

# Monthly Forecast

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## Overview

Russia will have the presidency of the Council in October, when Council members will hold their first colour-coded straw poll for the position of the [next Secretary-General](#), giving the first clear indication of which candidates could face a veto in a formal vote.

Russia has organised a debate on [UN cooperation with regional and sub-regional organisations](#), in particular the Collective Security Treaty Organization, the Shanghai Cooperation Organization and the Commonwealth of Independent States.

The Council is expected to adopt a resolution early in the month renewing member states' authorisation to interdict vessels used for migrant smuggling or human trafficking on the high seas off the coast of [Libya](#). The other adoption scheduled for October is the renewal of MINUSTAH's mandate in [Haiti](#).

Members will be closely following developments in [Syria](#), following the rupture of the 9 September cessation of hostilities agreement between Russia and the US, and the massive military escalation in Aleppo. The regular monthly briefings on the political, humanitarian and chemical weapons tracks have been scheduled, but other Council activity is possible, given the urgent nature of the Syrian crisis.

There will be discussion on several other Middle East issues this month:

- [Israel/Palestine](#), the quarterly open debate and

an Arrria-formula meeting on illegal Israeli settlements;

- [Lebanon](#), the implementation of resolution 1559; and
- [Yemen](#), the regular update by the Special Envoy.

Council members will continue to monitor developments in [South Sudan](#) and will consider the Secretary-General's monthly assessment on the deployment and future requirements of the Regional Protection Force, as well as obstacles to setting up the Force and impediments to UNMISS in carrying out its mandate. Other African issues that will be considered this month are:

- [Central African Republic](#), the activities of MINUSCA;
- [Democratic Republic of the Congo](#), updates on the political tension surrounding presidential elections, and briefings on the activities of MONUSCO and the Peace, Security and Cooperation Framework for the DRC;
- [Mali](#), the activities of MINUSMA;
- [Sudan \(Darfur\)](#), the activities of UNAMID; and
- [Western Sahara](#), an update on MINURSO and its return to functionality.

Finally, the Council will hold two annual meetings in October, the open debate on [women, peace and security](#) and a private briefing by the [International Court of Justice](#).

## In Hindsight: The Security Council Penholders

Contrary to a widespread assumption, the Security Council's so-called penholder system is not a longstanding practice. Rather, it is still in its first decade. Under the current arrangement, most Council outcomes (including resolutions, presidential statements or press statements) are drafted by one of the P3 (France, the UK and the US) which are the penholders on most situation-specific issues on the Council's agenda. As of early

2016, the US was serving as the penholder for eight of these situation-specific agenda items, the UK for seven and France for six. Elected members have been serving as penholders on Afghanistan and Guinea-Bissau and on some thematic issues.

Drafting of outcomes has been an increasing task ever since the workload of the Council exploded a quarter of a century ago, after more

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## In Hindsight: The Security Council Penholders (con't)

than 40 years of paralysis during the Cold War. Members, permanent and elected alike, took the initiative to produce a text. Specific, recurring topics were not seen as “belonging” to a particular Council member. Sometimes, members with an interest in a given situation would join forces or, on some occasions, compete to produce a draft first, in order to then chair the negotiations. Occasionally, members with shared concerns about a particular conflict would constitute “groups of friends”, fairly temporary and changeable arrangements which might be represented in the Council by either a permanent or an elected member.

Under the current penholder practice, one of the P3 produces a draft that is then agreed within the P3 group. The next step is to negotiate the text with China and Russia. Only thereafter, sometimes very close to the intended time of adoption, is it shared with the ten elected members.

Possibly the first example of this drafting and negotiating practice was the lengthy process leading up to the adoption of the Council’s first resolutions on nuclear non-proliferation in the Democratic People’s Republic of Korea and Iran in 2006. For a few years, this approach was used only for non-proliferation issues, with some elected members occasionally protesting (in one case in 2008, the adoption of a resolution on Iran had to be postponed by several days because South Africa requested time for its capital to study the text). In the next year or two, this drafting and negotiating system was gradually extended to more and more situation-specific issues on the Council’s agenda.

This arrangement may have seemed logical in terms of Council efficiency and convenience, but it soon developed several consequences. Elected members were left out of the drafting process altogether and were brought into negotiations only at the very end—and were often discouraged from making meaningful amendments because they might disturb the wording agreed to among the P5, sometimes after painstaking negotiations.

Furthermore, all members, permanent and non-permanent, began seeing the penholder as the lead on all matters related to the situation at hand. This cascade effect has resulted in the penholder being seen as the leader in taking the initiative on all other possible Council actions, such as holding emergency meetings, organising open debates or

undertaking visiting missions. The chairpersons of the Council sanctions committees (all of which currently are elected members) are generally not involved in the drafting of resolutions on countries to which the sanctions apply—not even when the draft deals with sanctions issues. In at least two cases, there is a separate P3 penholder specifically for sanctions-related drafts.

In some cases, when a crisis arises while the penholder is either unwilling or unable to take the initiative (for example, because it is already managing other crises on the agenda), the Council is paralysed and delayed in taking any action. This “default” situation has quite possibly affected Council effectiveness in addressing conflicts.

The net effect is that while the demand for Council action has become the highest it has ever been, the burden-sharing within the 15-member body is probably at its historical lowest.

In 2014, the Council issued a note by the president (S/2014/268) in which it proclaimed that members of the Council agreed to support “where appropriate, the informal arrangement whereby one or more Council members (as ‘penholder(s)’) initiate and chair the informal drafting process” of documents, including resolutions, presidential statements and press statements of the Council. The note specified that any member of the Council can be a penholder. The document also emphasised Council members’ commitment to enhancing the participation of all members of the Council in the drafting process, including through early and timely exchanges and consultations, while continuing to consult informally with non-Council members.

The issuing of the 2014 note did not result in any noticeable change in actual arrangements. However, the dynamic with respect to the penholder system had possibly already begun to change in 2013. Elected members Australia and Luxembourg were instrumental in focusing the Council’s attention on the humanitarian aspect of the situation in Syria. Joined in 2014 by another elected member, Jordan, they drafted three resolutions on the topic that were adopted by the Council and had an impact on humanitarian access, also prompting regular monthly briefings to the Council. In 2015, after Australia and Luxembourg left the Council, elected members New Zealand and Spain stepped in to join

Jordan as penholders on Syria’s humanitarian situation. After the end of Jordan’s term on the Council, Egypt joined New Zealand and Spain as co-penholder in 2016.

In February, Venezuela took the initiative of organising a Council debate on the politically sensitive issue of the Council’s approach to the use of sanctions, which resulted in agreement on a rare note from the president on the topic (S/2016/170). The interesting aspect of the process was that Venezuela started out by circulating the draft to the ten elected members and negotiating it initially within that group.

In May, the Council adopted a resolution on healthcare in armed conflict that was drafted jointly by five elected members—Egypt, Japan, New Zealand, Uruguay and Venezuela—who led all the negotiations on the draft and secured co-sponsorship by most Council members and by several member states not on the Council.

During its September presidency of the Council, elected member New Zealand took the initiative of holding a high-level debate on the overall situation in Syria, with the country’s Prime Minister John Key presiding.

During the annual Security Council open debate on working methods, the penholder system has received considerable criticism from the UN leadership at large, the elected Council members and also, in a recent case, from a permanent member, Russia. Speaking during the October 2015 open debate, the country’s Permanent Representative, Vitaly Churkin, said:

*We are convinced that the Council would benefit from a democratization of its work, facilitated by a more balanced distribution of obligations informally linked to the so-called penholdership of some dosiers. Certain Council members should not consider countries or even regions to be their exclusive purview or act as mentors on issues concerning those countries. Such conduct is a remnant of days gone by that we need to abandon.*

With these recent developments and the longer preparatory period for incoming Council members due to the fact that Council elections are now held in June, a new dynamic may develop and some new members may be more eager to serve as penholders or co-penholders.

# Status Update since our September Forecast

## Counter-Terrorism

On 1 September, Council members issued a press statement condemning a terrorist attack against the Chinese embassy in Kyrgyzstan (SC/12502). A 4 September press statement condemned a terrorist attack perpetrated in the Philippines in which at least 14 people were killed and over 67 injured (SC/12503). On 22 September, the Council held a ministerial-level meeting on countering the terrorist threat to civil aviation. The Secretary-General of the International Civil Aviation Organization (ICAO), Dr. Fang Liu, briefed. At the meeting, the Council adopted resolution 2309 which called on member states to work within ICAO to ensure that its international security standards are reviewed, adapted and implemented to effectively address this threat. According to the concept note circulated by New Zealand, the objective of the meeting was to highlight the importance of having effective security arrangements in place at airports given the “iconic” nature of attacks against civil aviation by terrorist groups (S/2016/791).

## Guinea-Bissau

Following the Council’s 30 August briefing and consultations on Guinea-Bissau, Council members issued a press statement on 4 September expressing serious concern over the political impasse, urging national actors to abide by the constitution and the rule of law and to engage in dialogue to find a solution (SC/12504). The statement further stressed the urgency of deploying the ECOWAS presidential mission and encouraged ECOWAS and the CPLP to take steps towards organising a meeting of the International Contact Group on Guinea-Bissau. Issuing the statement was delayed due to Council members’ negotiations on language related to donor funding, in particular whether the release of pledges should be dependent on finding a solution to the political impasse.

## ICTY

On 6 September, the Council adopted resolution 2306 amending the Statute of the ICTY.

## Democratic People’s Republic of Korea

On 6 September, Council members met in consultations to discuss the ballistic missile launches conducted by the DPRK on 5 September. In a 6 September press statement, they strongly condemned the launches as a grave violation of relevant Council resolutions and called on the DPRK to refrain from

further such actions (SC/12509). They also called on member states to redouble their efforts to fully implement the sanctions measures against the DPRK. The DPRK protested the press statement in an 8 September letter to the Council, affirming its intention to continue to bolster its nuclear force (S/2016/771). Following the DPRK’s fifth nuclear test on 9 September, Council members again held urgent consultations and in a press statement strongly condemned the test and expressed their intention to immediately start work on a resolution imposing “appropriate measures under Article 41” against the DPRK (SC/12513). In a 9 September letter, the Republic of Korea called for tougher sanctions against the DPRK and said it would maintain a “posture of heightened readiness” against further provocations (S/2016/775).

## Colombia

On 13 September, the Council adopted resolution 2307 approving the Secretary-General’s 18 August recommendations (S/2016/729) on the size, operational aspects and mandate of the UN Mission in Colombia (S/PV.7768). On 21 September, the Council was briefed by Secretary-General Ban Ki-moon, and President Juan Manuel Santos of Colombia delivered a short statement and presented the peace agreement between the Colombian government and FARC-EP to the Council (S/PV.7773).

## Libya

On 13 September, the head of UNSMIL, Special Representative Martin Kobler, briefed the Council (S/PV.7769). The Council was also briefed by the chair of the 1970 Libya Sanctions Committee, Ambassador Ramlan Ibrahim (Malaysia).

## Afghanistan

On 14 September, the Council held its quarterly debate on Afghanistan (S/PV.7771) which focused on the most recent UNAMA report (S/2016/768). Special Representative Tadamichi Yamamoto briefed the Council for the first time in his new role. On the same day, the Council issued a presidential statement calling on the international community to continue its civilian and development efforts to assist Afghanistan, ahead of the 5 October 2016 Brussels Conference hosted by Afghanistan and the EU (S/PRST/2016/14).

## Liberia

On 14 September, the Council adopted

resolution 2308 which extended UNMIL’s mandate, in its current configuration, for an additional three months. The extension of the mission’s mandate will allow the Council to review the recommendations from the Secretary-General’s assessment mission, due by 15 November, before ultimately deciding on when to withdraw the mission.

## Non-Proliferation

At the initiative of the US, the Council on 23 September, adopted resolution 2310 on the occasion of the 20th anniversary of the opening for signature of the Comprehensive Test Ban Treaty. Egypt abstained, while all other Council members voted in favour (S/PV.7776). The resolution stressed the importance of achieving the early entry into force of the treaty and urged all states that have either not signed or ratified it to do so without delay, while encouraging all state signatories to promote its universality and entry into force. Also, the 1540 Committee met on 27 September to consider the first draft of the report on the comprehensive review of resolution 1540 which is due for submission to the Council by 1 November.

## Somalia

On 27 September, Special Representative Michael Keating briefed (S/PV.7778) the Council on the latest report of the Secretary-General on Somalia (S/2016/763). A representative from the AU also briefed on the activities of AMISOM. On 28 September, the Council issued a press statement that expressed regret at the 26 September announcement by the Federal Indirect Election Implementation Team that the timetable for the 2016 electoral process required a further extension (SC/12536).

## Protection of Civilians

On 28 September, the Council held a briefing on the protection of health care in armed conflict (S/PV.7779). The meeting focused on the Secretary-General’s recommendations on this issue, as requested by the Council in resolution 2286 on 3 May (S/2016/722). Briefers included Secretary-General Ban Ki-moon, ICRC President Peter Maurer and Médecins Sans Frontières President Joanne Liu.

## Golan Heights

On 29 September, the Department of Peacekeeping Operations briefed Council members in consultations on the Secretary-General’s latest UNDOF report (S/2016/803).

# Secretary-General Appointment

## Expected Council Action

Council members will hold their first colour-coded straw poll in early October as a further test of the viability of candidates who have been nominated for the position of the next Secretary-General. Since July, five undifferentiated straw polls have been held, but this one will provide the first clear indication of which candidates could face a veto in a formal vote. The Council will then decide whether it is ready to move to a formal vote on a resolution conveying its recommendation to the General Assembly for the next Secretary-General.

The system of using straw polls in the selection of the UN Secretary-General was an innovation created to break the deadlock in 1981 between Kurt Waldheim (Austria), who after serving two terms as Secretary-General had chosen to run for an unprecedented third term, and Salim Ahmed Salim (Tanzania). Colour-coded ballot papers differentiating between the permanent and elected members, used for the first time in 1991, have been part of every selection process ever since.

The number of colour-coded rounds has varied. In 1991 and 2006 the Council moved to a formal vote after only one colour-coded ballot, whereas in 1996 there were six

colour-coded straw polls before the Council recommended Kofi Annan in a formal ballot. It is unclear at this stage which of the leading candidates may face a red ballot or veto from permanent members.

## Key Recent Developments

On 1 September, Council members discussed the selection of the next Secretary-General during the regular monthly breakfast of Council permanent representatives hosted by New Zealand, as president of the Council for September. New Zealand informed members that because it has a candidate vying for the position of Secretary-General, it had asked Russia, as the next president of the Council, to manage the conduct of any straw polls in September. Members decided at the breakfast to hold straw polls on 9 and 26 September, followed by the first colour-coded straw poll in early October.

Council members have thus now held five straw polls on 21 July, 5 August, 29 August, 9 September and 26 September, all of which were undifferentiated as between the elected and permanent members. All 12 candidates who had been formally nominated at the time took part in the first straw poll. By the time of

the fifth straw poll, three candidates—Vesna Pusić (Croatia), Igor Lukšić (Montenegro) and Christina Figueres (Costa Rica)—had withdrawn. At press time, a new candidate, Kristalina Georgieva, had just been nominated by Bulgaria, which withdrew its support for Irina Bokova.

In all five undifferentiated straw polls, Guterres has been the front runner, while the second spot and at least three of the top five spots have been taken by Eastern Europeans. The leading woman candidates have been Malcorra and Bokova; in the fifth straw poll, they were in fourth (tied with Turk) and sixth places, respectively.

## Developments in the General Assembly

The 2016 resolution on the revitalisation of the work of the General Assembly was adopted on 13 September. Following up last year's resolution, which contained significant language on the selection of the Secretary-General, this year's resolution highlights developments in this area, including the December 2015 joint letter and the informal dialogues in the General Assembly. It also stresses that the appointment to senior posts should be inclusive and transparent.

RESULTS OF THE FIRST FIVE STRAW POLLS\*

CANDIDATE	FIRST STRAW POLL	SECOND STRAW POLL	THIRD STRAW POLL	FOURTH STRAW POLL	FIFTH STRAW POLL
António Guterres	12-0-3	11-2-2	11-3-1	12-2-1	12-2-1
Danilo Turk	11-2-2	7-5-3	5-6-4	7-6-2	7-7-1
Irina Bokova	9-4-2	7-7-1	7-5-3	7-5-3	6-7-2
Vuk Jeremić	9-5-1	8-4-3	7-5-3	9-4-2	8-6-1
Srgjan Kerim	9-5-1	6-7-2	6-7-2	8-7-0	6-9-0
Helen Clark	8-5-2	6-8-1	6-8-1	6-7-2	6-9-0
Miroslav Lajčák	7-3-5	2-6-7	9-5-1	10-4-1	8-7-0
Susana Malcorra	7-4-4	8-6-1	7-7-1	7-7-1	7-7-1
Christiana Figueres	5-5-5	5-8-2	2-12-1	5-10-0	
Natalia Gherman	4-4-7	3-10-2	2-12-1	3-11-1	3-11-1
Igor Lukšić	3-7-5	2-9-4			
Vesna Pusić	2-11-2				

\*Votes are in the order of Encourage-Discourage-No Opinion Expressed.

**UN DOCUMENTS ON THE SECRETARY-GENERAL APPOINTMENT** General Assembly Resolution A/RES/70/305 (13 September 2016) was on the revitalisation of the work of the General Assembly. **Letters 15 July 2016 letter** from the president of the General Assembly containing the 18 May letter from ACT and the 29 June letter from Algeria as chair of the Non-Aligned Movement on the selection and appointment process of the next Secretary-General and requesting the co-chairs of the Ad-hoc Working Group on revitalization of the General Assembly to explore members states' views. **13 September 2016 letters** from the president of the 70th session of the General Assembly to the president of the Council and the president of the 71st session of the General Assembly on the changes in the selection process and future improvements. **23 September 2016 letter** from the president of the General Assembly informing the membership that he would ask two Special Advisers to consult with member states.



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## Secretary-General Appointment (con't)

The Accountability, Coherence and Transparency group (ACT) and the Non Aligned Movement sent letters, on 18 May and 29 June respectively, to the president of the General Assembly, on the drafting of the appointment resolution and a possible facilitation process. At the invitation of the president of the General Assembly, the co-chairs of the Ad hoc Working Group on the Revitalisation of the work of the General Assembly organised a meeting on 29 August. Twenty-eight delegations participated, with most of them urging the immediate appointment of facilitators to allow swift adoption of the appointment resolution once the Council made its recommendation. Among those that raised concerns about having facilitators and a course of action which might cause division and controversy were China, France, the UK and US; Russia said it would not oppose the appointment of facilitators. On 23 September, the president of the General Assembly issued a letter informing the membership that he would ask two Special Advisers from his office to consult with member states on the best way forward towards the appointment resolution. He also said that it is his intention to convene a General Assembly meeting to engage in substantive dialogue with the Secretary-General-designate.

On 13 September, the outgoing president of the General Assembly sent a letter to the president of the Council on the Secretary-General appointment process, recapping the cooperation between the Council and the General Assembly and setting out the expectations of the membership for the remainder of the process, as well as offering suggestions for improving the process. On the same day, he sent a letter to the incoming president of the General Assembly conveying developments

relating to the possible appointment of co-facilitators and the appointment resolution. The interest in having co-facilitators to draft the appointment resolution stems from the desire of many in the membership to have a more substantive resolution which could address issues such as the term of appointment of the next Secretary-General and the appointment of senior officials.

### Key Issues

The key issue is agreeing on a candidate within a timeframe that will allow the next Secretary-General adequate preparation time before the end of the current Secretary-General's term.

An important issue is how to avoid a prolonged period of straw polling as a result of competing vetoes, and if this were to occur, how to break the deadlock.

A key issue in relation to late entry candidates would be ensuring that they go through the same steps in the selection process, including the General Assembly informal dialogues and a private meeting with Council members.

Since the ballots in the colour-coded straw polls will be secret, not knowing which permanent member has cast a negative vote may become an issue.

A further issue is whether to include in the recommendation resolution the proposed term of office, when some member states maintain that this is a matter for decision by the General Assembly, which may wish to consider a single term.

### Options

Among the options if the straw polls appear deadlocked are:

- having a frank informal discussion about the candidates in order to ascertain the

- concerns of those who are “discouraging” leading candidates;
- suggesting that permanent members make known their votes in the interest of greater transparency, and in order to allow more productive Council discussions on a possible candidate;
- encouraging new candidates to come forward; and
- conducting a formal ballot even if the leading candidates are being “discouraged” by a permanent member, to determine if that discouragement will translate into a veto.

### Council Dynamics

Although there have been five undifferentiated straw polls, given that polling is secret, there is no conclusive knowledge of Council members' positions on the candidates. Public statements from some Council members have sometimes revealed a preference for a particular candidate, gender or region. However, Council members are aware that ultimately votes will be cast based on a number of different considerations, and that members' true positions may not be revealed until the final stages of the process, if at all.

Some members have indicated that they preferred not to have any new candidates at this point, while others have been more open to the possibility, but have made it clear that new candidates should go through the same process as the other candidates.

A few elected members are of the view that once the colour-coded ballots begin, their role will diminish. However, it is clear that any candidate needs the votes of a significant number of elected members, as well as no veto, in order to be a serious contender for the position.

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## Sudan (Darfur)

### Expected Council Action

In October, the Council will hold a briefing, followed by consultations, on the report of the Secretary-General on the UN/AU Hybrid Operation in Darfur (UNAMID), whose mandate expires on 30 June 2017.

Under-Secretary-General for Peacekeeping Operations Hervé Ladsous is expected to brief. No outcome was anticipated at press time.

### Key Recent Developments

A dire humanitarian crisis, exacerbated by

fighting in the Jebel Marra region and by refugees fleeing the conflict in South Sudan, continues to unfold in Darfur, amid limited progress on the political front. There are now approximately 2.6 million displaced persons in Darfur. Between 1 January and 31

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**UN DOCUMENTS ON DARFUR** Security Council Resolution S/RES/2296 (29 June 2016) renewed the mandate of UNAMID until 30 June 2017. **Security Council Meetings S/PV.7728** (29 June 2016) was the meeting at which resolution 2296 was adopted and included explanations of vote by China, Egypt, Russia, the UK, the US and Venezuela. **S/PV.7716** (14 June 2016) was a UNAMID briefing. **Security Council Press Statement SC/12474** (11 August 2016) welcomed the signing on 8 August of the Roadmap Agreement by opposition groups and commending the government of Sudan for having signed the agreement on 16 March.

## Sudan (Darfur) (con't)

July, fighting in Jebel Marra displaced more than 158,000 people. Between 1 January and 4 September, more than 90,000 refugees crossed into Darfur from South Sudan.

On 8 August, several rebel groups in Sudan—the Justice and Equality Movement (JEM), the Sudan Liberation Army-Minni Minawi (SLA-MM) and the Sudan People's Liberation Movement-North (SPLM-N)—and the opposition National Umma Party signed the “Roadmap for Ending the Conflict in Sudan”. The roadmap calls for a cessation of hostilities, humanitarian access and a more inclusive national dialogue process. When the government signed the roadmap on 21 March, the rebel groups had refrained from signing out of concerns about government control over the national dialogue process. In a press statement issued on 11 August, Council members welcomed the signing of the roadmap by the opposition groups and commended the government of Sudan for having signed it earlier this year.

Soon after signing the document, the opposition groups met with government representatives in Addis Ababa from 9 to 14 August. These talks failed to make progress, however, as they were mired in disagreements over security arrangements in Darfur and humanitarian access in the Two Areas (Sudan's Blue Nile and South Kordofan states). With regard to Darfur, the government wanted information on the location of rebel forces as a precondition to a cessation of hostilities; the rebels were reluctant to provide this information. At press time, the AU High-Level Implementation Panel (AUHIP), responsible for mediating the conflict, was engaging with both sides in the hope of reconvening them, but no date had been confirmed for further negotiations.

On 12 September, AbdulWahid Mohamed el-Nur, the leader of the Sudan Liberation Movement-Abdul Wahid (SLM-AW) rebel group, announced that his group would continue its efforts to overthrow the regime. The SLM-AW, which engaged in heavy fighting with government forces earlier this year, did not participate in the recent negotiations with the government. In his 12 September statement, Wahid Mohamed el-Nur asserted that previous efforts to negotiate with the regime had been unsuccessful because it had not adhered to its agreements. In recent months, intermittent low-intensity fighting has been reported between government forces and the SLM-AW in the Jebel Marra region.

On 14 June, Under-Secretary-General Ladsous briefed the Council on UNAMID. Ladsous described the lack of progress in finding a political resolution to the Darfur conflict, while underscoring that intercommunal clashes remain “a major cause of insecurity in Darfur”. He emphasised that continued government restrictions on access and freedom of movement significantly hampered UNAMID's operations. The Council adopted resolution 2296 on 29 June, renewing the mandate of UNAMID for one year.

### Sanctions-Related Developments

On 27 September, Ambassador Rafael Ramírez (Venezuela), the chair of the 1591 Sudan Sanctions Committee, provided the quarterly briefing to Council members on the Committee's work. He reported that a new panel of experts had been appointed and that the final report of the 2015 panel of experts had been published. Both the appointment of the panel and the publication of last year's final report had been held up for several months by Russia. Ramírez further conveyed the contents of the 8 July briefing to the Sanctions Committee by Zainab Bangura, the Special Representative on Sexual Violence in Conflict, who expressed concern at the high rate of sexual violence in Darfur.

### Human Rights-Related Developments

The Human Rights Council (HRC) considered the report of the independent expert on the situation of human rights in Sudan during its 33rd session in September (A/HRC/33/65). The report, covering October 2015 to June 2016, concluded that major human rights challenges persist and that, notwithstanding the ongoing national dialogue, there is growing concern about the pervasive actions of the National Intelligence and Security Service and its impact on the exercise of civil and political rights in the country, including widespread reports of arbitrary arrests and incommunicado detention. The report found that the human rights situation in Darfur and in South Kordofan and Blue Nile states remains precarious, with continuing fighting and breaches of human rights and international humanitarian law by all parties to the conflict. Hundreds of thousands of civilians continue to suffer the effects of the armed conflict through direct attacks, displacement and limited access to humanitarian assistance, and the peace process continues to face significant challenges without the active participation of some major armed movements, the report said.

The HRC also considered the report of the special rapporteur on the negative impact of unilateral coercive measures on the enjoyment of human rights, on his mission to Sudan (A/HRC/33/48/Add.1). The report gave an overview of the unilateral coercive measures imposed on the Sudan by different states and their impact on basic human rights, including the rights to life, health, education and food, affecting in particular

the poorest and most vulnerable. The report found that unilateral coercive measures targeting Sudan should be limited in time and be phased out in accordance with the fulfilment by Sudan of clear objectives. It proposed a step-by-step approach to removing these measures, starting with those with the most severe impact on the enjoyment of human rights.

### Key Issues

The underlying issue for the Council is the continuing instability of the security and humanitarian environment in Darfur, with little progress on the political front.

An ongoing key issue is the limited level of cooperation that Sudan accords to the mission. Restrictions on the movement of peacekeepers and delays in the shipment of equipment to the mission continue to hinder UNAMID's operations.

A further important issue is what future steps will be taken regarding an exit strategy for the mission, especially given divergent views on this issue in the Council. The joint working group on the exit strategy—consisting of representatives of the AU, the UN and the government of Sudan—is expected to convene in October.

### Options

One option is for the Council to request a briefing on the work of UNAMID from Martin Ihoeghian Uhomobhi—the Joint AU-UN Special Representative for Darfur, the head of UNAMID and the Joint Chief Mediator. Uhomobhi has been in his post since October 2015 and has yet to brief the Council, as Under-Secretary-General Ladsous generally provides UNAMID briefings.

Members might also request an informal interactive dialogue with Thabo Mbeki, chair of the AUHIP, on the status of the peace talks between the government and the opposition groups.

A demarche by the Council president to the Sudanese permanent representative regarding the importance of removing impediments on the movement of peacekeepers and the shipment of equipment to UNAMID could be a useful option.

An additional option is to issue a presidential statement that:

- urges the government to eliminate restrictions on the freedom of movement of UNAMID personnel and on the shipment of equipment to the mission;
- encourages continued negotiations between the government and the

## Sudan (Darfur) (con't)

opposition forces; and

- urges donors to support the 2016 Humanitarian Response Plan for Sudan, which was only 41 percent funded at press time.

### Council Dynamics

Perceptions of the government of Sudan and the situation in Darfur vary widely among Council members. France, the UK and the US have tended to be critical of the government of Sudan for contributing to the instability in Darfur, referring to human rights

violations committed by government forces, the impunity for these violations and the government's lack of cooperation with UNAMID. These states have emphasised the difficult security and humanitarian environment in Darfur. Given this view, the US argued during its explanation of vote on resolution 2296 on 29 June, which renewed the UNAMID mandate, that "any calls for the mission to leave the Sudan are woefully premature" and must be linked to the achievement of specific benchmarks related to an inclusive peace

process and the protection of civilians, among other factors.

Other Council members, including China, Egypt and Russia, stress the importance of Sudan's sovereignty and maintain that the government is making a good faith effort to bring peace to Darfur. These member states have urged that a clear exit strategy for the mission be developed sooner rather than later.

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

## Mali

### Expected Council Action

In October, the Council expects to receive a briefing from Under-Secretary-General for Peacekeeping Operations Hervé Ladsous.

The mandate of the UN Multidimensional Integrated Stabilization Mission in Mali (MINUSMA) expires on 30 June 2017.

### Key Recent Developments

The security situation in northern Mali has deteriorated significantly, with continued violations of the ceasefire along ethnic lines. Members of the Ifoghas ethnic group, who are part of the coalition of armed groups known as the Coordination, have clashed with GATIA, a rebel group drawn mainly from the Imghad ethnic group, which is part of the coalition of armed groups known as the Platform. Tensions among these groups had subsided after bilateral talks held in Anéfis in October 2015. However, tensions resumed earlier this year, and clashes on 21 and 22 July in Kidal over the control of the city and of trafficking routes resulted in some 20 dead. Clashes have continued despite efforts to de-escalate tensions among armed groups which signed the Agreement for Peace and Reconciliation in Mali through its main follow-up mechanism, the Comité de Suivi de l'Accord, as well as through the involvement of MINUSMA, the Malian government and Niger.

On 16 September Council members were briefed on the situation in northern Mali as part of a situational awareness briefing presented by the Executive Office of the Secretary-General with relevant departments. Two

days earlier, Council members had been briefed by the head of MINUSMA, Special Representative Mahamat Saleh Annadif, at the initiative of Spain and the UK as co-chairs of the 2242 Informal Expert Group on Women, Peace and Security.

In a 20 September press statement, MINUSMA expressed its concern at the deteriorating situation in Kidal, given the repeated violations of the ceasefire and the alleged human rights violations, which are currently being investigated. It also condemned the obstacles imposed on the delivery of humanitarian aid.

The volatility of the security situation has contributed to, and been affected by, the lack of progress in the implementation of the agreement. The parties continue to lag in implementing key measures of the agreement, including conducting joint patrols, the appointment and establishment of interim authorities, and progress on the cantonment of armed groups. The conclusions of a 23 September ministerial meeting, held in New York on the sidelines of the General Assembly, urged the parties to undertake concrete steps to swiftly deliver on their obligations as per the agreement.

Terrorist attacks targeting civilians and the Malian Defence and Security Forces (MDSF) are rising in central Mali. A 21 July attack against a MDSF camp in Nampala, in the Ségou region, killed 17 and injured 35 soldiers. The attack was jointly carried out and claimed by the Macina Liberation Front, Al-Qaida in the Islamic Maghreb (AQIM)

and the Alliance Nationale pour la Sauvegarde de l'Identité Peule et la Restauration de la Justice (ANSIPRJ), which was formed in June. For a few hours on 3 September, terrorist group Ansar Dine took over the town of Boni in the Mopti region after the MDSF had allegedly retreated earlier in the day. Also on that day, the minister of defence was dismissed. Of the groups mentioned, AQIM and Ansar Dine are listed as terrorist groups by the Al-Qaida/ISIL Sanctions Committee.

MINUSMA continues to be a target of asymmetric attacks: since it was established in 2013, 69 peacekeepers have been killed. On 8 August, Council members issued a press statement condemning the terrorist attacks that occurred between 5 and 7 August against MINUSMA in Kidal. To better operate in Mali's non-permissive environment, resolution 2295 requested MINUSMA to adopt a more proactive and robust posture to carry out its mandate, and increased its force levels to a ceiling of 13,289 military personnel (up from 11,240) and 1,920 police personnel (up from 1,440). The resolution also highlighted the need to ensure MINUSMA's force protection through the deployment of necessary capabilities and resources and included a reference to improving its intelligence capacities within the limits of its mandate. Three months after the adoption of this resolution, the additional personnel and capabilities for the mission had not been deployed.

On 22 August, Ansar Dine member Ahmad Al Faqi Al Mahdi pleaded guilty at his trial at the ICC to the war crime of destroying

UN DOCUMENTS ON MALI Security Council Resolution S/RES/2295 (29 June 2016) renewed MINUSMA's mandate. Security Council Meeting Record S/PV.7719 (16 June 2016) was a briefing by Annadif. Security Council Press Statement SC/12473 (8 August 2016) condemned the terrorist attacks between 5 and 7 August against MINUSMA, killing one and injuring six.



## Mali (con't)

historical and religious monuments in Timbuktu in 2012. On 27 September, the ICC Trial Chamber VIII declared him guilty and sentenced him to nine years of imprisonment.

### Key Issues

The deterioration of the security situation in Kidal and in northern and central Mali more broadly, as well as the spate of inter-ethnic violence, are urgent issues for the Council.

An overarching issue is the slow implementation of the agreement and the lack of progress in such areas as confidence-building measures, reconciliation and return of basic services to the north. Ensuring that cantonment and the disarmament, demobilisation and reintegration of combatants take place within a broader context of security sector reform and accountability for human rights violations is an important issue.

Addressing the grievances and frustrations of different communities that are not seeing the impact of the peace dividends in their daily lives, including youth at risk of being recruited by violent groups, is a related issue.

The limited mobility of MINUSMA and its insufficient capacities and resources to fulfil its mandate in the current context are also key issues.

The marked increase in terrorist attacks and their reach, the deliberate targeting of MINUSMA and the safety concerns of troop- and police-contributing countries are further key issues for the Council to address.

### Options

The Council could adopt a statement:

- expressing its readiness to impose sanctions on those violating the ceasefire and undermining the implementation of the agreement;
- urging the parties to fulfil their commitments to implement the agreement and emphasising the importance of holding the inclusive Conférence d'entente nationale to advance national reconciliation;
- calling on member states to supply key capacities and personnel that the mission is lacking; and
- requesting the Monitoring Team of the Al-Qaida/ISIL Sanctions Committee to report on ways to curb the terrorist threat in Mali, including from non-listed groups such as the Macina Liberation Front and the ANSIPRJ.

### Council and Wider Dynamics

Council members remain united in support of

accelerating the implementation of the agreement. One of the most contentious issues in the negotiations of resolution 2295 was language on the mission's posture. Most Malian stakeholders who interacted with Council members during their March visit to Mali stressed the need for a more robust mandate for the mission. During negotiations there were some divisions over whether the changes proposed by France—such as requesting MINUSMA to move to a more proactive and robust posture to carry out its mandate, and including language regarding the anticipation of threats—could expand the mission's posture in such a way that it could ultimately be used to engage pre-emptively in counter-terrorism activities. After Russia broke silence, language was added to ensure that direct operations are “only” carried out when threats to civilians are serious and credible. Council members might be interested in discussing the impact of this language, if any, on the mission's capacity to respond to the deteriorating security situation and ceasefire violations. Council members continue to be worried about attacks targeting MINUSMA in northern Mali.

France is the penholder on Mali.

## Central African Republic

### Expected Council Action

In October, Special Representative Parfait Onanga-Anyanga will brief on the strategic review of the mandate of the UN Multidimensional Integrated Stabilization Mission in the Central African Republic (MINUSCA).

### Key Recent Developments

On 26 July, the Council adopted resolution 2301, renewing the mandate of MINUSCA in the Central African Republic (CAR) until 15 November 2017. The resolution divides the mission's tasks into “immediate priority tasks”, “core priority tasks”, “essential

tasks” and “additional tasks”. The immediate tasks include the protection of civilians by “maintaining a proactive deployment, a mobile and flexible posture”, the promotion and protection of human rights and facilitating a secure environment for the immediate, full, safe and unhindered delivery of humanitarian assistance. The core tasks focus on the sustainable reduction in the presence of, and threat posed by, armed groups, by supporting the reconciliation and stabilisation political processes, the extension of state authority and support for security sector reform and disarmament, demobilisation

and reintegration programmes.

After attacks waned during and following the April elections, violence has been on the rise in recent months, with Muslim-dominated ex-Séléka and Christian anti-Balaka factions still controlling large parts of the country. Elements from the two groups continue to run parallel administrations in various areas, including parallel taxation systems to fund their activities. The Lord's Resistance Army (LRA) also remains active in the east of the country. Intercommunal tensions are common, as is the widespread availability of small arms.

**UN DOCUMENTS ON THE CAR** Security Council Resolutions S/RES/2301 (26 July 2016) renewed the mandate of MINUSCA until 15 November 2017. S/RES/2262 (27 January 2016) renewed the CAR sanctions regime until 31 January 2017 and the mandate of the Panel of Experts until 28 February 2017. **Secretary-General's Report S/2016/565** (22 June 2016) was on the strategic review of MINUSCA. **Security Council Meeting Record S/PV.7734** (8 July 2016) was a briefing on the situation in the CAR. **Security Council Press Statement SC/12329** (18 April 2016) condemned the killing of a MINUSCA peacekeeper. **Sanctions Committee Documents SC/12487** (23 August 2016) was a Committee press release that announced targeted sanctions on Ali Kony and Salim Kony, deputies in the LRA. S/2016/694 (9 August 2016) was the midterm report of the Panel of Experts of the 2127 CAR Sanctions Committee.

**OTHER RELEVANT FACTS** **Special Representative of the Secretary-General** Parfait Onanga-Anyanga (Gabon) **MINUSCA Force Commander** Lieutenant General Balla Keita (Senegal) **MINUSCA Size, Composition and Cost of Mission** Strength as of 31 August 2016 10,245 troops (including 148 military observers and 1,759 police), 760 international civilian personnel, 242 local civilian staff and 154 UN volunteers. **Approved budget** (1 July 2016–30 June 2017) \$920 million **Mission duration** April 2014 to present



## Central African Republic (con't)

Clashes broke out on 16 September between anti-Balaka and ex-Séléka groups in Ndomete and Kaga Bandoro, some 350 kilometres north of Bangui, leaving dead at least six civilians. MINUSCA responded by dispatching troops to the area to separate the two groups. On 10 September, gunmen raided several villages in the central Kouango region, killing six people, torching houses and forcing some 2,000 people to flee.

Related but not limited to the operations of rebel groups, crime rates are also very high. On 17 August, for example, MINUSCA arrested four Central African Armed Forces soldiers and ten civilians in Lobaye Prefecture and handed them over to the CAR authorities for allegedly forcing civilians to mine for diamonds at gunpoint for two weeks.

Despite appeals by newly elected President Faustin-Archange Touadéra for reconciliation dialogue, the majority of ex-Séléka leaders remain discontented, seeing little prospect for themselves and their combatants in the new government and armed forces. Reintegration efforts for combatants who have surrendered their arms have been very slow. According to the Panel of Experts assisting the CAR Sanctions Committee, the rivalry among various ex-Séléka factions appears, for the time being, to rule out the possibility of the ex-Séléka forming a unified front against the government.

The humanitarian situation in the country remains dire. According to the UN Refugee Agency, as of 10 September there are over 450,000 refugees outside the CAR and over 385,000 internally displaced people.

### Sanctions-Related Developments

On 5 August, the coordinator of the Panel of Experts of the 2127 CAR Sanctions Committee briefed members on the Panel's mid-term report. The report notes that the mineral sector, in particular in the east, continues to attract armed groups seeking to loot or establish parallel taxation systems around the mines. It further

notes that ex-Séléka groups maintain their fighting capacity through illicit arms trafficking from the Sudan and the Democratic Republic of the Congo. Also on 5 August, Zainab Bangura, the Special Representative of the Secretary-General for Sexual Violence, briefed members, emphasising the important role of the UN and humanitarian actors in ending impunity with regard to sexual violence in the CAR.

The Committee also met on 9 September with the representatives of the CAR, Chad, Ethiopia, South Africa, Sudan and Uganda to discuss the mid-term report.

On 23 August, the Committee imposed targeted sanctions on Ali Kony and Salim Kony, deputies in the LRA.

### Human Rights-Related Developments

The Human Rights Council considered the report of the independent expert on the situation of human rights in the CAR, Marie-Thérèse Keita Bocoum, during its 33rd session in September (A/HRC/33/63). The report – covering the period from July 2015 to June 2016, during which time Bocoum conducted three country visits – detailed human rights violations, including killings, torture and inhuman and degrading treatment, arbitrary arrest and gender-based violence, mostly perpetrated by armed groups. According to the report, MINUSCA documented 21 cases of sexual exploitation and sexual abuse allegedly committed by international forces against children during the reporting period. In 19 of these cases, the violations were attributed to MINUSCA peacekeepers, including seven alleged rapes of girls between 11 and 17 years of age. The report recommended that the government endorse, as soon as possible, the road map on disarmament, demobilisation and reintegration, and encourage inclusive national reconciliation. It also recommended that MINUSCA respond more proactively to threats against civilians, be more present in displaced persons camps and enclaves, and strengthen mechanisms to monitor and communicate information on sexual and gender-based violence.

### Key Issues

With Touadéra and his government now in place, sustainable progress in lowering the levels of violence is a major priority.

A related issue is permanently disarming and reintegrating the anti-Balaka and

ex-Séléka fighters and establishing state authority in areas under their control.

### Options

The Council could:

- call on MINUSCA contingents to adopt a proactive approach in carrying its immediate priority tasks by expanding areas under its control and for the Secretariat to provide the mission with appropriate capabilities;
- call on countries in the region to cooperate and implement the sanctions regime in order to eliminate illicit arms trafficking to the rebel groups and the funding of their operations through illicit exploitation of natural resources; and
- act through the Sanctions Committee to impose further sanctions on individuals and entities.

### Council and Wider Dynamics

Council members were hopeful that the end of the transition period and the installation of the newly elected government would provide momentum to address some of the fundamental issues facing the country, including constructive dialogue with armed groups and their disarmament, demobilisation and reintegration and, later on, security sector reform programmes, accountability measures and re-establishing state authority and institutions, including incarceration facilities and judicial institutions.

Although the elections were relatively peaceful and on the whole credible and took place less than six months ago, Council members are increasingly of the view that the momentum on the ground has dissipated, and that as long as state authority is not established and rebel groups remain in control of large areas, sustainable progress will be impossible to achieve.

France is the penholder on the CAR, and Ukraine is the chair of the Sanctions Committee.

# Democratic Republic of the Congo

## Expected Council Action

In October, the Security Council will be briefed by Maman Sambo Sidikou, the Special Representative of the Secretary-General and head of the UN Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO). The Special Envoy to the Great Lakes Region, Said Djinnit, will brief on the latest report on the implementation of the Peace, Security and Cooperation Framework Agreement.

The mandate of MONUSCO expires on 31 March 2017.

## Key Recent Developments

On the political front, the presidential election scheduled for 27 November continues to be a deeply divisive issue in the Democratic Republic of the Congo (DRC), as it is clear that it will be logistically impossible to hold the election on time, despite the fact that the second and—according to the constitution—last presidential term of President Joseph Kabila ends on 19 December. On 17 September, the Independent National Electoral Commission (CENI) petitioned the Constitutional Court for a postponement of the presidential election without proposing a new date. This was the first official recognition by a DRC institution that the presidential election will not be held in November.

A national dialogue on elections began on 1 September with the assistance of Edem Kodjo, the AU-appointed facilitator of the dialogue. Several of the main opposition groups have chosen not to participate, as they see the talks as a delaying tactic by Kabila to remain in power. Those parties have formed a coalition called “Rassemblement”, headed by Etienne Tshisekedi.

After setbacks in the talks regarding the sequencing of the electoral cycle, the participating opposition parties and the government announced on 14 September that they had agreed that the presidential, legislative, provincial and local polls would be held simultaneously. If this proves to be logistically impractical, the other polls may

be further delayed, but not the presidential election. Participants in the dialogue tentatively agreed to form an interim government that will include opposition members and will run the country until elections can be held. A specific date has yet to be determined, but it seems that elections will not be held before July 2017, when the CENI expects to finish its update of the voter census.

To contribute to the national dialogue, the government has released 118 political prisoners. Nevertheless, tensions remain high regarding the ability of opposition parties to participate in political activities leading up to the elections amid an atmosphere of increased harassment and human rights violations, mostly against opposition members, civil society representatives and journalists. On 15 July, Council members issued a press statement stressing the crucial importance of a peaceful and credible electoral cycle in accordance with the constitution and expressing their concern at the increased restrictions on political activities in the DRC.

On 23 June, the US imposed sanctions on Celestin Kanyama, police commissioner of Kinshasa, for alleged involvement in dozens of deaths and other actions that have created a “climate of fear” over the past three years. According to media reports, the EU is considering sanctions on the DRC for the violent suppression of opposition.

An anti-Kabila rally in Kinshasa organised by the Rassemblement opposition deteriorated into violent clashes between government forces and demonstrators on 19 and 20 September. Congolese officials have said that 32 people were killed, including four policemen, one of whom was burned alive. The opposition claims that more than 50 people were killed. MONUSCO estimates that roughly 180 people were arrested following these events. Council members issued a press statement on 21 September expressing concern over the violence and stressing the crucial importance of peaceful, inclusive and timely elections in accordance with the constitution.

While attention is focused on the political

situation, violence committed by rebel groups in eastern DRC continues. According to the UN Joint Human Rights Office (UNJHRO), 135 civilians were killed in areas affected by armed conflict in August. On 16 August, Council members issued a press statement condemning the killing of at least 50 civilians on 13 August in the area of Rwangoma village, North Kivu Province, by suspected members of the Ugandan Islamist Allied Democratic Forces rebel group.

## Sanctions-Related Developments

On 24 August, the Group of Experts assisting the 1533 DRC Sanctions Committee briefed Committee members on its programme of work.

The chair of the Committee, Ambassador Amr Aboulatta (Egypt), visited the DRC, Rwanda and Uganda from 1 to 6 August. He was accompanied by the experts from France, New Zealand and Spain, as well as from Egypt, and by two members of the Group of Experts assisting the Committee. On 8 September, Aboulatta briefed the Committee members on his visit, sharing his view that it was well timed and had presented an opportunity to get a first-hand assessment from the concerned governments and other interlocutors on the effectiveness and impact of the sanctions regime.

## Human Rights-Related Developments

The Human Rights Council considered the report of the High Commissioner for Human Rights on the human rights situation in the DRC during its 33rd session in September (A/HRC/33/36). The report, covering June 2015 to May this year, concluded that the human rights situation was marked by a gradual shrinkage of the democratic space, together with a steady increase in attacks on fundamental freedoms. The intervention of state agents in suppressing political opponents and other civil society actors, including through the excessive use of force against demonstrators, arbitrary arrests and incommunicado detentions, is particularly worrying with the approach of an important electoral period, the report said. The report recommended that the government guarantee the protection of the fundamental freedoms of all persons, including political opponents, journalists and other civil society actors; set up judicial mechanisms to combat impunity; and establish a national mechanism for the prevention of torture.

UNJHRO documented 393 human rights violations throughout the DRC in August compared

**UN DOCUMENTS ON THE DRC** [Security Council Resolutions S/RES/2293](#) (23 June 2016) renewed the DRC sanctions regime and the mandate of the Group of Experts. [S/RES/2277](#) (30 March 2016) renewed the mandate of MONUSCO for a year. [Security Council Meeting Record S/PV.7332](#) (7 July 2016) was a briefing by Deputy Secretary-General Jan Eliasson. [Security Council Press Statements SC/12528](#) (21 September 2016) expressed concern over violent clashes between protestors and security forces that took place on 19 September. [SC/12477](#) (16 August 2016) condemned the killing of at least 50 civilians on 13 August in the area of Rwangoma village, North Kivu Province, by suspected members of the Allied Democratic Forces. [SC/12449](#) (15 July 2016) stressed the crucial importance of a peaceful and credible electoral cycle, in accordance with the constitution, and expressed the Council's concern at increased restrictions on the political space in the DRC. [Sanctions Committee Document SC/12516](#) (13 September 2016) was a press release concerning the 8 September briefing of the chair of the DRC Sanctions Committee to the Committee members on his 1-6 August visit to the DRC.

**OTHER RELEVANT FACTS** [Special Representative of the Secretary-General](#) Maman Sambo Sidikou (Niger) [MONUSCO Force Commander](#) Lieutenant General Derick Mbuyiselo Mgwebi (South Africa) [MONUSCO Size, Composition and Cost of Mission](#) *Strength as of 31 August 2016* 16,735 troops (including 478 military observers and 1,407 police), 816 international civilian personnel, 2,654 local civilian staff and 364 UN volunteers. *Approved budget (1 July 2016–30 June 2017)* \$1.23 billion *Mission duration* July 2010 to present

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## Democratic Republic of the Congo (con't)

to 383 in July, with state agents responsible for more than 63 percent of the violations.

### Key Issues

A key issue for the Council is the political tension surrounding the electoral calendar and Kabila's possible attempt to remain in power, and finding a way forward that is accepted by all stakeholders.

The continued violence by rebel groups against the population of North Kivu remains a serious threat to peace and security. This violence may worsen if political instability ensues in western DRC.

### Options

The Council could adopt a resolution or presidential statement:

- condemning human rights abuses related to the pre-election developments and urging the government to ensure that free, fair

and credible elections are held as soon as possible;

- endorsing the provisional agreement reached on a new electoral calendar and calling on all opposition parties to enter immediately into the national dialogue to reach consensus on a new and viable electoral calendar; and
- threatening to impose sanctions on actors who destabilise the DRC by contributing to electoral violence or incitement to violence.

The Council (or a representative group of Council members) could also consider visiting the country during the run-up to the elections to take stock of the situation and deliver a strong political message to interlocutors.

### Council Dynamics

Council members all have similar concerns over the political tensions surrounding

the issue of elections. They fear potential destabilisation in the country—and consequently in the Great Lakes region—if presidential elections are not held as soon as is feasible. However, it may prove difficult to find a common approach in the Council to resolving the political stalemate and towards any solutions that are not agreeable to all stakeholders in the DRC. Some Council members view this issue mainly as an internal constitutional matter to be dealt with through local institutions and through dialogue among political actors, such as the national dialogue led by the government. Other Council members are of the view that addressing actions that seem to have been taken to override the constitutional order, along with human rights abuses related to the political process, is integral to solving the crisis, including the grievances of those who are boycotting the national dialogue.

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## Haiti

### Expected Council Action

This month the Security Council is due to extend the UN Stabilization Mission in Haiti (MINUSTAH) before the current mandate expires on 15 October. Ahead of the renewal, the Council is expected to convene a meeting with troop-contributing countries (TCCs) and hold a debate with a briefing by Special Representative Sandra Honoré, who will present the Secretary-General's 31 August MINUSTAH report. The debate is likely to take place after elections in Haiti, currently scheduled for 9 October.

### Key Recent Developments

Following Honoré's last briefing on 17 March, Council members issued a press statement on 18 March expressing "deep concern regarding the continued suspension of electoral rounds in Haiti", and calling for the completion of the electoral cycle without further delay. In particular, they urged all political actors to adhere to the 5 February political accord and its agreed timelines. The accord, which aimed to safeguard "constitutional continuity" following the failure to elect a

new president before the end of former President Michel Martelly's term on 7 February, contained provisions for parliament to appoint an interim president to serve for a maximum period of 120 days, with elections preliminarily scheduled for 24 April.

Despite the appeals of the international community, elections were not held within the agreed timeframe. Political divisions continued to hamper implementation of the 5 February agreement, and there were renewed calls for the annulment of the 25 October 2015 first round of the presidential elections. On 27 April, interim President Jocelerme Privert announced the establishment of a new independent electoral evaluation and verification commission with a mandate to assess the 2015 elections. (An evaluation had already been carried out by a commission created by Martelly in December 2015.) The commission recommended in its 30 May final report that the first round of the presidential elections should be repeated.

Meanwhile, on 12 May, at the request of the US, Under-Secretary-General for Peacekeeping Operations Hervé Ladsous briefed

Council members on the electoral crisis in consultations. In a 13 May press statement, they expressed "deep disappointment" that Haitian leaders had failed to meet the election deadlines and called on them to ensure "the prompt return to constitutional order".

On 6 June, the new provisional electoral council issued a revised calendar based on the recommendations of the electoral commission. A repeat of the first round of the presidential elections will be held on 9 October, along with a partial re-run of the legislative elections and first-round elections for one-third of the Senate, with a second round scheduled for 8 January 2017, including presidential and senatorial run-offs, if required, and single-run local elections. Final results of the presidential elections will be announced by 30 January 2017, with installation of a new president expected to take place on 7 February 2017.

In response, the international core group on Haiti (Brazil, Canada, France, Spain, the US, the EU, the Organisation of American States [OAS] and the UN) said in a 6 June statement that it remained "deeply

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**UN DOCUMENTS ON HAITI** Security Council Resolution S/RES/2243 (14 October 2015) renewed MINUSTAH's mandate until 15 October 2016. [Secretary-General's Report S/2016/753](#) (31 August 2016) was the most recent MINUSTAH report. [Security Council Meeting Record S/PV.7651](#) (17 March 2016) was the Council's last debate on Haiti. [Security Council Press Statements SC/12364](#) (13 May 2016) and [SC/12290](#) (18 March 2016) were on Haiti's electoral crisis.

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## Haiti (con't)

concerned” about the decision to re-run the elections and urged all relevant actors “to scrupulously respect” the electoral calendar. The core group issued further statements on 15 June and 22 July, expressing concern that no measures had been taken to ensure constitutional continuity at the end of the 120-day interim period, and calling on parliament to take action to avoid a constitutional vacuum and decide on provisional governance arrangements.

During a visit to Haiti from 30 June to 3 July, Ladsous said Haiti’s political crisis was generating increasing impatience within the international community and stressed that it was up to Haitians to overcome the political stalemate. At the request of the US, Ladsous briefed Council members in consultations upon his return to New York, on 7 July.

Confirming Ladsous’ assertion, the EU on 8 June announced the withdrawal of its electoral observer mission from Haiti, while the US said on 7 July that it would not provide any additional election funding. (The cost is estimated at \$55 million.) However, the OAS announced on 2 August that it would observe the 9 October elections.

In his latest report, the Secretary-General noted that Ladsous had concluded after his visit to Haiti that MINUSTAH’s presence was required until the end of the electoral cycle, underlining the crucial importance of the mission’s deterrent effect in the context of continuing political uncertainty and a fragile security situation. The Secretary-General therefore recommended the renewal of MINUSTAH’s mandate for another six months in its current configuration. He proposed to carry out a strategic assessment and present recommendations to the Council on the future presence and role of the UN in Haiti ahead of the next mandate renewal. Provided the new electoral calendar is maintained, the assessment would be carried out after the installation of a new president on 7 February.

On 19 August, the UN spokesman said

the Secretary-General regretted the suffering the Haitian people had endured as a result of the cholera epidemic and that the UN had “a moral responsibility to the victims” without explicitly attributing the epidemic to UN peacekeepers. He announced that the UN was working closely with member states to develop a support package to families most directly affected by cholera. The Secretary-General made similar remarks in his opening speech to the General Assembly on 20 September. In a related development, a US federal appellate court on 19 August upheld an earlier ruling dismissing a lawsuit brought against the UN by representatives of cholera victims requesting compensation.

### Key Issues

A key issue for the Council in October is the renewal of MINUSTAH’s mandate and whether to endorse the Secretary-General’s recommendations.

Another issue is whether and how the Council should express any views on the preferred timelines for the deployment of the strategic assessment mission, the resumption of the withdrawal of the military contingent and the reconfiguration of the UN presence.

A further issue is the continued risk of instability and violence associated with the electoral process and possible further delays if any of the candidates again refuses to accept the results.

### Options

The main option for the Council is to extend MINUSTAH for six months with the same authorised strength, as recommended by the Secretary-General, and call for the completion of the electoral process without further delays.

In addition, the Council could either request the Secretary-General to deploy a strategic assessment mission by a specific date, independently of the outcome of the elections, or ask that the mission be deployed

only after the successful conclusion of the elections. It could also signal its intention to authorise a complete drawdown of the military contingent by a specific date, depending on developments on the ground.

### Council Dynamics

Council members are clearly frustrated by the general lack of progress in Haiti and the inability of its leaders to make the compromises and decisions necessary for the country to move forward. While they welcome the new electoral calendar, there seems to be some concern about the risk of further disruptions if the results of the first round are contested.

With regard to MINUSTAH, at press time negotiations on the mandate renewal had only just begun in the Group of Friends of Haiti, which comprises Argentina, Brazil, Canada, Chile, Colombia, France, Guatemala, Peru, the US, Uruguay and Venezuela. According to established practice, the US, as the penholder on MINUSTAH, will prepare a draft resolution for the Council on the basis of the discussions in the Group of Friends.

At the Council level, most members seem ready to endorse the Secretary-General’s recommendations, but there are still important differences in their positions. Some members, including France, the UK and Uruguay, have said very clearly that election delays should not prevent discussions on the reconfiguration of MINUSTAH from moving forward. (It seems that Uruguay, which is MINUSTAH’s third-largest TCC with a military contingent of 248, earlier this year indicated its intention to withdraw all of its troops by year’s end, although it has recently signalled that the troops may remain until April.) Other members, as well as some TCCs, remain cautious about decoupling the reconfiguration of MINUSTAH from the electoral process, warning against a premature drawdown and stressing the importance of having a legitimate government in place as an interlocutor for the strategic assessment mission.



## Expected Council Action

Following the breakdown of the 9 September cessation of hostilities agreement between Russia and the US, it remains unclear how Council members will address the situation in Syria. At press time, Council members expected to receive the regular monthly briefings on the political, humanitarian and chemical weapons tracks but could not rule out other activity, given the fluid nature of the Syrian crisis.

On the chemical weapons track, the mandate of the UN-Organization for the Prohibition of Chemical Weapons (OPCW) Joint Investigative Mechanism (JIM), the body instructed to determine responsibility for the use of chemical weapons in Syria, was extended to 31 October.

## Key Recent Developments

Developments over the course of September centred on the negotiation, agreement, initial implementation and rupturing of a renewed cessation of hostilities agreement between Russia and the US, followed by a massive military escalation by the Syrian government and Russia against opposition-held eastern Aleppo.

On 9 September, Russia and the US agreed to create the conditions necessary for the resumption of political talks through a cessation of hostilities that would begin on 12 September and would include the grounding of Syrian air assets and humanitarian access, in exchange for greater counter-terrorism cooperation against Al-Nusra Front, now known as Jabhat Fatah al-Sham.

While the cessation of hostilities largely held for almost a week, it was seriously challenged on several fronts.

On 12 September, the day the cessation of hostilities went into effect, President Bashar al Assad said from Daraya, a suburb of Damascus surrendered by the opposition in late August after years of a government imposed siege and aerial bombardment, that he was “determined to retake every inch of Syria.” The surrender of Daraya has been characterised by the opposition as a forced population transfer disguised as a “local truce”. Another evacuation, under almost identical circumstances, of the opposition-held Al Waer neighbourhood

of Homs began on 22 September.

A key component of the cessation of hostilities agreement was unfettered humanitarian access. The day after the cessation of hostilities went into effect, UN aid convoys en route to eastern Aleppo were held up in the zone between the Turkish and Syrian borders. If allowed to proceed, the convoys would have been the first aid delivery to reach the opposition enclave since 7 July, when Syrian government forces and allied militias—backed by Russian air strikes—took control of Castello Road, severing the opposition’s final supply route and setting the stage for a siege.

Despite these challenges, Russia and the US were unwilling to declare the agreement dead, though the US exhibited scepticism about whether the cessation of hostilities would last. In anticipation of possibly adopting a resolution to endorse the cessation of hostilities, Russia and the US called for consultations on 16 September to brief Council members on the content of their agreement, which had yet to be made public at the request of the US. However, the meeting was cancelled at the last minute as there was disagreement about how much information to share with other Council members.

The confidence in the agreement was further eroded by US airstrikes on 17 September which killed Syrian military personnel and 19 September airstrikes against a humanitarian convoy, allegedly by Russia.

On Sunday, 17 September, Russia requested emergency consultations regarding the US-led coalition airstrikes in Deir ez-Zor. In comments to the media, Russia suggested that the US might have intentionally attacked Syrian government targets. The US stated that the strikes had been meant for ISIL targets, and that it had ceased attacks once informed by Russia that the targets were thought to be Syrian military. The US dismissed Russia’s call for consultations as a stunt to draw attention away from the Syrian regime’s actions.

On 19 September, Syria announced that the cessation of hostilities had ended, and regime airstrikes against Aleppo, Deraa and Idlib were immediately resumed. On the same day, a UN/Syrian Arab Red Crescent (SARC)

humanitarian convoy and a SARC warehouse were attacked by sustained airstrikes, resulting in 20 deaths and the destruction of 18 of the 31 convoy trucks. The UN described the attack as a possible war crime, called for an independent investigation and suspended all aid convoys in Syria for several days. On 21 September, the US announced that it had reached the preliminary conclusion that Russian jets carried out the attack. Russia has said neither it nor Syria carried out these airstrikes.

Despite this turn of events, neither Russia nor the US had yet to declare an end to their efforts to shore up the cessation of hostilities. On 20 September, US President Barack Obama said in his General Assembly address that “the hard work of diplomacy” had to be pursued in Syria. On the same day, the International Syria Support Group (ISSG), co-chaired by Russia and the US, met in New York and agreed that it was imperative to continue to pursue a nationwide cessation of hostilities. However, by 28 September the US said it would take steps to suspend bilateral engagement with Russia on Syria unless Russia moves to end the Aleppo assault.

Before the Deir ez-Zor strikes and the attack against the humanitarian convoy, a high-level meeting on Syria held on 21 September was viewed as an opportunity for the Council to endorse the cessation of hostilities agreement and provide momentum towards the resumption of political talks. However, as the agreement collapsed, there was palpable tension between Russia and the US displayed at the Council’s high-level meeting, where US Secretary of State John Kerry said that to restore credibility to the cessation of hostilities agreement all aircraft flying in key areas should be grounded in order to de-escalate the situation and give a chance for humanitarian assistance to flow unimpeded. There was a meeting of the ISSG the next day to discuss this proposal, which by all accounts was acrimonious, and agreement to ground air assets could not be reached.

Beginning on 21 September there has been some of the heaviest aerial bombardment by Russian and Syrian forces of eastern Aleppo since the Syrian crisis began, with media reports of the use of incendiary

**UN DOCUMENTS ON SYRIA** Security Council Resolutions S/RES/2268 (26 February 2016) endorsed the cessation of hostilities. S/RES/2254 (18 December 2015) was on a political solution to the Syrian crisis. S/RES/2235 (7 August 2015), S/RES/2209 (6 March 2015) and S/RES/2118 (27 September 2013) were on chemical weapons. **Secretary-General’s Reports** S/2016/796 (16 September 2016) was on the humanitarian situation. S/2016/748 (29 August 2016) was on chemical weapons. S/2016/738 (24 August 2016) was the JIM’s third report. **Security Council Meeting Records** S/PV.7780 (29 September 2016) was on the humanitarian situation. S/PV.7777 (25 September 2016) was an emergency meeting called by the P3 on the massive military escalation in Aleppo. S/PV.7774 (21 September 2016) was a high-level meeting on Syria. **Security Council Letters** S/2016/806 and S/2016/807 (21 September 2016) was an exchange of letters between the Secretary-General and the Security Council, respectively, to extend the mandate of the JIM until 31 October 2016.

## Syria (con't)

bombs, cluster bombs and bunker busters. The pace of the strikes continued for days, leading France, the UK and the US to call an emergency meeting of the Council on Sunday, 25 September, requesting that Special Envoy Staffan de Mistura brief on the massive military escalation against Aleppo. De Mistura described the strikes against eastern Aleppo as unprecedented and posing the greatest threat to civilians. He also reported the use of hellfire rockets by armed opposition groups. He added that the presence of Al Nusra in Aleppo was no justification for the heavy bombardment of densely populated areas. He called on the Council to press for:

- a cessation of violence, particularly aerial bombardment, and to protect civilians and civilian infrastructure, particularly in Aleppo;
- weekly 48-hour pauses to allow for the delivery of humanitarian aid;
- medical evacuations;
- a common understanding on a monitoring and enforcement mechanism for the cessation of hostilities agreement; and the resumption of political talks.

At press time, OCHA head Stephen O'Brien was set to brief the Council on 29 September on the deteriorating humanitarian situation where the impact of the ruptured cessation of hostilities agreement and the subsequent severe escalation of fighting in Aleppo will be a key focus.

September consultations on the chemical weapons track were cancelled. The JIM's third report concluded that of the nine cases investigated, the Syrian regime used chlorine gas against its own population in two cases and that ISIL used mustard gas in one case. Three cases required further investigation and there was insufficient evidence to make a determination in the remaining three cases. The JIM's final report was expected to make a determination on the three cases requiring further investigation and was to be submitted before the JIM's mandate expired on 23 September. However, in an exchange of letters with the Secretary-General, the Council agreed to extend the report's deadline to 21 October and extend the JIM's mandate to 31 October.

### Human Rights-Related Developments

In his opening statement at the Human Rights Council's 33rd session on 13 September, High Commissioner for Human Rights Zeid Ra'ad Al Hussein said Syria, "is a state led by a medical doctor and yet is believed to have gassed its own people; has attacked hospitals and bombed

civilian neighbourhoods with indiscriminate explosive weapons; and maintains tens of thousands of detainees in inhuman conditions...The government, which is responsible for some of the gravest violations on record in the history of this Council, has regularly sent notes verbales to my office reporting abuses by armed groups. But it offers no possibility whatsoever for independent scrutiny."

The Human Rights Council considered the latest report of the Independent International Commission of Inquiry on Syria during its 33rd session in September (A/HRC/33/55). Among the report's findings are that since late March there has been a marked upsurge in the fighting, with indiscriminate and disproportionate attacks on civilian-inhabited areas, particularly through aerial bombardments. Recent indiscriminate attacks on civilians, including on medical workers and facilities, blocked humanitarian convoys, enforced disappearances, summary executions and other crimes committed by all parties to the conflict, have left Syrians in a state of despair, with violence reaching unprecedented levels in Aleppo. The Commission reiterated its recommendation that the Security Council refer the situation to the ICC or an ad hoc tribunal.

### Key Issues

With Syria in the fifth year of a war that has exacted a death toll of 470,000, left 600,000 living under siege and displaced half of the Syrian population, including 4.8 million refugees, the essential issue for the Council is to exert effective leadership in supporting a cessation of hostilities and efforts to reach a political solution.

Regarding chemical weapons, the preliminary conclusions of the JIM report and the determination by the OPCW's Director-General that Syria's declared chemical weapons arsenal cannot be considered accurate and complete means that the Council is in a position to consider whether Syria is in breach of resolutions 2118, 2209 and 2235.

### Options

While the Council has many tools at its disposal—such as imposing an arms embargo or targeted sanctions, referring Syria to the ICC or authorising a no-fly zone to deter Syria from using its aerial capacity—P5 divisions have made it impossible for the Council to fulfil its role in maintaining international peace and security in the case of Syria.

In this context, the Council could vote to refer Syria to the General Assembly under the "Uniting for Peace" procedure, so that the General Assembly might recommend collective action, including sanctions and the use of force. This would be a procedural vote and therefore could not be vetoed by any of the

P5, requiring only nine affirmative votes. A "Uniting for Peace" resolution by the General Assembly can confer legitimacy on international collective action, but it would carry no binding obligation for such action. (Alternatively, the General Assembly does not require a Security Council referral to adopt a "Uniting for Peace" resolution.)

The Council has found a degree of agreement on humanitarian, non-proliferation and counter-terrorism efforts, but has been unable to effectively stop or hold accountable a government responsible for indiscriminate attacks on civilians and widespread violations of international humanitarian and human rights law. In practice, the Council has limited its options to receiving more briefings or findings which confirm what is already widely known about the brutal tactics employed by parties to the conflict. In this context options for the Council include:

- responding to the Secretary-General's call to establish an immediate, impartial and independent investigation of the 19 September air strike on a UN/SARC humanitarian convoy;
- taking up de Mistura's suggestion of authorising a monitoring and enforcement mechanism for the cessation of hostilities agreement (if it can be salvaged); and
- inviting the Human Rights Council's Commission of Inquiry on Syria or the High Commissioner for Human Rights to give periodic briefings to the Council.

Regarding chemical weapons, if the Council is able to determine that Syria has violated resolutions 2118, 2209 and 2235, it has the option to pursue the "further measures" cited in all three resolutions, commonly understood to be an implicit threat of sanctions.

### Council Dynamics

The quick collapse of the cessation of hostilities agreement has led Council members to conclude that the chances for a near-term political solution have been severely diminished.

Many Council members are of the view that the government's offensive in eastern Aleppo confirms the regime's preference for prolonged armed conflict over a negotiated settlement. There is also broad recognition that if fighting in Syria cannot be controlled, particularly in Aleppo, then it will be close to impossible for UN mediation between the government and the opposition to resume.

With Russia and the US publicly displaying the depth of their disagreement over Syria,

## Syria (con't)

a few Council members think it might be a good time for others to inject new thinking or energy to help resolve the situation. However, a majority of Council members believe that if Russia and the US cannot agree bi-laterally, it will be almost impossible to achieve agreement in a multi-lateral setting.

At press time, it was too early to gauge whether there was broad support in the Council for pursuing “further measures” against Syria with the OPCW and JIM reports pointing to non-compliance with resolutions 2118, 2209 and 2235. However, most Council members feel certain that if

such a draft resolution were tabled for a vote it would be vetoed by Russia.

Four of the P5 members (France, Russia, the UK and the US) are involved militarily in the Syrian war to varying degrees.

## South Sudan

### Expected Council Action

In October, Council members are expected to hold consultations to consider the Secretary-General's second monthly assessment on the deployment and future requirements of the Regional Protection Force, as well as obstacles to setting up the force and impediments to the UN Mission in South Sudan (UNMISS) in carrying out its mandate. Members may also be interested in discussing the findings of the independent special investigation called for by the Secretary-General, “into the violence in Juba...in July 2016, and the response of the UN Mission in South Sudan.”

The mandate of UNMISS expires on 15 December.

### Key Recent Developments

The humanitarian and security situation in South Sudan remains dire. There are now 1.6 million internally displaced persons (IDPs) in the country while more than 1 million people have sought refuge in neighbouring countries since the start of the civil war in December 2013. Nearly 200,000 IDPs now live in protection of civilians sites across the country because of the insecurity outside the sites. Fighting in the Equatoria region has driven more than 103,000 South Sudanese into Uganda since July. On 10 August, OCHA head Stephen O'Brien told the press that severe food insecurity afflicts about 4.3 million South Sudanese in a country of some 12 million people, where hyperinflation of more than 660 percent (as of August) has significantly increased the cost of food. The deteriorating humanitarian situation in the country was highlighted during a high-level meeting on South Sudan organised by OCHA on 22 September on the margins of the General Assembly.

A Council delegation visited South Sudan and Addis Ababa, Ethiopia, from 1 to 5 September on a mission co-led by Ambassador Samantha Power of the US and Ambassador Fodé Seck of Senegal. While in South Sudan, Council members met with high-level government officials, including President Salva Kiir and First Vice President Taban Deng Gai; civil society representatives; religious leaders; and UNMISS staff. Council members also visited protection of civilians sites in Juba and in Wau, Western Bahr el-Ghazal state, where they met with IDPs. In Addis Ababa, Council members held meetings with President Hailemariam Desalegn of Ethiopia in his capacity as chairman of the Intergovernmental Authority on Development (IGAD) and with the AU Peace and Security Council (PSC).

On 4 September, while in South Sudan, the Council agreed on a joint communiqué with the Transitional Government of National Unity. In the communiqué, the government consented to the deployment of the Regional Protection Force as a part of UNMISS, agreeing that troop-contributing countries, UNMISS and the government would continue to “work through the modalities of deployment”. Previously, South Sudan had only consented to the force “in principle”. The government further committed to allow UNMISS freedom of movement in keeping with its mandate, and to create by the end of September a plan with UNMISS “on concrete steps to remove impediments on UNMISS's ability to implement its mandate...”. As for humanitarian access, the communiqué said that the government would provide “assistance in eliminating illegal checkpoints” and review with the UN humanitarian coordinator in South Sudan ways of “strengthening bureaucratic

processes and access to populations in need”.

The government continues to have concerns about the Force. Kiir told Council members on 4 September that he did not want neighbouring states to participate in it. Despite Kiir's reservations, Ethiopia, Kenya and Rwanda have been proposed as potential troop contributors. Since the Council's visit, Michael Makuei, the Information Minister, has stipulated that South Sudan should be able to determine the number of troops deployed and the types of arms used by the Force.

Shortly after the Council left South Sudan, UNMISS received reports that some of the civil society representatives who had met with Council members in Juba on 3 September had been intimidated and harassed by the government. UNMISS expressed its deep concern about these reports in an 8 September press release.

On 17 August, the UN Stabilisation Mission in the Democratic Republic of the Congo (MONUSCO) extracted former First Vice President Riek Machar, who had fled Juba in the midst of the July fighting in the city, from Garamba National Park in the Democratic Republic of the Congo, together with ten associates and his wife and son. From 24 August to 5 September, approximately 300 additional Machar supporters were also picked up by MONUSCO from the national park. According to the office of the spokesperson for the Secretary-General, these individuals were extracted “on humanitarian grounds... [as] many were wounded, acutely malnourished or in another life-threatening condition”.

Following a meeting in Khartoum from 20-23 September, the opposition branch led by Machar issued resolutions calling for armed resistance against the Kiir government and calling on the “International Community

UN DOCUMENTS ON SOUTH SUDAN Security Council Resolution S/RES/2304 (12 August 2016) authorised the Regional Protection Force. [Sanctions-Related Document S/2016/793](#) (19 September) was a Panel of Experts report on security threats to the government.



## South Sudan (con't)

to declare the regime in Juba...a rogue government and a spoiler to peace...”

Lam Akol, the former Minister of Agriculture of the transitional government, announced in late September that he was forming a rebel movement called the National Democratic Movement to oust Kiir's government. After he resigned from his post as Minister of Agriculture on 1 August, he said “there is no more peace agreement to implement in Juba.”

On 14 September, Under-Secretary-General for Peacekeeping Operations Hervé Ladsous briefed Council members on UNMISS in consultations. He said that the mission continued to be hampered by freedom of movement restrictions and that the deployment of the Regional Protection Force would largely depend on the cooperation of the government, echoing points made in the Secretary-General's confidential 8 September letter to the Council.

Following the meeting, Ambassador Gerard van Bohemen of New Zealand, Council President in September, read out press elements on behalf of the members. Council members said that they expected the government to implement its commitments regarding the deployment of the Regional Protection Force, freedom of movement of UNMISS and a clear improvement in humanitarian access. The members indicated that if the Secretary-General (whose next report is expected in early October) reports that political or operational obstacles are preventing UNMISS from fulfilling its mandate or the deployment of the Regional Protection Force, the Council would “consider the appropriate next steps”. Members further expressed deep concern about the targeting of civil society figures who had met with the Council in Juba, called for the targeting to end and for those responsible to be held accountable.

### Sanctions-Related Developments

On 16 September, the Panel of Experts of the 2206 South Sudan Sanctions Committee briefed the Committee on the Panel's recent report on security threats facing South Sudan's transitional government of national unity. The report states that the security threats facing South Sudan are internal in nature, stemming from the actions and policies of the Sudan People's Liberation Movement/Army and the Sudan People's Liberation Movement/Army in Opposition. In the report, the panel underscored inter-ethnic violence and impediments to the work of UNMISS and its humanitarian partners as key features of the conflict. The Committee was also briefed by Zainab

Bangura, the Special Representative on Sexual Violence in Conflict, on sexual violence in South Sudan.

### Human Rights-Related Developments

The three-person Commission on Human Rights in South Sudan established by the Human Rights Council (HRC) in March conducted its first visit to the country from 8 to 15 September. The Commission travelled throughout the country and met with government officials, the judiciary, the legislative assembly, UN actors, civil society and IDPs in UNMISS protection sites. At a press conference in Juba on 15 September, the Commission expressed concern over the lack of progress on the implementation of the peace agreement, the deplorable conditions under which IDPs live, the diminishing space for journalists and civil society members who are subject to intimidation and harassment, the lack of access for UNMISS and humanitarian actors to reach the most vulnerable, the escalation of sexual violence against women and girls and the ongoing impunity and lack of accountability for serious crimes and human rights violations. The Commission proceeded to Addis Ababa to meet with high-level AU officials, IGAD and the Joint Monitoring and Evaluation Commission and then to Uganda to interact with South Sudanese refugees. The Commission plans to return to South Sudan later this year before reporting to the HRC in March 2017.

### Key Issues

The key issue for the Council is to prevent South Sudan from descending once again into full-blown civil war. The Council will need to consider how it can best support what remains of the 15 August 2015 peace agreement, and what additional steps should be taken for bringing peace to South Sudan.

Another important issue is whether South Sudan will make a good-faith effort to fulfil the commitments made in the 4 September communiqué and what measures should be taken if it does not do so.

Council members—along with the UN Department of Peacekeeping Operations, the AU and IGAD—are grappling with several fundamental issues related to the Regional Protection Force, including the force's composition (both in terms of which states will contribute to it and how it will be configured), the timeline for its deployment, where the force will be located and the need for helicopters to support its operations.

Another key issue is what impact Machar and his followers will have on the future of South Sudan, given their stated intention to engage in armed conflict against the Kiir government.

### Options

If the Secretary-General reports in his monthly assessment that the government has not made progress in removing impediments on the operations of UNMISS and humanitarian actors and refuses to cooperate with planning for the Regional Protection Force, options for the Council include:

- imposing an arms embargo on South Sudan; and
- targeting key political figures responsible for the ongoing violence with an assets freeze and travel ban.

If the Secretary-General reports a significant improvement in government cooperation, the Council may consider adopting a statement recognising the government's efforts to implement commitments made in the joint communiqué.

Another option is for the Council to engage with Special Representative of the Secretary-General Ellen Margrethe Løj and key IGAD and AU officials in an interactive informal dialogue to discuss strategies for convincing Kiir and Machar to use their influence to end the fighting.

The informal interactive dialogue format could also be used by the Security Council to meet with the HRC's Commission on Human Rights in South Sudan before the Commission's next visit to the country, to share experiences and discuss ideas to more effectively address the human rights situation in the country.

Regarding the special investigation on the July violence, the Council could consider requesting a briefing from Major General (retired) Patrick Cammaert, who is leading the investigation, on how UNMISS can strengthen its operational procedures if faced with similar crises in the future.

### Council Dynamics

Council members share concerns about violence against civilians, the growing humanitarian crisis and obstructions to the operations of UNMISS and its humanitarian partners in South Sudan. During the visiting mission, members were unified in their message to the government that it must implement resolution 2304, which authorised the Regional Protection Force; this view was expressed even by China and Russia, who abstained on the resolution.

During the 14 September meeting, several Council members suggested that the government needed more time to fulfil the



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## South Sudan (con't)

commitments made in the 4 September communiqué. However, if the government's cooperation does not improve by the time the Council receives the Secretary-General's report in October, the idea of an arms embargo will probably be discussed more seriously.

Views on a possible arms embargo vary widely. France, New Zealand, Spain and the UK appear to be the strongest proponents,

maintaining that the Council should implement this measure without waiting to see whether the government's cooperation improves. While reluctant to support an arms embargo in the past, the US now says that it will support one if South Sudan's uncooperative behavior continues. Egypt and Russia have long been uncomfortable with the idea of an arms embargo; it is unclear whether

and how their positions might evolve if the obstructive behavior on the part of the government continues. Angola, which in the past has said that it would support an arms embargo, has recently expressed reservations about this course of action.

The US is the penholder on South Sudan, and Senegal chairs the South Sudan Sanctions Committee.

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## Israel/Palestine

### Expected Council Action

In October, the Council is expected to hold its regular quarterly open debate on the Middle East, with a focus on Israel/Palestine. Also in October, an Arria-formula meeting will be co-hosted by five Council members—Angola, Egypt, Malaysia, Senegal and Venezuela—on illegal Israeli settlements.

### Key Recent Developments

The situation in Israel and Palestine remains tense as the wave of violence that began a year ago continues. According to OCHA, attacks in the West Bank declined in the second quarter of 2016, but 65 Palestinians have been killed so far this year, the majority of them in attacks or alleged attacks against Israelis. OCHA has registered concern about possible excessive use of force and extrajudicial executions by Israeli forces in such cases. At least 200 Palestinians and 30 Israelis have been killed since last fall.

Secretary-General Ban Ki-moon briefed the Council on Israel/Palestine on 15 September, saying that leaders on both sides are failing to take the steps needed for peace and warning that a two-state solution remains at risk of being replaced by a one-state reality of perpetual violence and occupation. He noted that in the preceding two weeks alone, plans had been advanced for another 463 housing units in four settlements in Area C of the occupied West Bank. Ban referred to a Gaza under closure as a “ticking time bomb”, and warned that instability and risk of escalation are ever-present due to an arms build-up and militant activities by Hamas and other radical groups. He acknowledged that some progress has been made in reconstruction in the enclave since the 2014 ceasefire, but he noted

that 65,000 people remained displaced and more coordination was required to accelerate ongoing reconstruction.

Permanent Council member Russia announced on 8 September that Israeli and Palestinian leaders have agreed “in principle” to meet in Moscow for talks that could revive the peace process after the collapse of US-led negotiations in April 2014. No date for talks has been announced.

On 8 September, a Palestinian high court in Ramallah postponed preparations for the upcoming elections, originally set for 8 October, because voting could not take place in East Jerusalem, and because it had questions about the legality of courts in Gaza after judges there disqualified five electoral lists on which Fatah candidates were running. A Hamas spokesman in Gaza alleged that the Ramallah court decision was “a political one dictated to the court by Fatah and President [Mahmoud] Abbas” to avoid defeat; Hanan Ashrawi, a senior PLO official in the West Bank, accused the court in Gaza of being politically motivated. The election would have been the first in ten years in which candidates from Hamas had run against President Abbas's Fatah in both Gaza and the West Bank. It is seen as an important step towards inter-factional reconciliation.

Concerning the ICC's inquiry into possible war crimes in the 2014 Gaza conflict, Israel announced on 2 September that it will allow the Court to conduct its first visit, following ICC Chief Prosecutor Fatou Bensouda's formal request. The ICC must determine that Israel is unable or unwilling to conduct the investigations itself before it can begin proceedings. On 20 September, the Israeli Information Center for Human Rights

in the Occupied Territories, also known as B'Tselem, asserted that Israeli investigations provided a whitewash mechanism to clear all implicated soldiers, commanders and politicians of wrongdoing, and concluded that the ICC must intervene. The Israeli Defence Forces (IDF) countered that the report ignored the fact that the majority of air strikes carried out by the IDF during the war did not cause civilian casualties.

On 14 September, Special Coordinator Nickolay Mladenov welcomed an agreement reached by Israeli and Palestinian authorities to resolve the issue of outstanding electricity debts owed to Israel by the Palestinian Authority (PA), putting an end to a 10-year debt crisis. The agreement includes the transfer of authority to the Palestinian government for collecting payments for electricity distributed to Palestinian territory and will provide an important increase in the Palestinian revenue base. Mladenov's statement lauded the deal as a significant step in line with the Quartet's recommendations calling on both sides to take steps to strengthen Palestinian institutions and develop a sustainable economy.

On 1 September, the UN Conference on Trade and Development released a report on economic developments in the Occupied Palestinian Territories (OPT) which said that Israel withheld Palestinian fiscal revenue for four months in 2015, donor aid declined and Israeli settlements continued to expand (UNCTAD/APP/2016/1\*). According to the report, if it were not for Israeli occupation, the economy of the OPT might be twice its current size. The report said that the OPT remains a captive market for exports from Israel and that occupation has neutralised the potential development impact of donor

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UN DOCUMENTS ON ISRAEL/PALESTINE Security Council Meeting Record S/PV.7772 (15 September 2016) was a briefing by Secretary-General Ban Ki-moon.

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## Israel/Palestine (con't)

aid, noting that genuine reconstruction has yet to take off in Gaza despite \$3.5 billion in donor pledges.

A 15 September report of the World Bank said that less than half the money pledged by donors to rebuild the Gaza Strip after the 2014 war has been disbursed, contributing to the stagnation of the Palestinian economy. The bank recommended that Israel allow more building in the West Bank and that it loosen its blockade of Gaza. It also called on the Palestinian Authority to cut spending, especially by reducing pension payments.

The US and Israel signed a landmark agreement on 14 September stipulating that the US will give Israel \$38 billion in military assistance over the next decade, the largest such aid package in US history. The deal guarantees annual payments of \$3.3 billion in military financing and \$500 million a year for Israeli missile defence funding.

### Human Rights-Related Developments

The special rapporteur on violence against women, Dubravka Šimonović, visited Israel and the OPT from 12 to 22 September to examine the overall situation of violence against women and girls and gather first-hand information from women survivors of violence. In Israel, she visited Jerusalem, Tel Aviv, Beer-Sheva, Haifa and Nazareth. In the OPT, she visited Ramallah, Bethlehem, Hebron, Jericho, East Jerusalem and Gaza. Šimonović noted in a 26 September end of mission statement that "specific groups of women in Israel, including women from the Palestinian minority (including Bedouin women), asylum-seekers, refugees, and women belonging to other minority communities face accrued and multiple forms of discrimination and heightened risk of violence". While in the OPT, "many deeply embedded forms of violence against women are petrified in a context of prolonged occupation, including domestic violence, early marriages,

sexual violence, including rape and incest, as well as killings in the name of 'honour'", the statement said. The special rapporteur will present a report during the Human Rights Council's (HRC's) 35th session in June 2017. The HRC held a general debate on Agenda Item 7: The human rights situation in Palestine and other occupied Arab territories, during its 33rd session in September, as it does at every session. As in previous years, the US boycotted the debate, along with Israel.

### Key Issues

The overarching issue is determining what role the Council ought to play in encouraging the resumption of direct negotiations between the parties to achieve a two-state solution. A related issue is how to urge the parties to cease actions that hinder the resumption of negotiations, such as settlement-building, acts of violence and other provocative acts, and to agree to new bilateral talks.

### Options

One option for the Council is to adopt a resolution outlining parameters and a timeline for a final status agreement.

Another option would be to take a piecemeal approach and pursue an outcome on areas where agreement may be more likely among Council members, such as on settlements.

### Council and Wider Dynamics

With US-led talks having failed more than two years ago, two other P5 members are attempting to bring the parties back to the negotiating table. Russia's announcement that the parties have agreed to meet in Moscow follows attempts by France to pursue an international conference, with the parties

in attendance, before the end of the year. Among elected members, Egypt has voiced its willingness to act as a broker between the parties. However, it is unclear how this will play out.

Egypt is joined by several other elected members, including Angola, Malaysia, Senegal and Venezuela, in pursuing the tools available to the Council to address various aspects of the conflict, as demonstrated by the Arria-formula meeting they organised for this month on settlements, the second such meeting hosted by these countries this year. (On 6 May, they organised an Arria-formula meeting on the protection of the Palestinian civilian population in the OPT.) In an effort to enhance the Council's deliberations on the issue, these five countries have also requested that OCHA brief the Council in the monthly Middle East meetings. An OCHA representative briefed Council members alongside Mladenov in consultations following the Secretary-General's 15 September briefing, though it is unclear whether this format will become a regular feature as requested. Elected member New Zealand has also been vocal about the need for the Council to pronounce itself on the conflict.

Israel remains staunchly opposed to international initiatives on the issue, including involvement of the Council, preferring direct negotiations with the Palestinians, while the PA favours international participation. Speaking at the UN General Assembly in September, Abbas said that Palestine will continue to seek a Council resolution on settlements.

It is generally accepted that the fate of any Council outcome on Israel/Palestine lies ultimately with the US.

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## Yemen

### Expected Council Action

In October, the Special Envoy for Yemen, Ismail Ould Cheikh Ahmed, is expected to brief the Council, followed by consultations.

### Key Recent Developments

Peace talks in Kuwait, ongoing for more than

three months, between the Yemeni government and the Houthis, a Zaydi Shiite rebel group, and their allies in the General People's Congress (GPC) ended on 6 August without any agreement. On 31 July, the Yemeni government announced that it had accepted the Special Envoy's proposal that would require

the Houthis and GPC forces loyal to former president Ali Abdullah Saleh to withdraw from cities under their control and surrender medium and heavy weapons within 45 days. After that, a unity government would be installed. Talks were extended for an additional week, but the Houthis and the GPC

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**UN DOCUMENTS ON YEMEN** Security Council Resolution SC/RES/2216 (14 April 2015) established an arms embargo on the Houthis and forces loyal to former president Saleh. Security Council Presidential Statement S/PRST/2016/5 (25 April 2016) welcomed the launch of peace talks in Kuwait. Security Council Press Statement SC/12512 (8 September 2016) urged the parties to resume consultations and recommit to the cessation of hostilities. Security Council Meeting Record S/PV.7765 (31 August 2016) was a briefing by the Special Envoy for Yemen.

## Yemen (con't)

rejected the proposal.

With the breakdown in talks, ground fighting and Saudi Arabia-led coalition airstrikes in Yemen intensified, causing increasing civilian casualties and heavy damage to civilian infrastructure. A 13 August airstrike on a school killed at least 10 children and a 15 August airstrike on a Médecins Sans Frontières (MSF)-run hospital killed 19, prompting MSF to withdraw its staff in Saada and Hajjah governorates. Airstrikes in Beit Saadan on 10 September killed 30 people, and 26 people were killed in an airstrike in Hodeidah on 22 September. There are assertions of increased rocket and missile attacks fired at Saudi Arabia, and the Houthis have been reported as holding and seizing additional territory in border regions of southern Saudi Arabia.

Al-Qaida in the Arabian Peninsula (AQAP) and the Islamic State in Iraq and the Levant (ISIL) remain a threat, particularly in the south. On 29 August, ISIL claimed an attack on a government military recruiting centre in Aden that killed at least 54.

Following the Houthi and GPC agreement on 28 July to create a ten-person Supreme Political Council (SPC) to govern Yemen, a parliamentary session was held on 13 August in which legislators ratified the arrangement. The Special Envoy has said that establishing the SPC violates resolution 2216, which demanded that all parties refrain from unilateral actions that undermine Yemen's political transition.

To revive a political process, foreign ministers of Saudi Arabia, the United Arab Emirates (UAE), the UK and the US met with the Special Envoy on 25 August in Jeddah. This was followed by a meeting of the foreign ministers of the Gulf Cooperation Council (GCC), the UK and the US, together with the Special Envoy. After this meeting, US Secretary of State John Kerry announced an agreement on a "renewed approach to negotiations" that would address the security and political tracks "simultaneously". The Special Envoy said during his 31 August briefing to the Security Council that this approach "would define a path for the rapid formation of a government of national unity to be formed immediately following the withdrawal and handover of weapons in Sana'a and some other vital areas". Over a week after the 31 August briefing, Council members issued a press statement expressing continued support for the Special Envoy and urging the parties

to resume consultations and to recommit to and respect the cessation of hostilities.

Since then, there has been little progress. Houthi/GPC negotiators have been unable to return to Yemen and remain in Oman as the Saudi Arabia-led coalition, which has banned commercial flights to and from Sana'a following the Kuwait talks, has refused to allow their return.

Yemen continues to endure a humanitarian crisis. More than 14 million people require food aid, of which 7 million are suffering from food insecurity. About 3.1 million Yemenis have been displaced, a 7 percent increase since April. On 30 August, OCHA said that the death toll had surpassed 10,000.

Compounding the situation is Yemen's fiscal crisis resulting from the near-depletion of the Central Bank of Yemen's reserves, which the government says the Houthis have used to finance their war effort. The bank's potential insolvency threatens to further destabilise the humanitarian situation if its ability to continue to pay civil servants' salaries and finance essential imports of food, fuel and medical supplies is undermined. In August, President Abdo Raboo Mansour Hadi requested that financial institutions no longer deal with the Central Bank, and on 18 September, he ordered that it be relocated to Aden.

### Sanctions-Related Developments

On 5 August the Yemen 2140 Sanctions Committee met to consider the 27 July "midterm update" of its Panel of Experts. This report covered ongoing investigations into armed groups, implementation of the arms embargo and financial sanctions, and allegations of violations of international humanitarian and human rights law that the Panel asserted have been committed by all sides.

### Human Rights-Related Developments

In his opening statement at the Human Rights Council's 33rd session in Geneva on 13 September, High Commissioner for Human Rights Zeid Ra'ad Al Hussein noted that his office "continues to enjoy broad access in Yemen...but ... the national investigation effort has not been able to provide the impartial and wide-ranging inquiry that is required by serious allegations of violations and abuse. I recommend a comprehensive inquiry by an international independent body".

The Human Rights Council considered the High Commissioner's report on technical assistance and capacity-building for Yemen in the field of human rights (A/HRC/33/38). The report describes alleged violations and abuses of international human rights law and international humanitarian law by all parties to the ongoing conflict, including attacks on residential areas, marketplaces, medical and educational facilities

and public and private infrastructure; the use of landmines and cluster bombs; sniper attacks against civilians; deprivation of liberty; targeted killings; the recruitment and use of children in hostilities; and forced evictions and displacement. In several of the documented military attacks, the UN Human Rights Office was unable to identify the presence of possible military objectives. Its key recommendation reiterates the High Commissioner's call for an international, independent body to investigate alleged violations. In making the recommendation, the report noted the challenges faced by the Yemeni government's commission of inquiry that have not allowed it to implement its mandate in accordance with international standards.

### Key Issues

How the Council can support efforts to re-establish a cessation of hostilities and advance peace talks, including overcoming differences between the parties over the sequencing of security and political measures, is the key issue.

The humanitarian crisis and violations of international humanitarian and human rights law also remain key issues.

The threat posed by AQAP and ISIL amidst the security vacuum created by the conflict remains a major concern.

### Options

If progress emerges from peace talks, the Council may adopt a statement or resolution backing the outcome.

If current political initiatives do not produce results, the Council could reconsider a humanitarian resolution. Elements for a resolution were proposed by New Zealand last March. Such a resolution could call on all parties to allow unhindered humanitarian access and to ensure the safety of humanitarian personnel, and demand that the parties adhere to international human rights and international humanitarian law, including taking all precautions to avoid civilian casualties.

### Council and Wider Dynamics

Russia was critical of the Special Envoy's recent proposal, considering it unrealistic to expect the Houthis to turn over their arms and withdraw from territory before there was an agreement on their future political participation. Other members appear to have had similar concerns, which seemed to be taken into account in the renewed approach for talks announced by Kerry.

Reaching consensus on Council decisions on Yemen has been difficult lately. Members failed to agree on press elements



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## Yemen (con't)

following the 3 August consultations and required nine days to agree on their last press statement. Differences play out, in particular, between Egypt and Russia. Egypt champions the positions of the Yemeni government and the coalition, of which it is a member, and has pushed back against criticism of the coalition, seeking stronger condemnation of the Houthis. Russia often seeks to present the perspective of the Houthis and promote what it considers to be a more balanced Council approach.

Other members tend to be less vocal. This

appears to be due to political sensitivities stemming from the close relations of many members, such as the UK and the US, with Saudi Arabia. For this reason, the Council remains unlikely to depart from resolution 2216 as a basis for resolving the conflict, despite widespread criticism of the resolution as one-sided and unrealistic in light of the situation on the ground. The demands of resolution 2216 that the Houthis withdraw and relinquish seized weapons have represented actions the Yemeni government says must be fulfilled before making concessions.

The Council's approach has, therefore, been to hope for progress in the political process which it can then support through presidential statements, gradually shifting the framework away from resolution 2216.

The Group of 18 Ambassadors to Yemen, which includes the P5 countries, Egypt, Japan and the Gulf states, has pressured the sides to engage in negotiations. The so-called "Quad," comprising Saudi Arabia, the UAE, the UK and the US, emerged in July to address the deadlock around the political process.

The UK is the penholder on Yemen.

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## Women, Peace and Security

### Expected Council Action

In late October, the Security Council will hold its annual debate on women, peace and security and the implementation of resolution 1325, which acknowledged that conflict has a differential impact on women and decided that addressing the needs, views and participation of half of society would provide a positive peace dividend. The Executive Director of UN Women and two civil society representatives are expected to brief. The Secretary-General may also participate, though this was not confirmed at press time.

The Secretary-General's annual report on the implementation of resolution 1325 is due on 1 October. At press time, no outcome was expected.

### The Open Debate

It is expected that Russia, as president of the Council in October, will circulate a concept note ahead of the debate asking member states to focus their interventions on the progress achieved over the last year—the period since gender recommendations were put forth in the three 2015 peace and security reviews on peace operations, peacebuilding and women, peace and security. All three reviews underlined the need for the increased and enhanced participation of women in peace and security decision-making.

### 2015 Peace and Security Reviews

Some of the recommendations from these reviews specific to the Security Council include:

- Establishing an informal expert group on women, peace and security.
- Inviting civil society to brief at country-specific Security Council meetings.
- Enhancing capacity for gender analysis when mandating UN peace operations.
- Encouraging increased and improved reporting by high-level leadership on women, peace and security in country-specific situations on the Council's agenda, both in written reports and oral briefings.
- Expanding ownership of the "pen" on the women, peace and security agenda within the Council by including an elected member as a co-lead.
- Strengthening the Council's attention to women, peace and security in the work of its sanctions committees.

The Council has begun to implement, to varying degrees, some of these recommendations.

Resolution 2242, adopted on 13 October 2015, expressed the Council's intention to convene meetings of relevant Security Council experts as part of an Informal Expert Group to facilitate a more systematic approach to women, peace and security within the Council's own work and to enable

greater Council oversight and coordination of the UN system's implementation efforts.

After the adoption of resolution 2242, Spain and the UK worked with other Council members to establish what has become known as the 2242 Informal Expert Group on Women, Peace and Security, and became its co-chairs. In practice, UN Women has coordinated meetings of the Informal Expert Group by bringing together representatives of multiple UN departments, UN agencies, UN peace operations and civil society to brief Council members on gender information specific to a country situation on the Council's agenda.

Over the course of 2016, the 2242 Group has met on four situations: Mali (29 February), Iraq (29 April), Central African Republic (15 June) and Afghanistan (13 July). At each meeting, Council experts received briefings from senior leadership of field missions, in each instance at the level of either Special Representative or Deputy Special Representative.

Spain and the UK subsequently circulated a summary of each of the 2242 Group's meetings as a letter of the Security Council. In addition, follow-up meetings on each of the country situations have been scheduled to assess progress and discuss options for the Security Council to enhance women, peace and security implementation in that

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**UN DOCUMENTS ON WOMEN, PEACE AND SECURITY** Security Council Resolutions S/RES/2242 (13 October 2015) addressed women's roles in countering violent extremism and terrorism and noted the need for improving the Council's own working methods. S/RES/1325 (31 October 2000) was the first resolution on women, peace and security. **Security Council Meeting Records** S/PV.7533 and **Resumption 1** (13 and 14 October 2015) was the 2015 annual open debate on women and peace and security. **Secretary-General's Report** S/2015/716 (17 September 2015) was the 2015 annual report on women, peace and security. **Security Council Letters** S/2016/683, S/2016/682, S/2016/673 and S/2016/672 (29 July 2016) were summaries of the 2242 Informal Expert Group on Women, Peace and Security meetings on, respectively, Iraq, Mali, Afghanistan and the Central African Republic. S/2016/35 (12 January 2016) was from Spain transmitting the ideas and proposals from participants at the 20 October 2015 open debate on women, peace and security.



## Women, Peace and Security (con't)

particular context. The first follow-up meeting was on Mali on 14 September, with follow-up meetings planned on Iraq in October, Central African Republic in November and Afghanistan in December.

It seems that the meetings of the 2242 Group have enabled the Council to make some headway with another recommendation emanating from the 2015 peace and security reviews, namely better information leading to better outcomes. Council members have observed improvement in the quality of gender information presented to the Council during briefings, an increase in the number of questions posed by Council members to Special Representatives regarding their mission's implementation of women, peace and security obligations, and a greater willingness to include gender specific language when renewing mandates of peace operations. However, such improvement has largely been limited to the countries considered by the 2242 Group, rather than extending to broader improvement across all country-specific situations considered by the Council. Additionally, some Council members report only incremental improvement in gender analysis in written reports by the Secretary-General on country-specific situations, remarking that most women, peace and security reporting continues to be descriptive rather than analytical.

The ownership of the “pen” on the women, peace and security agenda within the Council has not been shared with an elected member and remains with the UK, and with the US in relation to conflict-related sexual violence. However, Spain's inclusion as co-chair of the 2242 Group has helped to expand elected members' voices in the shaping of the women, peace and security agenda in the Council.

There have been few, if any, advances in implementing other Council-specific recommendations highlighted above. While the Special Representative on Sexual Violence in Conflict has briefed numerous Security Council sanctions committees this year, this is in line with previous practice, not a new development.

### Key Issue

The key issue for the Council is how it will continue to take forward actionable recommendations from the 2015 peace and security reviews to achieve fuller implementation of the women, peace and security agenda in its own work—in particular how gender is

incorporated into mandates of peace operations, how gender is reported to the Council and how the Council's subsequent oversight role is enhanced if conflict gender analysis is presented.

### Options

No outcome is anticipated. However, Council members can continue to close the gap in their everyday work between Council decisions on women, peace and security and subsequent implementation on the ground—particularly where there is a UN presence or UN-led process.

In this regard, Council members during their interventions at the open debate could commit to:

- invite the head of UN Women to brief, in particular when considering a mandate to support post-conflict structures that should ensure broad participation and decision-making by women;
- invite women's civil society to brief at country-specific meetings of the Security Council;
- ensure that the women, peace and security agenda is integrated into the Council's thematic work on counter-terrorism, as well as into country-specific situations where groups such as Boko Haram and ISIL operate; and
- improve the quality of gender analysis by calling for gender expertise in all UN-led commissions of inquiry; transitional justice mechanisms; mediation processes, including in support of Special Representatives, Special Envoys and mediation teams; and peace operations, including by the deployment of gender advisers and women protection advisers.

In order to strengthen the Council's attention to women, peace and security in the work of its sanctions committees, members could commit to:

- expand the designation criteria in relevant sanctions regimes where sexual and gender-based crimes and specific attacks against women are persistently perpetrated;
- encourage and expand the existing practice that expert groups assisting relevant sanctions committees should include gender expertise; and
- include the respect for the rights of women as delisting criteria in sanctions regimes that target political spoilers who may

eventually need to be part of a political solution, as was done in the 1988 Afghanistan sanctions regime.

Finally, Council members could encourage the UN system and member states:

- to better implement the zero-tolerance policy on sexual exploitation and abuse in UN peace operations; and
- to develop and implement a gender-sensitive humanitarian response to the needs of displaced women and girls.

### Council Dynamics

Between 2013 and 2015, the Council did not adopt a resolution on women, peace and security, leaving dynamics on this issue largely untested for two years. However, familiar divisions quickly re-emerged during negotiations of resolution 2242 in October 2015, particularly around language related to the convening of an informal expert group; incorporating this thematic agenda into the Council's sanctions regimes; describing an improved gender architecture in the UN system; and integrating the women, peace and security agenda into strategies to counter violent extremism and terrorism.

In subsequent negotiations in 2015 and 2016 on Council outcomes on human trafficking, sexual exploitation and abuse, and on women's role in conflict prevention in Africa, similar issues emerged. China and Russia, and in some instances Egypt, resisted many elements that they interpreted as an expansion of the women, peace and security agenda or perceived as infringing on state sovereignty or the competencies of other parts of the UN system.

In this context, most Council members view this October's open debate as an opportunity to reflect on the advances and challenges that have emerged since the adoption of 2242 and to advocate ways to consolidate gains. Council members are unanimous in their agreement that no new resolution or presidential statement is required and that members need a respite from engaging in another potentially acrimonious round of negotiations.

The UK is the penholder on women, peace and security in the Council. The US is the penholder on sexual violence issues. Spain and the UK co-chair the 2242 Group. It is anticipated that the co-chair of the 2242 Group will continue to be an elected member in 2017 after Spain's term on the Council comes to an end on 31 December.

# Lebanon (1559)

## Expected Council Action

In October, Council members expect to receive the semi-annual briefing from Special Envoy Terje Rød-Larsen about 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

Lebanon continues to face challenges to its stability and security, both internally and along its borders with Syria, including from extremist groups and arms smugglers. The activities of Lebanese and non-Lebanese militias along the border continue to pose a threat to the stability of the region.

Notwithstanding the Lebanese government's policy of staying out of the Syrian civil war, Lebanese militants continue to engage in the conflict there in contravention of resolution 1559, and Hezbollah's involvement continues to have domestic and regional repercussions for Lebanon.

In a 16 August letter to the Council, Israel expressed deep concern about information regarding "the direct involvement of Hezbollah in developing terrorist infrastructure in the West Bank and Gaza". The letter claimed that several Palestinian suspects indicted for involvement in terror attacks in Israel had revealed that the terror plots were initiated, funded and carried out under direct instructions from Hezbollah. Israel claims that Hezbollah pursues such recruits through the use of social media, through operatives in Lebanon, and through activities of local agents in the West Bank and Gaza. The letter called on the Security Council to formally designate Hezbollah as a terror organisation.

On 2 September, a Lebanese military court magistrate indicted and issued arrest warrants for two Syrian intelligence officers in connection with the twin bombing of mosques in Tripoli in 2013 in which more than 40 people were killed and hundreds injured. The indictment accused the officers of planning and overseeing the attacks.

Lebanon continues to struggle to maintain domestic security. On 31 August, a bomb

blast on a road in Lebanon's Bekaa Valley killed at least one person and wounded 11 others, according to the Lebanese Red Cross. On 9 September, several missiles were reportedly fired from the Syrian province of Homs into Lebanon's 'Akkar District. No party claimed responsibility.

Meanwhile, Lebanon continues to struggle with the burden of hosting more than one million Syrian refugees. Addressing a high-level plenary meeting about large movements of refugees and migrants at the beginning of the 71st annual UN General Assembly on 19 September, Prime Minister Tammam Salam referred to the situation as an existential challenge and warned that Lebanon runs the risk of a serious collapse. He appealed to the UN to urgently put into motion a plan that would involve drafting, within three months, detailed arrangements for the safe return of Syrians from Lebanon to Syria when circumstances permit, and establishing burden-sharing quotas for countries in the region.

Meanwhile, Lebanon is still unable to elect a president to fill the vacancy left by Michel Sleiman, whose term ended on 24 May 2014. On 22 July, the Council adopted a presidential statement stressing that the election of a president, the formation of a unity government and the election of a parliament by May 2017 are critical to Lebanon's stability and ability to withstand regional challenges. The statement encouraged regional partners to engage constructively in resolving the presidential vacancy and preventing the spillover of regional crises into Lebanon.

On 15 September, the ambassadors of France, China, Russia, the UK and the US and UN Special Coordinator for Lebanon Sigrid Kaag met with Prime Minister Salam and reaffirmed their strong support for the continued stability and security of Lebanon. They commended the prime minister's efforts to govern under increasingly difficult circumstances and conveyed their ongoing support for his work. They called on all Lebanese parties to work responsibly in the national interest, to enable government institutions to function effectively, and to ensure that key decisions are taken at a time when Lebanon is facing mounting security, economic, social

and humanitarian challenges. Recalling the July presidential statement, they expressed their deepening concern over the twenty-seven-month vacancy in the presidency and discussed with Salam the question of the legislative elections to be held by May 2017. They said they welcomed the intent of the government of Lebanon to take steps to ensure that the elections are held on time.

On 30 August, the Council adopted resolution 2305, which renewed UNIFIL's mandate for an additional year without any major changes and requested the Secretary-General to conduct a strategic review of UNIFIL by February 2017. Negotiations on the resolution's text, drafted by France, were straightforward. A few Council members sought the addition of information on the scope and objectives of the strategic review, expressing concern that the review ought not to distract the mission from its tasks. However, the final text did not specify the scope of the review.

## Key Issues

The main 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.

The ongoing crisis in Syria, with Hezbollah's involvement on the side of the regime, remains a major concern for several reasons, including the flow of arms through Syria to Hezbollah. These circumstances have had a negative effect on Lebanon and continue to stall efforts to fully implement resolution 1559. Lebanon's burden in hosting more than one million refugees from Syria is also of deep concern.

Another issue is the continuing threat of a resumption of hostilities between Hezbollah and Israel.

Lebanon's inability to elect a president—which has paralysed the country's parliament, rendering it incapable of passing critical legislation and impairing Lebanon's ability to address its growing security, economic,

**UN DOCUMENTS ON LEBANON** Security Council Resolutions S/RES/2305 (30 August 2016) renewed UNIFIL's mandate for an additional year and requested the Secretary-General to conduct a strategic review of UNIFIL by February 2017. 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. Security Council Presidential Statement S/PRST/2016/10 (22 July 2016) stressed the importance of Lebanon's electing a president and a parliament by May 2017 in order to maintain stability. Secretary-General's Report S/2016/366 (22 April 2016) was on the implementation of resolution 1559. Security Council Letter S/2016/717 (16 August 2016) was from Israel, accusing Hezbollah of developing a terrorist infrastructure in the West Bank and Gaza.

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## Lebanon (1559) (con't)

social and humanitarian challenges—is of utmost concern.

### Options

Considering that the Council adopted a comprehensive presidential statement on 22 July 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 its 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. The Council has been united in repeatedly calling on all Lebanese parties to recommit to Lebanon's policy of dissociation and to cease any involvement in the Syrian crisis, while voicing concern about the vacancy in the presidency.

France is the penholder on Lebanon.

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## Western Sahara

### Expected Council Action

In October, the Council may receive the second of this year's semi-annual briefings on the situation in Western Sahara by Special Representative and head of the UN Mission for the Referendum in Western Sahara (MINURSO) Kim Bolduc and Personal Envoy Christopher Ross.

### Key Recent Developments

Reports began emerging on 11 August that Moroccan forces had repeatedly crossed the berm into the Polisario-held part of Western Sahara in the Al Guergerat zone near the Mauritanian border, in contravention of the ceasefire agreement. The Royal Moroccan Army initially told the UN that they were clearing the area of drug trafficking and smuggling, but MINURSO later observed the building of a road in the area. MINURSO had observed the presence of armed forces in the area, in breach of Military Agreement No. 1 of the ceasefire. The Secretariat has sent several notes to the Council, depicting a situation of increasing tensions and risk of confrontation. According to these notes, on 28 August the Polisario informed MINURSO that it would establish a checkpoint intended to stop Moroccan construction work, and the mission informed the Polisario that this too would constitute a violation of Military Agreement No. 1. The parties remain positioned 120 metres apart.

Bolduc has presented the parties with several proposals to resolve the crisis, including a freeze of engineering work and the complete withdrawal of all armed elements, or a continuation of the construction work by a third party or by MINURSO. However, the parties have failed to agree, as Morocco has

affirmed that it intends to proceed with the construction of the road, which would link the Moroccan position at the berm with the Mauritanian border, and Polisario officials continue to object to the building of the road.

In response, MINURSO has deployed 12 military observers stationed between the Moroccan and Polisario positions. DPKO has noted that these observers are conducting their tasks under hardship conditions, with no shelters or facilities available. Bolduc has consulted Moroccan civilian authorities concerning establishing a small shelter for the observers, and was told to refer the question to the Royal Moroccan Army, who had previously signalled their opposition to such a move.

On 9 September, the Polisario sent a letter to the Council highlighting that the construction of a road in the buffer zone had been previously attempted by Morocco in 2001 and 2002, as reflected in the reports of the Secretary-General in those years, but that such work had been suspended "at the request of MINURSO" on the basis that such activities could constitute a breach of the ceasefire. The letter expressed surprise that MINURSO would offer to complete construction of the road, stating that "the UN seems to have been advised to ignore its own decision on this issue".

### Key Issues

The immediate issue is that given the tense situation in Al Guergerat, some resumption of hostilities remains a real possibility.

The underlying issue is that the parties to the conflict remain deadlocked and the political process has stalled, since the parties' proposals for the basis of a political solution as outlined in 2007 are mutually exclusive.

A further issue is that the civilian component of MINURSO has not yet been fully reinstated, following Morocco's expulsion of over 70 staffers in March.

### Options

One option would be for the Council to merely receive the briefing and continue to monitor the situation.

Another option would be to issue a statement urging the parties to de-escalate and withdraw from the buffer zone.

A further option would be to take the opportunity to address the wider conflict and reiterate the call made in resolution 2285 for the parties to continue negotiations without preconditions with a view to achieving a political solution to provide for the self-determination of the people of Western Sahara.

### Council Dynamics

Deep divisions have rendered the Council largely impotent on Western Sahara through successive recent crises. Following Morocco's expulsion of MINURSO's civilian component in March due to a dispute with the Secretary-General, the Council remained mostly silent, due to the insistence of some members that support the Moroccan position concerning Western Sahara. These members, who include France, Senegal and Spain, continue to advocate minimal involvement of the Council concerning the current crisis. Other members, including Angola, New Zealand, Uruguay and Venezuela, have attempted to enhance the Council's role through requesting ad hoc briefings and proposing outcomes; however, they face strong opposition.

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**UN DOCUMENTS ON WESTERN SAHARA** Security Council Resolution S/RES/2285 (29 April 2016) extended the mandate of MINURSO for an additional year. **Secretary-General's Reports** S/2002/41, S/2001/613 and S/2001/398 (10 January 2002, 20 June 2001 and 24 April 2001) addressed Moroccan's attempts to construct a road in the buffer zone in 2001 and 2002.

## Notable Dates for October

REPORT DUE	REPORTS FOR CONSIDERATION IN OCTOBER	REQUESTING DOCUMENT
31 August	SG report on MINUSTAH (Haiti) S/2016/753	S/RES/2243
27 September	OPCW report on the implementation of resolution 2118 (Syria chemical weapons)	S/RES/2118
27 September	SG report on UNAMID (Darfur)	S/RES/2296
29 September	SG report on MINUSMA (Mali)	S/RES/2295
30 September	SG report on MONUSCO (DRC)	S/RES/2277
30 September	SG report on the Peace, Security and Cooperation Framework for the DRC	S/RES/2277
1 October	SG annual report on women, peace and security	S/RES/1325
1 October	SG report on MINUSCA	S/RES/2301
19 October	SG report on the humanitarian situation in Syria	S/RES/2139
20 October	SG report on the implementation of resolution 1559 (Lebanon)	S/RES/1559
21 October	Report of the UN-OPCW Joint Investigative Mechanism (Syria chemical weapons)	S/RES/2235 S/2016/806 S/2016/807
EXPIRY	MANDATE	RELEVANT DOCUMENT
9 October	Authorisation for the interdiction of vessels used for migrant smuggling or human trafficking on the high seas off the coast of Libya	S/RES/2240
15 October	MINUSTAH (Haiti)	S/RES/2243

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