the AU PSC, on possible options for engaging with the Sudanese government and the SPLM-N regarding humanitarian access to these areas.

Council Dynamics

The negotiations on the UNISFA resolution this month will probably not be contentious. However, there have been differences of view on the mandate and how to describe the situation in Abyei in the past that could be reflected again. As in past reports, the Secretary-General has recommended a mandate renewal of six months in his current report. During the December 2015 negotiations, Russia and Venezuela supported the Secretariat's view that a six-month mandate would be appropriate, while the US proposed a five-month renewal (which was ultimately retained in the final text), perhaps believing that a shorter mandate might exert pressure on the parties to make progress in their negotiations.

Russia has defended its opposition to what it views as biased language toward Sudan in past UNISFA discussions. In December 2015, the US advocated inserting language in the UNISFA draft resolution criticising Sudan for earthwork excavation at the Diffra oil facility in Abyei, viewing this excavation as a security measure that violated the 20 June 2011 agreement between Sudan and South Sudan. Russia, reportedly supported by China and Venezuela, countered that the excavation was not a threat to international peace and security and that the language reflected an anti-Sudan viewpoint. As a compromise, condemnation of Sudan for the earthwork excavation was removed from the final draft of what became resolution 2251.

The US is the penholder on Sudan/South Sudan issues, including UNISFA.

Bosnia and Herzegovina

Expected Council Action

In May, the Council will hold its biannual debate on Bosnia and Herzegovina (BiH). The High Representative for BiH, Valentin Inzko, will brief the Council, presenting the latest report of the Office of the High Representative (OHR), expected in early May.

Key Recent Developments

The 20th anniversary of the initialling of the General Framework Agreement for Peace in BiH (GFAP) in Dayton, Ohio, occurred on 21 November 2015. Yet even after 20 years of peace, BiH has continued to grapple with ethnic and political divisions.

In recent months, political crises have revolved around BiH's state-level judicial institutions. On 27 November 2015, BiH's Constitutional Court ruled that the national day of Republika Srpska, celebrating the founding of the majority Bosnian Serb entity in 1992, discriminates against other ethnic and religious groups and is unconstitutional. Republika Srpska leaders said that they would not stop celebrating the holiday and demanded the removal of the court's three foreign judges and their replacement by BiH judges. Republika Srpska President Milorad Dodik threatened to withdraw the entity's representatives from state institutions if this change was not adopted. (The Constitutional Court's ruling had been split among its nine judges. The three foreign and two Bosniak judges backed the ruling, and the two Bosnian Croat and two Bosnian Serb judges voted against it.)

On 10 December 2015, Republika Srpska announced that it was suspending cooperation with BiH's state-level police, court and prosecutor. The decision came in response to the arrest of five Bosnian Serbs for war crimes and a search of municipal buildings by police in the town of Bosanski Novi. Following intense international criticism (the US, the EU and the OHR said in a joint letter that Republika Srpska had no right to opt out of the jurisdiction of the three state-level institutions), Republika Srpska agreed to renew cooperation on 16 December.

Intense pressure, including from Serbia, also resulted in Dodik's announcing on 8 February the postponement of a referendum on whether to accept the jurisdiction of BiH's

state-level judiciary and the authority of the High Representative. Plans for the referendum had been underway since last summer. The preparations had prompted Inzko to submit a special report to the Security Council in September 2015, in which he characterised the referendum as one of the most serious challenges to the GFAP since the end of the war.

On 24 March, the International Criminal Tribunal for the Former Yugoslavia (ICTY) convicted former Bosnian Serb leader Radovan Karadzic of genocide for his role in the 1995 Srebrenica massacre and nine other charges regarding atrocities committed during the war, including directing the siege of Sarajevo. Karadzic was sentenced to 40 years in prison. One week later, on 31 March, the ICTY acquitted nationalist Serb politician Vojislav Šešelj. He had been charged with mobilising the Serb paramilitary troops to forcibly displace Croats and Bosniaks to create a "Greater Serbia". The decision by two of the three judges determined there was not enough evidence to link Šešelj to the crimes. A dissenting opinion strongly criticised this conclusion. The ICTY prosecutor has appealed the decision. Both rulings escalated tensions and produced angry exchanges among BiH and Serbian leaders.

In the process towards its integration with the EU, BH submitted its membership application on 15 February. BiH must still make progress in implementing an agenda of economic and governance reforms before the EU grants it official candidate status.

Key Issues

Ethnic divisions among Bosniaks, Croats and Serbs and divisive rhetoric by Republika Srpska officials remain key issues.

The socio-economic and governance problems, such as political gridlock, corruption and high unemployment, which led to violent protests in February 2014, have continued.

Another recurring issue is the need for BiH to complete a set of objectives and criteria, known at the "5+2" agenda, required by the Peace Implementation Council Steering Board (composed of 11 countries and inter-governmental bodies) as conditions for closing OHR.

Options

The Council is most likely to hold the debate without taking further action. It could, however, issue a statement encouraging BiH leaders to overcome narrow political interests and ethnic divisions, to achieve meaningful progress in implementing commitments on economic and governance reforms and the "5 + 2" agenda for closing OHR.

Council Dynamics

Most members are concerned by the divisive rhetoric from Republika Srpska officials and the country's political gridlock, which, according to the High Representative, has stalled BiH's peace implementation over the last ten years. They view such rhetoric and recent referenda initiatives as challenges to the GFAP and to BiH's sovereignty and territorial integrity. Members also usually highlight the need for BiH to implement governance and economic reforms to improve the quality of BiH citizens' lives, especially after the country's violent protests in 2014.

Russia tends to support the positions of Republika Srpska. It argues that critics of the entity unfairly blame Republika Srpska for BiH's problems, overlooking political dysfunction within the Federation of BiH (the predominantly Bosniak-Croat entity), which it sees as the reason behind Bosnian Serb positions. In this regard, Russia has been very critical of the High Representative's reports and has called for OHR's closure.

The issue of BiH's EU and NATO integration over the last two years has given rise to a new dynamic. Russia has taken the view that the Council should not impose these decisions on BiH because they are domestic choices. This has prompted Western members to often highlight that such integration is sought by BiH. These differences have made the once-routine renewal of the EU-led stabilisation mission EUFOR Althea much more contentious during the last two years.

Russia's support for Bosnian Serb concerns was also reflected in Russia's vetoing a resolution that Republika Srpska and Serbia opposed on the 20th anniversary of the Srebrenica genocide in July 2015.

Lebanon (1559)

Expected Council Action

In May, Council members expect to receive the semi-annual briefing from Special Envoy Terje Rød-Larsen on the latest report on the implementation of resolution 1559. Adopted in 2004, resolution 1559 urged the disarmament of all militias and the extension of government control over all Lebanese territory.

Key Recent Developments

Notwithstanding Lebanon's official position of disassociation from the Syrian conflict, Lebanese militants continue to engage in the conflict, in violation of resolution 1559. Hezbollah's engagement in the conflict in Syria continues to have domestic and regional repercussions for Lebanon.

On 11 April, Israel acknowledged for the first time that it has launched dozens of strikes in Syria aimed at suspected arms shipments destined for Lebanon's Hezbollah. On 20 April, Israel's deputy chief of staff, Major General Yair Golan, issued a warning to Hezbollah, saying that in any future war with Lebanon, Israel would cause "devastating" damage and would unleash all of its military capabilities.

Meanwhile, violence has flared recently between rival political factions in Palestinian refugee camps in Lebanon. Fatah member Hussein Othman was killed and others were injured on 1 April when a political dispute led to gunfire and the firing of rocket-propelled grenades in the Ain al-Hilweh Palestinian refugee camp. On 12 April, Fatah's security chief in neighbouring Mieh Mieh camp, General Fathi Zeidan, was killed, along with three others, when a bomb that had been placed in his car went off in Ain al-Hilweh. The camp, in southern Lebanon, has regularly seen deadly factional disputes.

Palestinian refugee camps mainly fall outside the jurisdiction of Lebanese security forces. On 21 April, Speaker of Parliament Nabih Berri discussed the security situation in the camp with a visiting senior Fatah official, Azzam al-Ahmad. Al-Ahmad emphasised that the perpetrators of such violence were seeking to destabilise the camp and

not Lebanon.

During a regional tour, French President François Hollande announced in Beirut his country's financial and military support for Lebanon and urged politicians to elect a president as soon as possible. France pledged 50 million euros in 2016 and 100 million euros over the next three years as assistance to Syrian refugees in Lebanon. Hollande's pledge follows Saudi Arabia's 19 February suspension of a \$3 billion aid package for the Lebanese Armed Forces (LAF) to buy arms from France in what a Saudi official described as retaliation for Beirut's failure to condemn attacks on Saudi missions in Iran. The decision came after Lebanese Foreign Minister Gibran Bassil during two meetings of Arab and Muslim foreign ministers refused to support Saudi resolutions condemning Iran.

Lebanon remains in a political stalemate over the question of who will be the country's next president. The office has been vacant since 25 May 2014. On 18 April, Lebanon failed for the 38th time to elect a new president. The next electoral session has been scheduled for 10 May.

Special Coordinator Sigrid Kaag briefed the Council in consultations on 17 March. Following the meeting, Council members issued a press statement on Lebanon. Council members reaffirmed its deep concern over the 21-month vacancy in the presidency of Lebanon and the current political stalemate in government and reiterated its strong support for the territorial integrity, sovereignty and political independence of Lebanon. They also reiterated their call for the continuation of international support for the LAF through additional and expedited assistance in areas where it is most critically needed, including counterterrorism and border protection, and expressed continuing concern about the negative impact of the Syrian crisis on Lebanon's stability and the immediate threat to its security. The statement called on all Lebanese parties to cease any involvement in the Syrian crisis, consistent with their commitment in the ministerial declaration of the current government and in the Baabda Declaration

of 12 June 2012. Council members, who continue to be gravely concerned by the impact of Lebanon's hosting more than one million Syrian refugees, renewed their call for all parties to abide by their obligation to respect the safety of UNIFIL and other UN personnel and expressed appreciation for the International Support Group for Lebanon.

Key Issues

The ongoing crisis in Syria, with Hezbollah's involvement on the side of the regime, remains the overarching issue. The flow of arms through Syria to Hezbollah is a related issue. These circumstances have had a negative effect on Lebanon and continue to stall efforts to fully implement resolution 1559.

A related issue is that Hezbollah and other non-state actors continue to maintain weaponry that directly hinders the government's exercise of full authority over its territory, poses a threat to Lebanon's sovereignty and stability and contravenes its obligations under resolutions 1559 and 1701, which called for a cessation of hostilities between Hezbollah and Israel in 2006.

Another issue is the inability of Lebanon to elect a president, which has paralysed the country's parliament and threatens Lebanon's stability with its potential to aggravate sectarian tensions within the country.

Options

Considering that Council members issued a comprehensive press statement in March outlining the main issues on which they stand united in their support of Lebanon, the most likely option is to merely receive the briefing and take no other action at this time.

Council Dynamics

The Council continues to demonstrate unity in support of Lebanon's sovereignty, territorial integrity and security and to support Lebanon in its efforts to insulate itself from the damaging effect of the Syrian conflict.

France is the penholder on Lebanon.

UN DOCUMENTS ON LEBANON Security Council Resolutions S/RES/1701 (11 August 2006) increased UNIFIL by 15,000 troops and expanded its mandate. S/RES/1559 (2 September 2004) urged the withdrawal of all foreign forces from Lebanon, disarmament of all Lebanese and non-Lebanese militias, extension of the Lebanese government's control over all Lebanese territory and free and fair presidential elections. **Secretary-General's Report S/2016/366** (22 April 2016) was the Secretary-General's report on implementation of resolution 1559. **Security Council Press Statement SC/12287** (17 March 2016) reaffirmed deep concern over the vacancy in the presidency and expressed continuing concern about the negative impact of the Syrian crisis on Lebanon's stability.

Expected Council Action

In May, the Council is expected to hold its quarterly briefing on Kosovo. Zahir Tanin, the Secretary-General's Special Representative and head of the UN Interim Administration Mission in Kosovo (UNMIK), will brief on recent developments and the latest Secretary-General's report. Serbia is likely to participate at a high level, while Kosovo will probably be represented by its ambassador to the US.

Key Recent Developments

The political situation in Kosovo has remained tense for the past six months. The opposition parties have continued the practice of setting off smoke bombs in the Assembly of Kosovo, the legislative body, with an aim of obstructing its normal functioning. Disorder has spread outside the Assembly on several occasions when supporters of the opposition staged a number of demonstrations, some of which resulted in violence and clashes with Kosovo police. The main point of contention between the government and the opposition continues to be the 25 August 2015 agreement between Belgrade and Pristina, which, among other things, mandates the establishment of the Association/Community of Serb Municipalities (ASM/CSM) in northern Kosovo, which the opposition fears could eventually pose a risk of secession.

The establishment of the ASM/CSM has yet to be realised because of diverging interpretations of the agreement. Serbia has insisted that the ASM/CSM should have wide executive powers, something that the Kosovo side believes contradicts Kosovo law because it would entail the creation of another tier of government.

On 26 February, the Assembly met to select a new president of Kosovo to replace Atifete Jahjaga, whose term was expiring on 6 April. Hasim Thaçi, the former prime minister and current foreign minister, won after three rounds of voting. During the first two rounds, Thaçi failed to secure a two-thirds majority of the Assembly votes, but he won in third round, which only required him to get a simple majority in the 120-seat legislature. The opposition managed to delay the vote by setting off tear gas in the chamber once again.

Thaçi's nomination for the presidency was the result of a coalition agreement signed

between his Democratic Party of Kosovo (PDK) and Prime Minister Isa Mustafa's Democratic League of Kosovo (LDK) following the elections in 2014. Under the agreement, the LDK got the post of prime minister while the PDK would hold the presidency after the end of Jahjaga's term. During a special session of the Assembly on 7 April, Thaçi was officially sworn in as Kosovo's president. The following day, a number of high-level dignitaries from the region attended the inauguration ceremony, which was briefly interrupted when the opposition set off a smoke bomb during the ceremony.

On 29 February, while still in office, President Jahjaga ratified an agreement with the Netherlands that had been signed on 15 December 2015 regarding the organisation of the Special Court of Kosovo. The Court will investigate cases of alleged war crimes committed by the Kosovo Liberation Army during the Kosovo war and its aftermath. Based in The Hague, the Court will be staffed by international judges and will operate under Kosovo law. After the signing of the agreement, Jahjaga said that Kosovo had "fulfilled all of its international obligations related to the establishment of the Court".

Kosovo Serbs participated in Serbian parliamentary elections on 24 April. The Organization for Security and Cooperation in Europe (OSCE) facilitated the process because Kosovo authorities do not allow the Serbian Electoral Commission to operate in Kosovo. Essentially, the OSCE organised the collection of ballots and their subsequent transfer to the Serbian authorities for the count. This was the third time the OSCE assisted in the voting by Kosovo Serbs in Serbian parliamentary elections. It did so previously in 2012 and 2014 using the same model.

Human Rights-Related Developments

On 15 April, the special rapporteurs on minority issues and the human rights of internally displaced persons, Rita Izsák-Ndiaye and Chaloka Beyani, released a statement that called on the UN to implement a 26 February opinion of the Human Rights Advisory Panel made public the previous week. The opinion found UNMIK responsible for compromising irreversibly the life, health and development potential of certain families exposed to lead poisoning in camps for internally displaced persons (IDPs) in Kosovo. The complaint was brought in 2008 by 138 members of the Roma, Ashkali and Egyptian communities

in Kosovo who were initially placed in three IDP camps after the Roma Mahala neighbourhood in South Mitrovica had been destroyed in 1999.

The panel's opinion noted that UNMIK had commissioned a report in 2000, which found extremely elevated blood lead levels of the affected community members living in the IDP camps, but did not make the report public and failed to take sufficient action to address the risks of lead exposure in the camps. The panel recommended that UNMIK publicly acknowledge, including through the media, its failure to comply with applicable human rights standards in response to the adverse health condition caused by lead contamination in the IDP camps and the consequent harm suffered by the complainants; make a public apology to them and their families; and take appropriate steps towards payment of adequate compensation to the complainants for material and moral damage.

Key Issues

Maintaining stability and security in Kosovo remains the main issue for the Council, especially in light of the heightened political tensions in the country.

UNMIK's role in promoting the implementation of the existing agreements between Belgrade and Pristina is a related issue.

Following the ratification of the agreements on the establishment and organisation of the Special Court of Kosovo, an issue for the Council will be to follow closely the cooperation of Kosovo authorities with the Court.

Options

Should the ongoing political impasse continue to disrupt the normal functioning of the Kosovo government and its institutions or pose a threat to stability, the Council could consider issuing a statement censuring the disruptions and urging political actors to engage in dialogue with an aim of resolving outstanding issues.

Considering the lack of implementation of a number of agreements between Belgrade and Pristina, the Council could explore the ways in which UNMIK could facilitate the implementation process.

Looking ahead, the Council could consider modifying UNMIK's mandate and reducing its presence pending the implementation of the agreements between Belgrade and Pristina.

Council Dynamics

For years now, Kosovo has been an issue of

Kosovo (con't)

low intensity for the Council, mainly because of the leading role of regional organisations, such as the EU, NATO and the OSCE. In addition, most Western members of the Council share the view that Kosovo does not require serious scrutiny by the Council because of the progress already made.

The unchanged Council dynamics on

Kosovo result from an entrenched division among the permanent members. France, the UK and the US (the P3) recognise Kosovo's independence and its legitimacy under international law, while China and Russia maintain strong support for Serbia's position vis-à-vis Kosovo. Prior to the current wave of political difficulties in Kosovo, there had

been some discussion by the P3 and other Western Council members about possibly lengthening the reporting cycle on Kosovo. Russia has objected strongly to an attempt by the Council to alter the reporting cycle or modify UNMIK's mandate. Russia's position has been reinforced by the recent political instability in Kosovo.

Liberia

Expected Council Action

In May, the Council expects a briefing by Ambassador Volodymyr Yelchenko (Ukraine), chair of the 1521 Liberia Sanctions Committee, on the final report of the Panel of Experts and other sanctions-related matters, followed by consultations.

Sanctions measures—including an arms embargo on non-state actors—expire on 2 June, and the mandate of the Panel of Experts expires on 2 July.

The Council is expected to review and possibly terminate the sanctions regime.

Key Recent Developments

With the Ebola epidemic now contained, despite some new cases in April, the Council and the Liberian authorities have directed their attention towards the imminent drawdown of the UN Mission in Liberia (UNMIL). Resolution 2239, adopted in September 2015, authorised a further reduction in the number of UNMIL's personnel and mandated that the transition of security responsibilities from UNMIL to the Liberian authorities be completed by 30 June. Parallel to the drawdown of UNMIL, the Council took action to ease the sanctions in September 2015, when it adopted resolution 2237 which renewed the arms embargo on non-state actors but terminated the asset freeze and travel ban. The resolution also reaffirmed the readiness of the Council to readjust or possibly terminate sanctions "in light of the stability in Liberia and the subregion".

On 17 March, Special Representative of the Secretary-General Farid Zarif briefed the Council on the situation in Liberia, including transition-related activities. Though he said

that some in the political opposition and civil society question the country's readiness for the transition, Zarif was confident that Liberia would meet all transition targets set by UNMIL and the government by the deadline. Liberian President Ellen Johnson Sirleaf has repeatedly said that the authorities are ready to assume security responsibilities related to the transition. However, both Sirleaf and Ivorian President Alassane Ouattara appealed to the Secretary-General in January to maintain the UN peacekeeping presence in both countries pending the conclusion of the 2017 presidential elections in Liberia, given the potentially destabilising impact of the vote.

The implementation of the transition plan by Liberian authorities has been uneven due to funding difficulties and the inability of the authorities to adopt compulsory legislation on security sector reform and arms and ammunition control, among other factors. Because of the global decline in commodity prices, the Liberian economy suffered considerable losses this year. This negatively affected the government's budget and consequently the funds allocated for the transition. Regarding the major gap in funding, Zarif appealed to bilateral and international partners to provide support for this and other aspects of the transition.

Progress on the legislative front was made on 17 March when the legislature ratified the law on police and immigration. On 13 April, the legislature approved a land authority act, which is supposed to provide a basis for land reform. In addition, the act would enable the creation of the body charged with governing all land-related matters, a task previously undertaken by several different ministries. However, a crucial law on firearms and

ammunition control has yet to be adopted.

A surge in terrorist activity in the region in the past couple of months raised concerns about the security situation in Liberia. In the last six months, Al-Qaida in the Islamic Maghreb orchestrated attacks in Mali, Burkina Faso and, on 13 March, in neighbouring Côte d'Ivoire. Following the attacks in Côte d'Ivoire, Sirleaf went to Abidjan, where she and Ouattara held talks on security issues. Both leaders stressed the need for coordinated regional and international counterterrorism efforts, while Ouattara also advocated advancing a regional approach through the Economic Community of West African States.

Though the World Health Organization (WHO) declared Liberia free of Ebola in January, new cases of the virus were reported in April. Guinea also witnessed a surge in new cases of Ebola. Working with the authorities of Liberia and Guinea, WHO determined the existence of an epidemiological link between the flare-ups in both countries. As a result, the Liberian authorities have activated emergency response mechanisms to contain the spread of the virus while hundreds of people in the southern regions of Guinea have been given the experimental Ebola vaccine.

Sanctions-Related Developments

On 11 April, the 1521 Liberia Sanctions Committee held informal consultations. The meeting was primarily focused on the final report of the Panel of Experts. Issues that were discussed included the failure of Liberia to adopt arms and ammunition control legislation as well as risk factors posed by the surge in terrorism in the region and Liberia's lack of capacity to deal with this phenomenon. On a positive note, Council members took note of the adoption of the police and immigration act.

UN DOCUMENTS ON LIBERIA Security Council Resolutions S/RES/2239 (17 September 2015) authorised further drawdown of UNMIL. S/RES/2237 (2 September 2015) renewed the arms embargo for nine months but terminated the asset freeze and travel ban. **Secretary-General Report S/2016/169** (22 February 2015) was a report on UNMIL. **Security Council Meeting Record S/PV.7649** (17 March 2016) was briefing on UNMIL.

Liberia (con't)

Key Issues

The primary issue for the Council will be to examine the usefulness of sanctions in Liberia and consider further modifying or terminating the sanctions regime.

Given the imminent drawdown of UNMIL and the transition of security responsibilities to Liberian authorities on 30 June, a prominent issue for the Council will be maintaining stability in the country.

In light of the recent attacks in the region and neighbouring Côte d'Ivoire, the risk posed by terrorism is an emerging issue.

Options

A likely option for the Council is to terminate the current sanctions regime, which currently only includes an arms embargo on non-state actors.

The Council could also decide to keep the sanctions regime unchanged for a limited time period or pending the successful transition of security responsibilities from UNMIL

to the Liberian government.

Council Dynamics

In the second half of 2015, the Council started taking a more active approach towards the drawdown of UNMIL and further easing of sanctions. These processes were put on hold during 2014 and the first half of 2015 because of the Ebola epidemic. In September 2015, the Council showed its determination to ease the sanctions regime and authorise a further drawdown of UNMIL by unanimously adopting resolutions 2237 and 2239 respectively. By adopting these resolutions, the Council signalled its desire to gradually end the UN's current role in Liberia and ease sanctions, given that the country has been relatively stable for the past 13 years.

The P3 in general and the US in particular seem to be keen on terminating the sanctions regime, despite the fact that while making some progress, Liberia failed to fully implement a number of reforms and legislative

adjustments recommended by the Panel. The majority of the elected members also seem to favour further easing or terminating sanctions, though some E10 members tend to be more cautious in this regard. Despite this, it seems unlikely that elected members would directly oppose a resolution to terminate the sanctions, should the US decide to end the regime. There is also a prevailing view in the Council that the regular problems that the Panel has been identifying in its reports are issues less of security than of governance, for which sanctions are not viewed as an appropriate tool. In the regional context, the decision to end sanctions and drawdown the UN mission in Côte d'Ivoire further reinforces the view of the Council that the region is relatively stable.

The US is the penholder on Liberia, and Ukraine serves as chair of the 1521 Liberia Sanctions Committee.

Somalia

Expected Council Action

In May, the Council is scheduled to receive a briefing from the Special Representative of the Secretary-General and head of the UN Assistance Mission in Somalia (UNSOM), Michael Keating, on the forthcoming Secretary-General's report. The Council is also expected to renew the authorisation of the AU Mission in Somalia (AMISOM), which expires on 31 May, and could elect to review the mandate of the UN Support Office in Somalia (UNSOS).

The Council is planning a visiting mission to Somalia in May, where it is expecting to meet with Somali President Hassan Sheikh Mohamoud, defense and intelligence ministers and the government's chief of staff, as well as meet with AMISOM and UNSOM and members of civil society.

Key Recent Developments

Somalia has recently made significant progress on its electoral plan and the political

process. On 4 April, the semi-autonomous Puntland region agreed to participate fully in the electoral process, on the basis of an agreement with the Somali government that the so-called 4.5 power-sharing formula, which gives an equal share to each of the four major clans while a coalition of smaller clans gets half a share, would "under no circumstances be used beyond the 2016 elections". The intention is to hold one-person one-vote elections in 2020. The agreement was guaranteed by the Intergovernmental Authority on Development (IGAD), with the UN, the AU and the EU serving as witnesses.

There was also progress on the practical framework for the implementation of the electoral process. The third National Leadership Forum held in Mogadishu from 9 to 12 April agreed on a structure for the electoral process, involving the establishment of uniform election implementation teams at federal and state levels to organise the upcoming elections. Participants also agreed on the

composition of these teams, and promised to formulate their terms of reference and to establish a dispute resolution mechanism. According to the plan, the electoral college this year will be 100 times larger than in 2012 elections, and 30 percent of the seats in Parliament are being reserved for women. The forum also announced that a constitutional conference would be held between 25 May and 5 June in the Puntland capital, Garowe, to discuss contentious political and constitutional issues that may require review.

On AMISOM, the AU Peace and Security Council (PSC) adopted a press statement on 31 March in which it reiterated its serious concern about the funding gap created by the EU's "untimely" 20 percent funding cut and once again called on the UN to utilise assessed contributions to bridge the funding gap. It stressed that, in line with Chapter VIII of the UN Charter, the AU in deploying AMISOM is acting on behalf of the Security Council. The statement also

UN DOCUMENTS ON SOMALIA [Security Council Resolutions S/RES/2275](#) (24 March 2016) was a resolution extending the mandate of UNSOM. [S/RES/2245](#) (9 November 2015) created the UN Support Office in Somalia. [Security Council Meeting Record S/PV.7674](#) (19 April 2016) was the briefing with President Mohamoud. [Security Council Press Statement SC/12333](#) (21 April 2016) focused on recent political progress, the difficult security situation and the importance of further efforts aimed at strengthening AMISOM and Somali security institutions. [Security Council Letters S/2016/350](#) (12 April 2016) informed the Council of the UK's readiness to deploy 70 military personnel to support UNSOS. [S/2016/300](#) (31 March 2016) was from Djibouti on the release of four of the 19 Djibouti prisoners of war still in custody in Eritrea.

Somalia (con't)

expressed serious concern over the reports of continuous shipment of arms for non-state actors in Somalia, in violation of the UN arms embargo.

On 19 April, the Council held a briefing on Somalia at the request of the UK, taking advantage of President Mohamoud's presence in New York for events in the General Assembly. Keating also briefed the Council, along with AU Permanent Observer Tete Antonio. Keating stressed that the electoral process remain vulnerable to spoilers, with Al-Shabaab being a potent threat. He also reported that the capacity of UNSOS is being strengthened, including through the deployment of a team of 70 military experts from the UK. Antonio highlighted four critical issues regarding AMISOM: that there is a clear justification for the renewal of AMISOM's mandate; that AMISOM's strategy must embrace more targeted operations involving holding, offensive and pursuit operations; that resources must be mobilised to ensure that the salaries of the Somali security forces are paid and to fill the gap created by the 20 percent salary cut for AMISOM uniformed personnel; and that the deployment of operational enablers and force multipliers are pivotal for AMISOM operations. President Mohamoud conveyed that Somalia has made solid improvements in weapons and ammunition management and in complying with Security Council arms notification requirements, and urged the Council to lift the arms embargo on Somalia, saying it would help accelerate the development of the national security forces and enhance Somalia's ability to defeat terrorism.

Following the meeting, Council members on 21 April issued a press statement in which they commended President Mohamoud and the federal government for the political progress made in the last four years, in particular the agreement on an electoral model. They welcomed the government's commitment to reserve 30 percent of seats in the upper and lower houses of parliament for women and called on the parliament to endorse swiftly the implementation plan decided by the National Leadership Forum. They recalled their expectation that there will be no extension of the electoral process timelines, and called for progress on the constitutional review process and for completion of the federal state formation process

to be accelerated. They also expressed grave concern at the fragility of the security situation and reiterated condemnation of attacks and recruitment of children by Al-Shabaab. They underscored the importance of enhancing command and control and coordination within AMISOM, and of the swift appointment of a Force Commander. Members of the Council welcomed the efforts made by the federal government to strengthen the capacity and accountability of Somali security institutions and expressed concern about the fragile humanitarian situation.

Concerning the humanitarian situation, UN humanitarian coordinator for Somalia Peter de Clercq on 31 March appealed for \$105 million in aid to provide life-saving assistance to nearly two million people affected by the severe drought in the autonomous regions of Somaliland and Puntland.

Sanctions-Related Developments

The 751/1907 Somalia/Eritrea Sanctions Committee on 14 March adopted the implementation assistance note on the arms embargo entitled, "Summary of arms embargo restrictions in place for Somalia and Eritrea, including exemptions". The note, requested by the Council in resolution 2244 of 23 October 2015, provides an overview of the scope of the arms embargo and exemption requests.

The Sanctions Committee met on 22 April to receive a midterm update from the coordinator of the Somalia and Eritrea Monitoring Group. In the update, the coordinator conveyed growing concerns surrounding Al-Shabaab's resurgence and stressed that AMISOM and the Somali National Army (SNA) are in need of increased support.

On 31 March, Djibouti sent a letter to the Secretary-General to convey the "encouraging developments" of the release of four of the 19 Djibouti prisoners of war held in Eritrea.

Key Issues

A key issue for the Council in May is the re-authorisation of AMISOM's mandate; as well as how the Council can best address the financial, operational and logistical challenges facing AMISOM and support efforts to enhance the effectiveness of the mission in its offensive operations against Al-Shabaab. In this regard, the importance of enhancing command and control and improving coordination within AMISOM remain issues of high importance, particularly in light of the upcoming elections, which Al-Shabaab will likely seek to disrupt.

A further issue is ensuring that Somalia

adheres to the timeline for the current electoral process and conducts peaceful, transparent and inclusive elections in August. Likewise, progress must be made towards the constitutional review process and completion of the federal State formation, with support from UNSOM.

On the sanctions front, a key issue remains whether the measures against Eritrea should be reviewed in light of its recent release of the Djiboutian prisoners of war and the absence of any evidence of Eritrean support for Al-Shabaab, as reported by the Somalia-Eritrea Monitoring Group. Another issue is whether to lift the arms embargo on Somalia, which expires on 15 November, as requested by Somalia.

Options

The main option for the Council is to adopt a resolution renewing AMISOM's authorisation for one year. This resolution could address any concerns raised when the Council meets with AMISOM in Mogadishu. The resolution could also reiterate some of the messages expressed in the Council's 21 April press statement.

A further option would be to review and, if deemed necessary, revise the mandate of UNSOS, as provided for by resolution 2245, which established UNSOS in November 2015 and decided to keep its mandate under review in line with that of AMISOM. This option remains unlikely, however, given that UNSOS was established only six months ago.

During its planned visit to Somalia in May, while engaging with several key stakeholders, the Council could take the opportunity to reiterate its support to the government for the holding of timely and inclusive elections in August and send a message to spoilers that the international community is invested in supporting Somalia's political transition. On AMISOM, the Council could take the opportunity to encourage the strengthening of command and control and reiterate the importance of the swift appointment of a Force Commander.

Council Dynamics

The Council remains generally united on Somalia. In their interventions during the 19 April meeting, most Council members welcomed recent political developments, while warning that the electoral schedule must be

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adhered to. They also were united in expressing their support for AMISOM and the SNA. Venezuela was the sole member calling on the Council to heed President Mohamoud's appeal for the lifting of sanctions.

At press time, discussions on AMISOM's reauthorisation had not yet begun; however, Council members were anticipating a report on AMISOM from the AU following a meeting of the PSC on the situation in Somalia set

for 28 April, which, along with perspectives gained during the Council's meeting with AMISOM in Mogadishu, would help inform the Council's approach to the reauthorisation.

The UK is the penholder on Somalia.

Libya

Expected Council Action

In May, ICC Prosecutor Fatou Bensouda will deliver her semi-annual briefing on recent developments concerning cases in Libya.

Key Recent Developments

Seven of the nine members of the Presidency Council of the Government of National Accord (GNA) arrived in Tripoli on 30 March. Despite the fact that the Presidency Council secured the support of key institutions, such as the Libyan Investment Authority, the National Oil Corporation and the Central Bank, so far it has not been formally endorsed by the Tobruk-based House of Representatives.

A majority of House members issued a statement on 21 April after they were prevented from holding a vote on a list of GNA candidates, submitted on 15 February by the Presidency Council, by a militia reportedly allied with some House members. The statement expressed their intention to endorse the GNA, while reiterating reservations about article 8 of the Libyan Political Agreement regarding the transfer of military power, which is perceived as challenging the role that General Khalifa Haftar (the military leader of Operation Dignity in eastern Libya) will be able to play in Libya once a GNA is sworn in. A 22 April joint statement by the ambassadors and special envoys to Libya of the EU, France, Germany, Italy, Portugal, Spain, the UK and the US commended the efforts of the majority of members of the House "in spite of unacceptable threats" and welcomed the decision of those members to convene the House in a Libyan location that offers security and safety for its members.

The first meeting of the State Council—a consultative institution provided for by

the Libyan Political Agreement in which most members of the Tripoli-based General National Congress (GNC) are expected to participate—took place in Tripoli on 6 April. However, members of the GNC continue to be divided over whether to dissolve the GNC and pledge allegiance to the GNA. On 22 April, the State Council met in the headquarters of the GNC in Tripoli.

Targeting the perceived spoilers, the EU imposed sanctions on 31 March on Agilah Saleh (head of the House), Nouri Abu Sahmain, (head of the GNC) and Khalifa Ghweil (head of the Tripoli-based National Salvation Government). The US also imposed sanctions on the latter on 19 April.

The security situation continues to be critical, particularly in the east. The UN Support Mission in Libya (UNSMIL) has been seeking to arrange a humanitarian ceasefire in the eastern city of Benghazi, but so far it has not been able to secure the agreement of the warring parties. In the west, clashes have persisted among rival militias in Warshafana. The situation in Tripoli is generally calm, with episodes of violence among rival militias. Since its establishment on 13 January, the Temporary Security Committee has been working to formulate a security plan to enable the GNA to establish itself in Tripoli.

Special Representative of the Secretary-General and head of UNSMIL, Martin Kobler, last briefed Council members on 7 April, describing his plans to support the Presidency Council and the GNA in establishing themselves in Tripoli by maintaining a continuous presence in Tripoli. (A UN needs-assessment mission, deployed in January to evaluate the feasibility of UNSMIL's return to Libya, concluded that such a move was contingent upon the establishment of the

GNA in Tripoli and authorisation to deploy a UN guard unit.)

The International Organization for Migration estimates that around 1,200 migrants have died this year on all Mediterranean routes to Europe. It also confirmed details of a shipwreck that resulted in the deaths of upwards of 400 migrants and refugees who had left Libya in mid-April.

ICC-Related Developments

Saif Al-Islam Qaddafi, son of deposed leader Muammar Qaddafi, was sentenced to death in absentia on 28 July 2015 by a court in Tripoli that tried him along with 36 other Qaddafi-era officials accused of serious crimes during the 2011 revolution. Qaddafi is being held in a militia-controlled jail in the town of Zintan. UNSMIL and the Office of the High Commissioner for Human Rights criticised the trial as not meeting international standards for a fair trial.

On 30 July 2015, Bensouda requested that the Pre-Trial Chamber order Libya to refrain from carrying out Qaddafi's sentence, surrender him to the Court and officially inform the Security Council of the sentence, which she described as an irreversible manifestation of Libya's failure to cooperate with the Court. On 20 August 2015, the government of Libya, through its legal counsel, said in response to the Prosecutor that Qaddafi's judgement was not final given that he was tried in absentia and stressed that he could not be surrendered to the ICC because he was not in the custody of the Libyan government.

The ICC's Pre-Trial Chamber had issued a decision on the non-compliance of Libya with the Court in the case against Qaddafi on 10 December 2014, by which the matter was referred back to the Council to seek its assistance in eliminating the impediments to cooperation. The Council responded to this and other findings of non-compliance by agreeing on a 21 December 2015 letter from the Council's president to the president of the ICC, merely informing her that the letters transmitting decisions of Pre-Trial Chambers of the ICC on the situation in Darfur and Libya had been brought to the attention of Council members.

UN DOCUMENTS ON LIBYA Security Council Resolutions S/RES/2278 (31 March 2016) renewed the sanctions regime for a year. S/RES/2273 (15 March 2016) renewed UNSMIL's mandate until 15 June 2016. S/RES/2259 (23 December 2015) welcomed the signing of the Libyan Political Agreement. Security Council Press Statements SC/12334 (22 April 2016) deplored the maritime tragedy that resulted in up to 500 deaths. SC/12313 (1 April 2016) encouraged the Presidency Council to immediately begin its work in Tripoli to broaden the basis of its support. SC/12280 (14 March 2016) called for the Presidency Council to take steps to rapidly start working from the capital, Tripoli. Sanctions Committee Document S/2016/209 (4 March 2016) was the final report of the Panel of Experts on Libya. Security Council Meeting Record S/PV.7549 (5 November 2015) was the most recent briefing by Bensouda.

Libya (con't)

In 2013, the ICC concluded that Libya was not unwilling or unable to genuinely carry out its proceedings regarding the case against former intelligence chief Abdullah Al-Senussi that was before the ICC, thus making it inadmissible before the Court.

Bensouda has signalled in the past her readiness to open new investigations into ongoing crimes, but these efforts have been hampered by lack of cooperation from the Libyan side and by security and budgetary constraints.

Human Rights-Related Developments

A 15 February report by the Office of the UN High Commissioner for Human Rights described widespread violations of international human rights law and international humanitarian law and abuses of human rights, perpetrated by all parties to the conflict in Libya throughout 2014 and 2015. On 24 March, the Human Rights Council adopted, without a vote, a resolution on technical assistance and capacity-building to improve human rights in Libya. The resolution calls on the GNA to fully implement the Libyan Political Agreement and condemns all violations and abuses of human rights and violations of international humanitarian law. These include unlawful killings, indiscriminate shelling and attacks on civilians, abductions and assassinations of government officials, judges and others, the shelling of hospitals and the looting of property. The resolution expresses grave concern at the number of conflict-related detainees, including children, and at reports of torture and sexual and gender-based violence in detention centres, strongly condemning practices such as abduction, hostage-taking, incommunicado detention, abuse and killings carried out by non-state armed groups, most notably the Islamic State in Iraq and the Levant (ISIL), Ansar al-Sharia and other terrorist organisations in Libya (A/HRC/RES/31/27).

Key Issues

The overarching issues are how to ensure the

broad acceptance of the political agreement, including its endorsement by the House, how to bring on board those unwilling to sign it and how to isolate spoilers actively undermining the political process.

A key issue is ensuring that military actors commit to implementing the ceasefire and other security arrangements provided for in the agreement. Addressing impunity and stopping violations of international humanitarian law by the parties is a related issue.

The growing threat in Libya of terrorist groups with regional reach is an urgent issue.

Options

Options on Libya include:

- visiting Libya to hold discussions with the parties and regional stakeholders with the objective of breaking the current deadlock over the political process;
- holding an informal interactive dialogue with the prosecutor to develop a joint plan to ensure cooperation once the GNA is fully established; and
- imposing sanctions on spoilers.

The Council could also issue a statement:

- reiterating the call for the GNA to hold accountable those responsible for violations of international humanitarian law and violations and abuses of human rights and to co-operate fully with and provide any necessary assistance to the ICC and the prosecutor;
- calling on member states to ensure adequate funding to support the ICC in investigating serious violations of human rights and international humanitarian law; and
- calling on member states to extend full

cooperation to and support for the ICC by assisting its investigations and complying with its rulings.

Council and Wider Dynamics

Council members generally support UNSMIL's mediation efforts and have repeatedly stated that there can be no military solution to the crisis in Libya. There is also a feeling of urgency among Council members given the growing threat of ISIL in Libya. Some Council members emphasise the importance of a formal endorsement of the GNA by the House as per the political agreement. However, other Council members are already interacting with the Presidency Council of the GNA as the legitimate government of Libya. This dynamic has been reflected recently in the negotiations on resolutions 2273 and 2278, of 15 and 31 March respectively, and in a 1 April press statement.

The semi-annual briefings by Bensouda on Darfur and Libya have proven rather ineffective given the reluctance of the Council to follow-up regarding the difficulties in implementing ICC decisions. Council members have often reverted to general exhortations rather than effectively addressing non-compliance in a more forceful way. It remains to be seen whether the new GNA will cooperate fully with the ICC and the prosecutor, unlike previous governments.

The efforts—led by Chile and Lithuania—to respond with a letter to the findings of non-compliance issued by the ICC took months of negotiations, reflecting sharp divisions among Council members, including among states parties to the Rome Statute.

South Sudan

Expected Council Action

In May, the Council is expected to adopt a resolution renewing the mandate of the 2206 South Sudan sanctions regime, which expires on 1 June.

Key Recent Developments

Opposition leader Riek Machar returned to

Juba and was sworn in as First Vice President on 26 April. Machar's long awaited return to Juba, initially scheduled for 18 April, had been postponed several times, largely due to disagreements between the Sudan People's Liberation Movement (SPLM) and the Sudan People's Liberation Movement in Opposition (SPLM-IO) on the number of

SPLM-IO soldiers that could be brought to the capital city and the types of weapons they should be allowed to transport. Following Machar's arrival in Juba, Secretary-General Ban Ki-moon welcomed Machar's return and called for the immediate establishment of the transitional government of national unity in a statement attributed to his spokesman.

UN DOCUMENTS ON SOUTH SUDAN Security Council Resolution S/RES/2280 (7 April 2016) was a technical rollover resolution renewing the mandate of the South Sudan sanctions regime until 1 June. Security Council Presidential Statement S/PRST/2016/3 (7 April 2016) indicated the Council's intention to assess progress by 30 April on steps taken by the parties as outlined by the Council in its 17 March presidential statement. Security Council Meeting Records S/PV.7678 (26 April 2016) was a briefing on South Sudan.

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Recent tensions and clashes have been reported between SPLM and the SPLM-IO. On 6 April, fighting broke out between SPLM and SPLM-IO forces in Western Bahr el Ghazal state. Both sides sustained casualties, and buildings were destroyed near Mboro village. The fighting followed reports of a build-up of SPLM forces and attacks by helicopters in the area.

Local officials have claimed that 90,000 civilians have fled to Wau town in recent months because of conflict in the vicinity. The SPLM has alleged that it is attacking “criminals” in Western Bahr el Ghazal, not opposition forces. Media reports further indicate that government forces have carried out attacks on SPLM-IO cantonment sites in Western Bahr el Ghazal, as high-level government representatives, including Army Chief of Staff Paul Malong Awan, oppose the cantonment of opposition troops in this state.

Clashes between government and opposition forces were also reported in Rupkotni county in Unity state on 13 and 14 April.

The opposition accused Malong Awan of orchestrating the transfer of armed youth on 9 April from his native Bahr el Ghazal state to Juba in breach of the peace agreement. On 12 April, SPLA spokesman Lul Ruai Koang acknowledged that a troop movement had occurred but said that it constituted “a routine administrative matter” and suggested that soldiers move through Juba to other locations.

A group of men from the Murle ethnic group crossed on 15 April from South Sudan’s Jonglei state into the Gambella region of Ethiopia, where they killed more than 200 people, kidnapped more than 100 children and seized approximately 2,000 head of cattle before returning to South Sudan. Ethiopia has reportedly been in discussions with South Sudan regarding options for a joint military campaign against the perpetrators, which will include efforts to rescue the abducted children.

The Council has devoted considerable attention to South Sudan in recent weeks. On 31 March, the Council held a briefing to hear from Festus Mogae, the chairperson of the Joint Monitoring and Evaluation Commission; Ellen Margrethe Løj, the Special Representative of the Secretary-General and head of the UN Mission in South Sudan (via video teleconference); Stephen O’Brien, the

Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator; and Kate Gilmore, Deputy High Commissioner for Human Rights.

Mogae said that “the act of forming [the transitional government] will not automatically relieve the humanitarian, development, political, military and economic crises” facing South Sudan, and urged the parties and the international community to continue to work toward “a more robust peace” in the country. Løj said that fighting continued in various parts of the country, despite the peace agreement. She underscored the importance of forming the transitional government and noted that UNMISS was providing air transport to Juba for opposition forces as part of the transitional security arrangements agreed by the parties. O’Brien emphasised the severity of the humanitarian situation in South Sudan. “Civilians continued to be targeted, attacked and displaced,” he said, while restrictions imposed on humanitarian access remained a significant problem. Gilmore briefed on the findings of the Office of the High Commissioner for Human Rights’ assessment mission to investigate allegations of violations and abuses of human rights and violations of international humanitarian law in South Sudan. She highlighted the need for accountability to break the cycle of violence in the country, calling on the AU to promptly establish the hybrid court envisioned in the August 2015 peace agreement. Following the public briefing, Council members discussed the situation in consultations.

The Council adopted a technical rollover resolution on 7 April that renewed the mandate of the South Sudan sanctions regime for an additional seven weeks until 1 June. A presidential statement was adopted in conjunction with the resolution, indicating the Council’s intention to assess progress by 30 April on steps taken by the parties as outlined by the Council in its 17 March presidential statement. Those steps involve the implementation of the August 2015 peace agreement and a proposal for a national boundary commission to review the number of states in South Sudan and their boundaries, among other issues.

On 19 April, Under-Secretary-General for Peacekeeping Operations Hervé Ladsous briefed Council members in consultations on the postponement of Machar’s return

to Juba. Following the meeting, China in its capacity as Council president delivered elements to the press in which members expressed serious concern with the delay in Machar’s return to Juba and called for the transitional government of national unity to be formed quickly.

The Council held a briefing, followed by consultations, on UNMISS and the situation in South Sudan on 26 April. During the briefing, Ladsous said that Machar’s return to Juba was a positive development, but cautioned that political and security trends needed to change for peace to take hold. He highlighted the formation of the transitional government of national unity and the implementation of the transitional security arrangements as critical next steps in the peace process. Following the meeting, Council members issued elements to the press urging the parties to quickly form the transitional government.

Key Issues

A key issue for the Council is how to exert leverage on the parties to ensure that they fulfil their obligations under the August 2015 peace agreement. In this context, the Council has in recent months been considering whether to make adjustments to the sanctions regime. In large part, technical rollover resolutions adopted in February and April were intended to give the Council more time to consider its options and present a more unified position in order to have a constructive impact on the peace process.

Another issue for the Council is the ongoing violence in South Sudan and the toll that it continues to take on the civilian population.

Options

The most likely option for the Council is to adopt a resolution extending the South Sudan sanctions regime. In doing so, the Council could consider:

- imposing an arms embargo on South Sudan; and
- mandating the Panel of Experts to investigate the sources of corruption in South Sudan and corruption’s impact on the stability of the country.

If the transitional government of national unity is formed, an option would be to adopt a presidential statement welcoming this development and urging the parties to work

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together to solve the security, humanitarian and economic difficulties facing the country. If the transitional government of national unity is not formed and the parties continue to violate the peace agreement, another option would be to dispatch a Security Council mission (possibly in conjunction with the AU) to deliver stern messages to the parties on the need to fulfil their commitments.

Council Dynamics

Council members continue to follow developments in South Sudan closely, as reflected by the presidential statements adopted on this issue since March. While some members are

more optimistic than others about the incremental steps taken to implement the peace agreement, there was a general recognition among members during the consultations on 26 April that considerable challenges remain for peace to take hold in South Sudan.

A significant issue of discussion among members in recent months has been whether the Council should pursue an arms embargo in South Sudan. This was a recommendation made by both the South Sudan Sanctions Committee's Panel of Experts in its January final report and by the Office of the High Commissioner for Human Rights in its March report about allegations of

violations and abuses of human rights and international humanitarian law in South Sudan. It appears that some members believe that an arms embargo should be pursued even if the parties form a transitional government of national unity. Others, however, including at least one veto-wielding permanent member, are not supportive of this course of action, particularly at what they believe is a critical juncture in the implementation of the peace agreement.

The US is the penholder on South Sudan, while Senegal is the chair of the 2206 South Sudan Sanctions Committee.

Notable Dates for May

REPORT DUE	REPORTS FOR CONSIDERATION IN MAY	REQUESTING DOCUMENT
22 April	SG report on the implementation of resolution 1559 (Lebanon)	S/PRST/2004/36 S/RES/1559
27 April	OPCW report on the implementation of resolution 2118 (Syrian chemical weapons)	S/RES/2118
29 April	SG report on UNMIK (Kosovo)	S/RES/1244
29 April	SG report on UNAMI (Iraq)	S/RES/2233
1 May	Final report of the Panel of Experts of the 1521 Liberia Sanctions Committee	S/RES/2237
3 May	High Representative's Report on Bosnia and Herzegovina	S/RES/2247
11 May	SG report on UNSOM (Somalia)	S/RES/2275
19 May	SG report on the humanitarian situation in Syria	S/RES/2139

MANDATES EXPIRE	RELEVANT DOCUMENT
15 May	UNISFA (Abyei)
30 May	AMISOM (Somalia)
1 June	South Sudan sanctions
2 June	Liberia sanctions and Panel of Experts of the 1521 Liberia Sanctions Committee

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