

# Monthly Forecast

- 2 The Security Council in 2016
- 3 In Hindsight: Resolution on Israeli Settlements
- 4 Status Update since our January Forecast
- 6 Iraq
- 7 UNRCCA (Central Asia)
- 9 Sudan (Darfur)
- 10 Libya
- 11 Côte d'Ivoire
- 13 Central African Republic
- 14 Syria
- 16 Counter-Terrorism: Protection of Critical Infrastructure
- 17 Guinea-Bissau
- 18 Conflicts in Europe
- 19 Yemen
- 21 Kosovo
- 22 DPRK (North Korea)
- 24 Burundi
- 25 South Sudan
- 27 Lead Roles within the Council in 2017: Penholders and Chairs of Subsidiary Bodies
- 28 Notable Dates

## Insert

Security Council Statistics in 2016 and Chairs of Subsidiary Bodies and Penholders for 2017

**31 January 2017**  
This report is available online at [securitycouncilreport.org](http://securitycouncilreport.org).

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## Overview

During Ukraine's presidency in February there will be two open debates, one at ministerial-level on [conflicts in Europe](#) and another focused on [protection of critical infrastructure](#) against terrorist acts. Pavlo Klimkin, Ukraine's minister of foreign affairs, will chair both debates.

The Council will be following the situation in the [Central African Republic](#) (CAR) closely, with briefings and discussions on MINUSCA and the CAR Sanctions Committee planned. There will be discussion or mandate renewals on several other African situations this month:

- [Côte d'Ivoire](#), on the final report of UNOCI;
- [Guinea-Bissau](#), renewal of the mandate of UNIOGBIS;
- [Libya](#), on UNSMIL; and
- [Sudan](#), renewal of the mandate of the Panel of Experts of the 1591 Sudan Sanctions Committee.

The Council will also be monitoring closely developments in [Burundi](#) and [South Sudan](#), although no formal meetings are scheduled. Depending on developments, the situation in [The Gambia](#) may require the attention of the Council.

On [Syria](#), Council members will receive their regular monthly briefings on the political,

chemical and humanitarian tracks. They will be following closely the outcome of the Astana talks and the preparations for the UN-facilitated Geneva talks scheduled for 8 February. On chemical weapons, the Council is expecting a report from the Joint Investigative Mechanism (JIM). Other Middle East issues that will be considered include:

- [Iraq](#), an update on the activities of UNAMI and impact of the campaign to re-take Mosul from ISIL;
- [Israel/Palestine](#), the regular monthly meeting; and
- [Yemen](#), renewal of the mandate of the 2140 Sanctions Committee and its Panel of Experts.

The Council will have its quarterly meeting on UNMIK in [Kosovo](#), and another on the activities of the [1718 DPRK Sanctions Committee](#).

Other issues on the February programme of work include annual briefings on the activities of the [Organisation for Security and Cooperation in Europe](#) and on the [UN Regional Centre for Preventive Diplomacy for Central Asia](#).

There will also be a meeting on the implementation of the [1267/1989/2253 ISIL \(Da'esh\) and Al-Qaida Sanctions](#) regime.

## The Security Council in 2016

### Decisions and Meetings

In 2016, the Council had one of its busiest years in the post-Cold War period. Several situations—Burundi, South Sudan, Syria, Western Sahara and Yemen—required sustained attention. One new situation, Colombia, was added to the agenda. Terrorism continued to be a focus both in specific country situations, such as Mali and Yemen, and from the perspective of the financing of terrorism. Non-proliferation featured prominently, particularly in relation to the DPRK's activities, but also from the aspect of the dangers of non-state actors acquiring weapons of mass destruction.

The Council adopted 96 decisions (resolutions and presidential statements), the most since 2008. The number of resolutions (77) adopted was the highest since 1993. Presidential statements (19) were the fewest since 1990. Resolutions were largely related to mandate extensions and sanctions renewals, but occasionally were adopted on wider humanitarian concerns such as protection of healthcare in armed conflict or emerging issues such as human trafficking. Presidential statements were used mainly as a means for the Council to convey the importance of sustaining peace processes or conducting elections

## The Security Council in 2016 (con't)

in a credible manner, and were occasionally the outcome of a thematic debate. Press statements, which are not formal decisions of the Council but require Council consensus, fell from 128 in 2015, to 106 last year. Slightly more than half of these were on terrorist-related activities, attacks against civilians or attacks against UN personnel.

The Council held 256 meetings: 237 public and 19 private. This was the second highest number of formal meetings in over 20 years. Regarding informal meetings, there were 169 consultations, rising to almost the same number as in 2014, after a slight drop in 2015. The issues that were taken up most frequently in consultations were Syria (50 times), Sudan/South Sudan (31 times) and Western Sahara (18 times).

A closer look at meeting activity shows a steady rise in time spent and the number of briefers in open debates. In 2016, the Council spent 160 hours in 24 open debates with 1,334 briefers; in 2006, only 67 hours were spent in 13 open debates with 64 briefers. The longest session in 2016 lasted nine and a half hours and was on strengthening coordination in counter-terrorism, during China's presidency in April. The open debate on the Great Lakes region during Angola's presidency in March was the only conflict-specific situation discussed in this format. Thematic issues such as children and armed conflict; cooperation with regional organisations; counter-terrorism; non-proliferation; peace operations; protection of civilians and women; peace and security were the dominant issues in the open debates, along with the regular quarterly open debate on the Middle East. The only month with no open debate was September, when the New Zealand presidency chose the shorter briefing format to discuss the dangers to civil aviation posed by terrorism and attacks on medical facilities and personnel.

A special aspect of last year's activity was the time spent on the Secretary-General selection process. Although not reflected in the general statistics due to the informal nature of the meetings, Council members discussed this issue regularly during the monthly breakfast meeting of permanent representatives and under "any other business". They also held six straw polls and one formal meeting, as well as 13 informal meetings with candidates.

### Trends in 2016

#### *Unanimity Continues to Decline*

In 2016, Council members showed a greater tendency to put draft resolutions to a vote even when a unanimous adoption was not expected. There were ten non-consensual resolutions, two vetoes (both on Syria Aleppo-related resolutions) and two resolutions not adopted due to a lack of nine votes (South Sudan sanctions and Syria). The number of non-consensual resolutions was the greatest ever in the post-Cold War period. Nine Council members abstained at least once, on a range of resolutions covering the renewal of mission mandates in Liberia, South Sudan and Western Sahara; Israel/Palestine; establishment of a UN police component in Burundi; non-proliferation; international tribunals; sexual exploitation in UN peacekeeping; and human trafficking off the coast of Libya. Although there were abstentions by some members—Angola, China, Egypt, Russia and Venezuela—who had abstained regularly in 2015, there were also rare abstentions from France, the UK and the US. When France, Russia and the UK abstained on the resolution renewing UNMIL's mandate it was the first time since the vote on the Suez Canal crisis in 1956 that France and the UK did not vote in favour of a US-proposed resolution, and the first time since 1988 that the UK abstained on a resolution.

Members chose to vote against or abstain for substantive reasons as well as to express their disapproval with the negotiation process. Unhappiness with substantive revisions not being incorporated into the final draft and truncated negotiating time were among the reasons given for choosing to abstain. This was the case with the resolution on Western Sahara which was adopted with ten positive votes, two against (Uruguay and Venezuela) and three abstaining (Angola, New Zealand and Russia). It was the first time since 1991 that a resolution was adopted with two or more votes against it. Members also abstained because they felt that a resolution did not do justice to the complexity of an issue or that the Council was not the right venue for it. The former was among the reasons given when Venezuela abstained on a resolution on disrupting the illicit smuggling of migrants off the coast of Libya, and the latter when Egypt abstained on a resolution on sexual exploitation and abuse of UN

personnel. While non-consensual decisions may allow for stronger resolutions, it raises questions about potential problems in implementation, particularly if it relates to mission mandates. The Burundi resolution establishing a UN police component and the South Sudan resolution authorising a Regional Protection Force, which were both adopted with ten votes for and five abstentions, have seen little progress.

#### *A More Active E10*

Elected members working together found their voice in 2016 on issues both old and new. They took the initiative in drafting resolutions, and led on new issues. The E10 met regularly, partly prompted by a common desire to engage more effectively with the Secretary-General selection process, but also in recognition of the usefulness of banding together as elected members. In the process, they made inroads into the penholder system. The first cracks in the system came in 2013, when elected members took on the Syria humanitarian lead role. In 2016, elected members took on a wider humanitarian lead role. The resolution on attacks on healthcare, adopted in May, was orchestrated by Egypt, New Zealand and Spain (the 2016 Syria humanitarian leads), together with Japan and Uruguay, over a four-month period. The issue of Israel-Palestine saw a mix of penholders including France and Spain working together, New Zealand and Egypt each making separate attempts, and then a coalition of Malaysia, New Zealand, Senegal and Venezuela finally getting a resolution adopted. There was a nudge towards co-penholdership with the P5: France and Spain co-drafted the Syria resolution on Aleppo in October; and Senegal and the US worked together on a draft resolution on UN-AU cooperation. Venezuela broke new ground by having the E10 negotiate a presidential note on working methods of subsidiary bodies ahead of P5 involvement. By working together, small groups of elected members have been able to build alliances among themselves, while making a little progress towards re-establishing a more equitable distribution of responsibility in the Council.

#### *Increase in Council Visiting Missions*

In 2016, the Council undertook five visiting missions, the most since 2000. They were: Burundi, with a visit to the AU headquarters

## The Security Council in 2016 (con't)

in Addis Ababa, Ethiopia (January); Mali and Guinea-Bissau, with a visit to the UNOWAS office in Dakar, Senegal (March); Somalia, with stops in Nairobi, Kenya and Cairo, Egypt, to visit the Arab League (May); South Sudan, with a visit to the AU headquarters in Addis Ababa (September); and the Democratic Republic of the Congo, with a stop in Luan-da, Angola (November). These visits, which allowed the Council to engage directly with stakeholders in complex political situations,

as well as with regional actors, appear to have been used as a means of sending a message in threatening political situations. While difficult to assess their impact, it seems that when the Council is united in its messaging, it can have some positive effect on the parties in the conflict as well as on coordination with the regional actors. However, if the Council is obviously divided, or if Council members are unable to move around the country, these visits may have a limited impact. The

meetings with the AU, Arab League and UNOWAS were a significant aspect of the visits, allowing for an exchange of ideas on regional issues. While the increase in the use of visiting missions is generally viewed as a positive development, it has been suggested that better strategic planning beforehand and sustained follow-up after might enable these missions to be used more effectively as a tool for conflict prevention or mitigation.

### In Hindsight: Resolution on Israeli Settlements

The Council on 23 December 2016 issued a rare rebuke of Israel with the adoption of resolution 2334, which condemned Israeli settlements as having no legal validity and constituting a major obstacle to a two-state solution. The Council's consideration of the text on the issue, the first resolution adopted on Israel-Palestine in nearly eight years, elicited extreme pressure from the government of Israel and the incoming US administration on the Council member which had tabled the draft resolution, demonstrating how such pressure—external to the Council—can attempt to thwart Council initiatives even where consensus has been reached among its members. The story of resolution 2334, however, also demonstrates how elected members can play an instrumental role in galvanising the Council on even the most contentious issues.

Throughout much of 2016, the Palestinians had been working on a resolution that condemned Israeli settlements and conducting bilateral consultations with the members of the Council. It was expected that a text would be circulated following the 8 November 2016 US presidential election, when it was thought that the US might not use its veto. However, by early December, there were no indications that a vote was pending. Having been a strong proponent of Council action on the issue during its term on the Council, which was soon to end, New Zealand circulated its own text and called for two meetings for the Council to discuss its options in addressing the conflict. New Zealand had hoped to allow the Palestinians to proceed with their settlements text before

introducing their draft, which urged the resumption of negotiations and addressed incitement to violence, Israeli settlements and the situation in Gaza. However, with the year soon coming to an end and with Egypt (the Arab Group representative on the Council) not having introduced a text, New Zealand decided to convene Council members to discuss their options.

In the two meetings, on 13 and 20 December 2016, Council members discussed the New Zealand draft, along with other options. All members expressed concerns about the dwindling prospects for a two-state solution, and the majority felt the Council needed to act imminently. Most members believed that if the Council were to capitalise on a rare window of opportunity—before the inauguration of US President-elect Donald Trump, when the out-going administration of President Obama might refrain from using its veto—they needed to pursue a strong text, either outlining parameters for a peace agreement or condemning Israeli settlements as an obstacle to peace and a two-state solution. It appears the latter option was preferred by most members.

Following parallel consultations by the Arab League on the Palestinian text, Egypt, later joined by Malaysia, New Zealand, Senegal and Venezuela as cosponsors, unexpectedly put the Palestinian settlements text in blue on the evening of 21 December 2016 and called for a vote the following day. Israeli Prime Minister Benjamin Netanyahu took to Twitter to call on the Obama Administration to “veto the anti-Israel resolution” and Trump also via Twitter urged Obama to

veto the text, which he said “puts Israel in a very poor negotiating position”. Following a phone call between Trump and Egyptian President Abdel Fattah al-Sisi, Egypt requested the President of the Council and the Secretariat to cancel the vote the following morning, ostensibly to allow more time for consultations. It was unclear to Council members whether Egypt intended to reschedule the vote or if it would retract the text under rule 35 of the Council's provisional rules of procedure, which states that “a motion or draft resolution can at any time be withdrawn so long as no vote has been taken with respect to it”.

That afternoon, following informal discussions among the other co-sponsors, Malaysia informed Egypt that it would host the Palestinian delegation as well as New Zealand, Senegal and Venezuela to discuss how to proceed. At that meeting, it was agreed that it was crucial to proceed in a timely manner to maintain momentum and circumvent the application of pressure on Council members to obstruct the adoption. Palestine presented a new text, with the addition of some uncontroversial language that could be put in blue for a vote, though there were concerns about introducing new language after extensive bilateral consultations had taken place.

Following the meeting, Malaysia communicated to Egypt via email that if Egypt did not call for vote on the draft in blue by the following day, the co-sponsors intended to prepare a separate draft that would be submitted for the Council's immediate action. They requested a response by midnight that night (22 December) on whether Egypt

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## In Hindsight: Resolution on Israeli Settlements (con't)

would proceed to call for a vote on the draft in blue. In the event that Egypt decided that it could not proceed to call for vote on 23 December 2016, the delegations reserved the right to table a draft and to put it to vote as soon as possible. These members were aware that rule 35 also stipulates that if a “draft resolution has been seconded, the representative on the Security Council who has seconded it may require that it be put to the vote as his motion or draft resolution with the same right of precedence as if the original mover had not withdrawn it”—meaning that whether or not Egypt withdrew the text, the co-sponsors could initiate a vote on the exact same text.

The following morning, 23 December, Egypt proceeded to withdraw the text without consulting with the Arab Group. The co-sponsors met once again and, with the support of the other members of the Arab Group, agreed to table the exact text that had been withdrawn, with Egypt removed from the list of co-sponsors. (This was a marked departure from recent practice, whereby any

Palestinian-drafted text has been tabled by the Arab representative on the Council.) The text was put to a vote that afternoon, and was adopted with 14 votes in favour and a US abstention. US Ambassador Samantha Power, in her explanation of vote, stated it had been a long-standing position of successive US administrations that settlements undermined Israel’s security and eroded prospects for peace. She emphasised, however, that due to anti-Israel bias at the UN, and because the US did not agree with every word in the resolution, the US chose to abstain instead of vote for the resolution. She added that her delegation would not have let the resolution pass had it not addressed terrorism and incitement to violence.

The resolution, which was adopted under Chapter VI of the UN Charter and lacks an enforcement mechanism, is the first Council resolution focused on Israeli settlements since resolution 465 of 1980. One key aspect of the text is that, while it does not contain an explicit referral of the situation to the International Criminal Court (ICC), it is seen as

implicitly encouraging the ICC to proceed with a case, as it is currently undertaking a preliminary investigation into alleged war crimes committed during the 2014 Gaza conflict and Israel’s settlement activities. The Rome Statute defines as a war crime “the transfer, directly or indirectly, by the Occupying Power of parts of its own civilian population into the territory it occupies,” and resolution 2334 adopts the same language of *transfer*, condemning the “transfer of Israeli settlers...in violation of international humanitarian law”. The resolution is also seen as encouraging member states to refrain from conducting business with Israeli enterprises operating in the occupied territories, as it “calls upon all States...to distinguish, in their relevant dealings, between the territory of the State of Israel and the territories occupied since 1967”.

The resolution calls on the Secretary-General to report to the Council every three months on the implementation of the resolution.

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## Status Update since our January Forecast

### Counter-Terrorism

In a 1 January press statement, Council members condemned the attack that same day at a nightclub in Istanbul, Turkey during which at least 39 people were killed and 69 injured (SC/12665). In a 9 January statement, Council members condemned the attack in the northern Sinai city of Al-Arish, Egypt during which nine policemen were killed and over 13 injured (SC/12672). On 26 January, the 1373 Counter-Terrorism Committee held a meeting to discuss its 2017 programme of work.

### Democratic Republic of the Congo

On 4 January, the Council adopted a presidential statement welcoming the signing on 31 December 2016 of a comprehensive and inclusive political agreement on the electoral calendar in the DRC (S/PRST/2017/1). On 11 January, Under-Secretary-General for Peacekeeping Operations Hervé Ladsous, briefed the Council (S/PV.7858) on the latest MONUSCO report (S/2016/1130).

Monseigneur Marcel Utembi, President of the National Episcopal Conference of the Congo, also spoke. At press time, the 1533 DRC Sanctions Committee was scheduled to meet on 30 January to discuss the latest mid-term report by the Group of Experts assisting the Committee (S/2016/1102).

### Haiti

In a 4 January press statement, Council members welcomed the announcement of the final presidential results from the 20 November 2016 elections in Haiti (SC/12666). They urged all political actors to accept the results, refrain from violence and work together to build a stable and prosperous country.

### Israel/Palestine

On 8 January, Council members issued a press statement condemning in the strongest terms the terrorist attack in Jerusalem that day in which four Israelis were killed and 15 injured (SC/12670). On 17 January, the Council held its quarterly open debate on

the Middle East, with Special Coordinator Nickolay Mladenov briefing (S/PV.7863). At the request of Bolivia, Mladenov also briefed Council members under “any other business” on 25 January on Israeli settlements following Israel’s approval of 2,500 new housing units in the West Bank a day earlier.

### Working Group on Children and Armed Conflict

The Working Group on Children and Armed Conflict met on 9 January for the introduction of the Secretary-General’s report on children and armed conflict in Colombia (S/2016/837). This was followed by meetings on 16 and 24 January to discuss the Working Group’s draft conclusions to the report.

### Conflict Prevention

On 10 January, the Council held a ministerial-level open debate on conflict prevention and sustaining peace (S/PV.7857) chaired by Margot Wallström, Sweden’s minister of foreign affairs. Secretary-General António Guterres



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

addressed the Council for the first time, outlining his plans for reforms aimed at equipping the UN to do a better job at preventing conflict. Sweden, which produced a concept paper in preparation for the meeting (S/2017/6), has announced its intention to draft a summary highlighting key points made in the discussion. Ninety-one member states, the EU and the OAS participated in the debate.

### Colombia

On 11 January, there was a Council briefing by Special Representative of the Secretary-General and head of the UN Mission in Colombia Jean Arnault (S/PV.7859), followed by consultations. Arnault updated Council members on the implementation of the mission's mandate and the challenges highlighted in the Secretary-General's latest report (S/2016/1095).

### Afghanistan

On 11 January, Council members issued a press statement condemning terrorist attacks perpetrated by the Taliban in Kabul and Helmand the previous day, claiming the lives of over 133 people (SC/12676). The statement also condemned a 10 January terrorist attack in Kandahar.

### UNOWAS, including The Gambia

On 12 January, the Council received briefings from Assistant Secretary-General for Political Affairs Tayé-Brook Zerihoun and OCHA head Stephen O'Brien on the Lake Chad Basin crisis precipitated by the Boko Haram conflict (S/PV.7861). Fatima Yerima Askira of the Borno Women Development Initiative and Youth Programmes Coordinator at Search for Common Ground Nigeria also briefed via video teleconference from Maiduguri, Nigeria. A number of Council members expressed support for a proposed Council mission to the Lake Chad Basin region.

On 13 January, the Council was briefed (S/PV.7862) by the head of UNOWAS, Mohamed Ibn Chambas, on the Secretary-General's latest report on the region (S/2016/1072). The meeting was followed by consultations where issues discussed included the political crisis in The Gambia, the independent evaluation of the UN Integrated Strategy for the Sahel (UNISS) and Boko Haram. In subsequent elements to the press delivered by the Council president, Council

members reiterated the full content of the Council's 21 December 2016 presidential statement on The Gambia (S/PRST/2016/19).

On 19 January, the Council adopted a resolution on the presidential elections in The Gambia, endorsing the decisions of ECOWAS and the AU recognising Adama Barrow as the legitimate president of the country (S/RES/2337). On 20 January, the Council adopted a presidential statement on developments in the region (S/PRST/2017/2), welcoming among other things the conclusion of the independent evaluation on the UNISS (S/PRST/2017/2). Following the adoption, Under-Secretary-General for Political Affairs Jeffrey Feltman updated members on the quickly evolving situation in the Gambia under "any other business" during consultations. On 25 January, Council members received a follow-up briefing on The Gambia from Chambas via video teleconference, which included discussing the 21 January joint declaration issued by ECOWAS, the AU and the UN following former President Yahya Jammeh's agreement to transfer power to Barrow and to leave the country.

### Mali

On 18 January, Under-Secretary-General for Peacekeeping Operations Hervé Ladsous briefed the Council on the situation in Mali (S/PV.7864). Foreign Minister Abdoulaye Diop of Mali and Ambassador Sabri Boukadoum (Algeria) also spoke. During consultations following the meeting, Council members were briefed by Special Representative of the Secretary-General and head of MINUSMA, Mahamat Saleh Annadif, and discussed challenges to the implementation of the 2015 Agreement for Peace and Reconciliation outlined in the Secretary-General's 30 December 2016 report (S/2016/1137). In a subsequent press statement, they condemned the attack—claimed by terrorist group Al-Mourabitoun—against the camp of the Operational Coordination Mechanism in Gao which caused the deaths of dozens of persons (SC/12687). On 24 January, Council members issued a press statement condemning the attack against a MINUSMA camp in Aguelhoc that caused the death of a Chadian peacekeeper (SC/12692).

### Iran

On 18 January, the Council met to discuss implementation of resolution 2231, which

endorsed the JCPOA on Iran's nuclear programme (S/PV.7865). Under-Secretary-General for Political Affairs Jeffrey Feltman briefed on the Secretary-General's 30 December 2016 report on implementation which covered the six-month period since the Council's last meeting on Iran on 18 July 2016 (S/2016/1136). In addition, there were briefings by the head of the EU delegation, Ambassador João Pedro Vale de Almeida, on behalf of the EU's High Representative for Foreign Affairs and Security Policy Federica Mogherini in her capacity as coordinator of the JCPOA's Joint Commission, and Ambassador Sebastiano Cardi (Italy), who took over the role as 2231 facilitator from Ambassador Román Oyarzun (Spain) on 1 January. The Council received a written report from the Joint Commission on 27 December 2016 (S/2016/1113), and from the facilitator on 17 January (S/2017/49). In an 18 January letter, Iran asserted that the Secretary-General had misinterpreted his reporting mandate and should cover not only implementation of annex B of resolution 2231 but also annex A (S/2017/51). Iran also contended that the report contained unsubstantiated information and false allegations.

### Cyprus

On 20 January, the Council held a meeting with the troop- and police-contributors to UNFICYP. On 23 January, Special Representative Elizabeth Spehar and Special Adviser Espen Barth Eide briefed Council members in consultations. Spehar briefed on the latest UNFICYP report (S/2017/20) while Eide reported on the latest developments regarding the unification talks. On 26 January, the Council unanimously adopted resolution 2338, renewing UNFICYP's mandate for another six months.

### Somalia

On 27 January, Special Representative of the Secretary-General Michael Keating briefed the Council on the latest Secretary-General's report on Somalia (S/2017/21) and the activities of UNSOM, while AU's Special Representative to Somalia Francisco Madeira briefed on AMISOM. Asha Gelle Dirie, the Chair of Goodwill Ambassadors for the 30 percent reserved seats for women in the Somali elections, also addressed the Council

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

(S/PV.7873). On 20 January, the 751/1907 Somalia and Eritrea Sanctions Committee met with members of the newly appointed Monitoring Group assisting the Committee.

### Western Sahara

On 27 January, Under-Secretary-General for Peacekeeping Operations Herve Ladous briefed Council members during

consultations under “any other business” on MINURSO’s return to full functionality and the situation in Al-Guegarat, at Uruguay’s request.

## Iraq

### Expected Council Action

In February, Special Representative of the Secretary-General Ján Kubiš will brief the Council on the latest Secretary-General’s report on the activities of the UN Assistance Mission for Iraq (UNAMI). His briefing is likely to focus on the security and humanitarian impact of the government’s military campaign to retake Mosul from the Islamic State in Iraq and the Levant (ISIL).

UNAMI’s mandate expires on 31 July 2017.

### Key Recent Developments

On 17 October 2016, Iraqi government forces, supported by Kurdish troops and Sunni tribal fighters with the US-led coalition providing air support, launched the military operation to retake Mosul from ISIL. After the government forces liberated Ramadi and Fallujah in 2016, Mosul remains the last major stronghold of ISIL in Iraq. On 9 November 2016, Kubiš briefed the Council on the humanitarian consequences arising from the Mosul offensive. At that time, some 42,000 people had been displaced from Mosul, while the vast majority of its inhabitants, projected at over one million, faced dire humanitarian conditions.

In the initial phase of the Mosul offensive, Iraqi forces liberated one quarter of the city’s territory, but the operation stalled due to ISIL’s use of suicide bombings, sniper attacks and other guerrilla tactics. On 27 December 2016, a US-led anti-ISIL coalition airstrike destroyed the last remaining bridge over Tigris River that connected the east and the west sides of Mosul. In addition to limiting the movement of ISIL fighters between the two sides of the city, the destruction of the bridge also impaired movement of civilians. On 29 December 2016, the second phase of the offensive began to retake the eastern side

of Mosul. On 23 January, the Iraqi government announced that its forces were in full control of the eastern side of the city.

Meanwhile, while losing ground in Mosul, ISIL has increased terrorist attacks in other parts of Iraq. It claimed responsibility for a 31 December 2016 double bomb attack and a 2 January car bomb attack in predominantly Shi’a neighbourhoods of Baghdad.

According to OCHA, more than 160,000 people have been displaced from Mosul since 17 October 2016. Given the ongoing offensive and anticipated push by the Iraqi forces into the western side of Mosul, OCHA predicts a risk of further displacement, potentially an additional half million people. Close to 90 percent of internally displaced persons are sheltered in the emergency camps run by the Iraqi government and UN agencies. Council members have been updated on the humanitarian aspect of the Mosul offensive on two occasions. On 2 November 2016, Assistant Secretary-General for Human Rights Andrew Gilmour and the head of OCHA, Stephen O’Brien, briefed Council members in consultations under “any other business” on the human rights and humanitarian implications of the offensive to liberate Mosul. This meeting was initiated by Egypt and the US following a request by Iraq. In the second meeting held on 4 January, at the request of Russia, O’Brien briefed Council members again on the humanitarian situation in and around Mosul.

On 26 November 2016, the Iraqi parliament approved a law that integrated Shi’a-led militias, or the popular mobilisation forces (PMF), into the Iraqi armed forces. The law placed the PMF on payroll of the government and under the nominal command of the prime minister. Some Sunni politicians raised objections to the law on the grounds that it would contribute to deepening sectarianism

in the country and fragment the national military forces. The PMF forces, estimated at around 100,000, are involved in military operations in predominantly Sunni areas, including the Mosul offensive.

In December 2016, Ammar al-Hakim, the leader of the Iraqi National Alliance, the largest Shi’a block in the parliament, met with the members of the major Sunni bloc, the National Forces Alliance. Al-Hakim presented his national reconciliation plan which sought to ease the protracted sectarian and political divisions in the country. At press time, the details of the plan were not public and the leaders of both blocs seemed to be working on a compromise document. UNAMI has stressed that while this is solely an Iraqi initiative, UNAMI will assist the government in all national reconciliation efforts.

On 7 January, Turkish Prime Minister Binali Yildirim met with Iraqi Prime Minister Haider al-Abadi in Baghdad. Following the meeting, Abadi said a deal had been reached regarding the Turkish presence in Ba’shiqia region of Iraq. This, however, was not confirmed by Yildirim. The relationship between Ankara and Baghdad has been strained because of the continued presence of Turkish troops in northern Iraq. Despite Baghdad’s objections, Turkey maintains troops in the Bashiqa region near Mosul to counter the activities of ISIL and the Kurdistan Workers’ Party (PKK). Turkey also wishes to participate in the Mosul military offensive, which Baghdad opposes.

The indemnification period for the “oil-for-food” programme ended on 31 December as mandated by resolution 1958. On 30 December, prior to the expiry of this provision, the Council adopted resolution 2335 authorising the Secretary-General to continue to maintain the escrow account until 30 June 2017. The UN has yet to conclude an agreement with

**UN DOCUMENTS** Security Council Resolutions S/RES/2335 (30 December) authorised the Secretary-General to continue to maintain the escrow account authorised by resolution 1958 until 30 June 2017. S/RES/2299 (25 July 2016) renewed UNAMI. **Secretary-General’s Report S/2016/885** (21 October 2016) was the most recent UNAMI report. **Security Council Letter S/2016/870** (17 October 2016) was from Iraq objecting to the Turkish incursion into Iraqi territory. **Sanctions Committee Document S/2016/1087** (30 December 2016) was the annual report of the 1518 Iraq Sanctions Committee. **Security Council Meeting Record S/PV.7804** (9 November 2016) was Kubiš’s most recent briefing.

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## Iraq (con't)

Iraq to protect the UN from liability resulting from the oil-for-food programme.

### Human Rights-Related Developments

In an informal briefing to the Human Rights Council on 30 November, the Deputy High Commissioner for Human Rights, Kate Gilmore, condemned reported grave violations of human rights by ISIL in and around Mosul, including the use of human shields, abductions and the killing of suspected informants. Gilmore noted that progress by the Iraqi government towards ensuring justice for victims and survivors, respecting human rights and international law and supporting the restoration and reconstruction of communities was encouraging, but considerable challenges remained.

In a press statement issued on 21 January, UNAMI called on the Iraqi government to investigate reports of torture and murder of captured terrorist suspects in Mosul. The call for investigation came after video had been circulated on social media sites allegedly showing "the brutal mistreatment and murder of at least three captured ISIL members in a retaken area between Intisar and Karma neighbourhoods of east Mosul at the hands of what appears to be Iraqi Security Forces Personnel". At a press briefing on 24 January, Ravina Shamdasani, a spokeswoman for the Office of the High Commissioner for Human Rights, welcomed the announcement by the Iraqi government that it has ordered an investigation into the incident.

### Sanctions-Related Developments

On 16 and 28 December, the 1518 Iraq Sanctions Committee removed nine entities from the sanctions list as part of an initial push to wind down the Committee (SC/12635 and SC/12659). On 20 December 2016, the annual report of the 1518 Sanctions Committee noted that by the end of 2016, 173 entities and 86 individuals remained on the sanctions list. Over the course of 2016, 35 entities were removed from the list.

### Key Issues

In light of the ongoing military operation to retake Mosul, the most urgent issue for the Council is to address the effects of the campaign on the human rights, humanitarian and security situations in Iraq.

An ongoing issue is promoting national reconciliation and a genuinely inclusive government accountable to the Iraqi people.

A related issue is determining how the Council and UNAMI can encourage greater cooperation on financial, security and humanitarian issues between Abadi's dominant Shi'a Dawa party and Kurdish and Sunni parliamentarians, and thereby build confidence in the central government and fortify Iraq's response to ISIS.

### Options

Options seem limited since the security response to ISIL is happening outside the Council's purview. However, the Council could adopt a statement:

- calling on all parties to strictly adhere to international human rights and humanitarian law and take every step possible to protect civilians;
- calling on the government to ensure that screening of civilians fleeing conflict areas be done in strict accordance with international human rights and international humanitarian law, underscoring that such screening should not be conducted by paramilitary groups;
- calling on the government to work towards enhanced security and humanitarian coordination with Kurdish and Sunni leaders and for UNAMI to support the government in that effort; and

- calling on the government to cooperate with UNAMI in areas that may require enhanced mission activities, such as human rights, rule of law, security sector reform, stabilisation activities in areas liberated from ISIL and best practices for child protection and gender policies.

### Council Dynamics

Council members uniformly support UNAMI and believe that the mission's mandate is sufficiently broad and flexible to allow Kubiš to fulfil the mission's good offices role. However, the Council has been largely disengaged from grappling with the underlying political divisions among Iraq's Shi'a, Sunni and Kurdish populations, beyond calls for an inclusive government. The Council has been similarly disengaged from directly addressing the humanitarian crisis, in contrast to its engagement with the humanitarian crises in Syria and Yemen. In November, Egypt and the US initiated the meeting on the humanitarian situation in Iraq, while Russia requested the latest meeting on this issue in January. Despite this, there are no indications that Council members are willing to engage more substantively on this issue beyond requesting briefings.

The Council has shown little willingness to address Iraq's relationship with neighbouring Turkey, instead exhibiting preference for the two member states to resolve the issue bilaterally and to keep the disagreement out of the Council.

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

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## UNRCCA (Central Asia)

### Expected Council Action

In early February, the Special Representative and head of the UN Regional Centre for Preventive Diplomacy for Central Asia (UNRCCA), Petko Draganov, is due to brief Council members in consultations on the work of the centre. UNRCCA was established in 2007 for an open-ended time period.

### Key Recent Developments

Since his last biannual briefing to the Council on 15 June 2016, Draganov has continued to engage bilaterally with the countries in the region (Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan and Uzbekistan) and has also attended meetings of relevant regional organisations. From 22 to 24 June

he visited Tashkent, Uzbekistan, for a meeting of the Shanghai Cooperation Organization (SCO) as part of a UN delegation headed by Under-Secretary-General for Political Affairs Jeffrey Feltman. The UN delegation met with SCO Secretary-General Rashid Alimov and also held bilateral meetings with Uzbekistan and Turkmenistan. On 18 and

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**UN DOCUMENTS ON UNRCCA** Security Council Press Statements SC/12502 (1 September 2016) condemned the 30 August attack on the Chinese embassy in Kyrgyzstan. SC/11751 (23 January 2015) was the most recent press statement on UNRCCA. Security Council Meeting Records S/PV.7818 (22 November 2016) was the debate on water, peace and security. S/PV.7796 (28 October 2016) was the debate on regional cooperation with CSTO, SCO and CIS.



## UNRCCA (Central Asia) (con't)

19 October, Draganov attended a meeting in Tashkent of the Organization of Islamic Cooperation (OIC) on behalf of Secretary-General Ban Ki-moon.

On 29 and 30 August 2016, Draganov visited Almaty, Kazakhstan, to deliver a keynote presentation to a high-level international conference titled “Building a Nuclear-Free World”. He travelled to Moscow from 14 to 16 September for consultations in the Russian foreign ministry and with the secretariat of the Collective Security Treaty Organization (CSTO), addressing a session of the Permanent Council of the CSTO and taking part in a tripartite meeting of UNRCCA, CSTO and the Organisation for Security Cooperation in Europe (OSCE). On 8 and 9 December, Draganov headed the UN delegation to an OSCE ministerial meeting in Germany.

UNRCCA hosted a number of regional conferences and workshops on relevant topics. On 12 and 13 September 2016, it co-hosted a workshop in Almaty titled “Trans-boundary Water Resources in the Region of Central Asia: The State of Play”. On 21 and 22 September, UNRCCA and the UN Office on Drugs and Crime (UNODC) co-organised a high-level conference on “Identifying and Tackling Geo-Strategic Challenges to Promoting Development of the Licit Economy in Afghanistan in the Transformation Decade”. On 8 and 9 November, UNRCCA co-organised an international seminar titled “The Impact of Glaciers Melting on Water Resources in Central Asia in the Context of Climate Change” in Bishkek, Kyrgyzstan.

UNRCCA hosted a regular meeting of the mini-Dublin group, an informal coordination group of like-minded countries focused on the fight against illicit drugs, on 5 December 2016 in Ashgabat, Turkmenistan. From 12 to 14 December, UNRCCA organised a regional seminar in Almaty on the role of parliaments in preventive diplomacy in Central Asia, and from 14 to 16 December hosted a three-day training workshop in Ashgabat on how to effectively counter the financing of terrorism in collaboration with

the UN Counter-Terrorism Implementation Task Force/UN Counter-Terrorism Centre (UNCCT) Office and UNODC.

In other developments, the Chinese embassy in Bishkek was hit on 30 August 2016 by a suicide car bomb, which wounded at least three people. In a 1 September press statement, Council members condemned the attack as a terrorist act and called for a full investigation by the government to bring the perpetrators to justice.

The Council held two debates of particular relevance to UNRCCA’s work. On 28 October 2016, at the initiative of Russia, the Council for the first time held a debate on cooperation between the UN and CSTO, SCO and the Commonwealth of Independent States (CIS). The debate focused on the contributions of these organisations in countering threats to peace and security in Eurasia and Central Asia and the importance of enhanced cooperation with the UN, including UNRCCA. At the initiative of Senegal, the Council held its first open debate on the issue of water, peace and security on 22 November, with a briefing by the Secretary-General. In his statement, the Secretary-General highlighted the work of UNRCCA in this area.

### Key Issues

Key issues include the rising threat of terrorism and extremism in Central Asia, the regional impact of the situation in Afghanistan, drug-trafficking, trans-boundary water management and ongoing tensions linked to border-related disputes.

With regard to UNRCCA, a key issue is whether its role as a tool for preventive diplomacy and regional cooperation could be further enhanced and whether the Council could do more to support it.

### Options

One option for Council members is to issue a press statement, as they have done in the past, reaffirming the importance of conflict prevention, expressing support for UNRCCA’s

activities in the region and reiterating other key elements from previous statements.

Another option is to change the format of the briefing from a closed to an open meeting, perhaps followed by consultations, as is the case for the regular briefings by the UN Office for West Africa and the UN Regional Office for Central Africa.

### Council Dynamics

As a new non-permanent Council member with a direct interest in the work of UNRCCA, Kazakhstan is likely to be able to bring a new perspective to Council discussions, and can also be expected to promote greater attention in general to the security challenges in Central Asia, which are naturally among its key priorities while on the Council. It remains to be seen, however, whether Kazakhstan will be able to help bridge recent differences among Council members that have since January 2015 prevented agreement on an UNRCCA press statement. In the past, and since the establishment of UNRCCA in 2007, the briefings on its work were normally followed by a press statement commending the centre’s conflict prevention role. More recently, however, Council members have been unable to agree on a statement mainly because of differences over new language proposed by Russia, as the penholder, relating to UNRCCA’s cooperation with regional organisations.

Previous statements simply encouraged increased cooperation and coordination between the Central Asian countries, UNRCCA and “relevant regional organisations” to strengthen the region’s capacity to overcome challenges to peace, stability and sustainable development, but Russia sought to add specific references in this context to CIS, CSTO and SCO as well as the OSCE and the EU. This was unacceptable to the P3, however, and it seems a compromise was not possible. It has therefore been two years since the last Council press statement on UNRCCA (SC/11751), although Council members are generally supportive of the centre and agree that it plays a useful role.



# Sudan (Darfur)

## Expected Council Action

In February, the Council is expected to adopt a resolution renewing the mandate of the Panel of Experts of the 1591 Sudan Sanctions Committee, which expires on 12 March.

The mandate of the AU-UN Hybrid Operation in Darfur (UNAMID) expires on 30 June.

## Key Recent Developments

In 2016, the government of Sudan achieved significant military gains against the one major rebel movement still fighting in Darfur, the Sudan Liberation Movement/Army-Abdul Wahid (SLM/A-AW), in the Jebel Marra region. The other two Darfuri rebel groups, the Justice and Equality Movement (JEM) and the Sudan Liberation Army-Minni Minnawi (SLA/MM), are now mainly based in Libya and South Sudan, “engaging in mercenary activities and, allegedly, in criminal activities (such as looting, kidnapping for ransom and trafficking)”, according to the final report of the Sudan Sanctions Committee Panel of Experts (S/2017/22). Although the government’s military campaign has largely eliminated the presence of rebels in Darfur, criminality and inter-communal violence over control of land and resources remain significant problems.

The humanitarian situation is dire. In total, there are approximately 2.6 million internally displaced people in Darfur. In 2016, the fighting in the Jebel Marra, which included aerial bombardments by government forces, displaced 97,000 people; in addition to this figure, the Secretary-General noted in his recent UNAMID report that “up to an additional 88,000 reported [displaced] people have not been verified owing to a lack of access [for humanitarian actors] to the relevant locations.”

The political process remains stalemated. The SLA/MM continues to refuse to engage in talks with the government, and it does not accept the mediation role played by Thabo Mbeki, the chair of the AU High-Level Implementation Panel (AUHIP). Meanwhile, negotiations between the government and the SLA/MM and the JEM are at an impasse for a number of reasons, including that the rebels are unwilling to disclose the location of their remaining forces and that they want to open

up the Doha Document for Peace in Darfur to further negotiations, something that the government is not willing to do. On 19 October and on 31 December 2016, Ugandan President Yoweri Museveni met with SLA/MM and JEM leaders in Kampala as part of an informal mediation role that he has assumed since May 2016. It does not appear that these meetings moved the peace process forward.

On 12 January, Under-Secretary-General for Peacekeeping Operations Hervé Ladsous briefed the Council on UNAMID. Ladsous said that continued delays in customs clearances for contingency-owned equipment and delays in issuing visas (as well as denials of visa requests) for UNAMID’s human rights section continued to be problems for the mission. He added that while the joint working group on an exit strategy for UNAMID—consisting of representatives of Sudan, the AU and the UN—convened in October and November in Khartoum, they were unable “to reach a consensus on specific modalities for the reconfiguration of the mission”.

Council members engaged with Mbeki, who briefed via video teleconference, during an informal interactive dialogue following Ladsous’s briefing. Mbeki spoke about the political process in Darfur, which has been unsuccessful in ending a conflict now in its 14th year. He noted that the rebel groups continued to have objections to the Doha document. As noted in the Secretary-General’s most recent report on UNAMID, implementation of several of the provisions of the document—including those related to compensation, arms control and justice and reconciliation, among others—has not occurred. In press elements read out by Ambassador Olof Skoog (Sweden), the Council President in January, members underlined their support for Mbeki’s mediation efforts.

On 20 January, Ambassador Volodymyr Yelchenko (Ukraine), the chair of the 1591 Sudan Sanctions Committee, provided the quarterly briefing on the Committee’s work, focusing on the Panel of Experts’ final report. The report noted that the “United Nations and its partners continue to face access restrictions in providing humanitarian assistance in different regions of Darfur, in particular in the areas of Jebel Marra affected by the 2016 crisis.”

## Key Issues

The underlying issue is the continuing lack of progress on the political front, while the humanitarian and security environment in Darfur remains unstable.

Another important issue is the need for the members of the Panel of Experts to be provided visas to Sudan to conduct their work. The previous Panel, which was only appointed in October 2016, produced its final report without visiting Sudan because its members had not been granted visas.

A further issue for the Council is whether to renew the mandate of the Panel for the standard 12 months or for 18 months, as recommended in the Panel’s final report.

## Options

While the Panel of Experts has traditionally had a one-year mandate, the Council could consider lengthening it to 18 months. This would enable the Panel to conduct a thorough analysis of the situation in Darfur, given that the 2016 Panel of Experts only had three months to produce its final report because of its late appointment. In its 2016 final report, the Panel noted that “for it to carry out its mandate more effectively, the Panel requires a sufficiently extensive amount of time in the field, particularly in the Sudan and in neighbouring States. Given the time required to secure visas, plan and arrange travel and schedule and coordinate appointments with the relevant authorities...the Panel would benefit from a lengthier mandate”.

Another option is for the Council president to meet with the Sudanese Ambassador and emphasise on behalf of the Council the necessity for the government to provide visas and travel permits to Panel members in a timely fashion and to fully cooperate with them.

## Council Dynamics

Some members, such as China and Russia, believe that the conflict has largely ended in Darfur and that the time has come to move forward with an exit strategy for the mission. Others, however, have been highly critical of the government and maintain a less optimistic view of the situation, pointing to human rights violations and the ongoing humanitarian crisis in Darfur. The US has traditionally

**UN DOCUMENTS ON DARFUR** [Security Council Resolution S/RES/2265](#) (10 February 2016) renewed the mandate of the Sudan Sanctions Committee’s Panel of Experts until 12 March 2017. [Security Council Meeting Record S/PV.7860](#) (12 January 2017) was a UNAMID briefing. [Sanctions Committee Documents S/2017/22](#) (9 January 2017) was the Sudan Sanctions Committee final report.

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## Sudan (Darfur) (con't)

been among this latter group. However, it announced on 13 January that it would lift bilateral sanctions against Sudan in 180 days, citing as positive developments Sudan's cooperation on counter-terrorism issues and efforts to improve humanitarian access, among other steps.

There are differences on whether to extend the mandate of the Panel of Experts for 18 months, rather than 12 months. Given bureaucratic obstacles imposed on past panels in Sudan, some members are inclined to support the longer mandate. Several members, however, maintain that such an

approach would be punitive, given their perception that the government is making an effort to bring peace to Darfur.

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

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## Libya

### Expected Council Action

In February, the Council is expected to receive a briefing from the Special Representative of the Secretary-General and head of the UN Support Mission in Libya (UNSMIL), Martin Kobler.

The mandates of the Panel of Experts of the 1970 Sanctions Committee and UNSMIL expire on 31 July and 15 September, respectively.

### Key Recent Developments

On 13 December 2016, the Council unanimously adopted resolution 2323, renewing UNSMIL's mandate to focus particularly on mediation and good offices efforts to support the implementation of the Libyan Political Agreement (LPA), the consolidation of the governance, security and economic arrangements of the Government of National Accord (GNA) and subsequent phases of the Libyan transition process. The resolution encourages UNSMIL to continue to prioritise its tasks and mediation efforts in full consultation with the Presidency Council and other Libyan institutions and in response to the needs and the evolving situation in the country. Council members diverged over whether to extend the mission for six months in order to closely monitor the situation in Libya and allow for possible changes to the mandate if needed or for a longer one-year period as recommended by the Secretary-General. Some Council members felt that a longer mandate would provide more stability for the mission and shortening UNSMIL's extension would cast a negative light on developments in Libya. As a compromise, the mission was extended for nine months, but the resolution specifies that the Council stands ready to review

the mandate of the mission if needed after a strategic assessment review is conducted in early 2017.

During consultations with Kobler on 6 December 2016, some Council members raised concerns at what they perceived as too positive a portrayal of the situation in Libya and stressed the lack of progress on the political front one year after the signing of the LPA. As a result, a press statement issued after the meeting included language expressing the Council's deep concern over the challenging political context and serious political polarisation in Libya.

The LPA has failed to broaden its basis of support. International backing for the Presidency Council of the GNA has so far not translated into an increased capacity to deliver on the ground. The nine-member Presidency Council's work continues to be hindered by the boycott of two of its members and the lack of endorsement by the House of Representatives, its failure to provide basic services to the population and its excessive reliance on militias. On 2 January, one of the Presidency Council's deputy prime ministers, Musa al-Koni, resigned over the Council's failure to deliver.

Military success against the Islamic State in Iraq and the Levant (ISIL) and its affiliates (namely the takeover of Sirte in early December and the military offensive in Benghazi) has been followed by increased tension and clashes among competing armed groups, such as the Libyan National Army (LNA) led by Khalifa Haftar and Misrata-based militias, nominally allied with the Presidency Council. Haftar has made moves westward in Al-Jufra and Sabha. In an early December offensive against the LNA in the Oil Crescent

region, several militias attempted to take over oil facilities that have been under the control of the LNA and managed by the National Oil Corporation since September 2016. (Reportedly the GNA's Defence Minister-designate al-Mahdi al-Barghathi was in support of the operation, which was later condemned by the Presidency Council.) On 11 January, Haftar visited the Admiral Kuznetsov, a Russian aircraft carrier that had recently been stationed off Syria. Aboard the ship, Haftar, who had previously asked Russia to support lifting the arms embargo for the LNA, spoke via video link with Defence Minister Sergei Shoigu. On 12 January, Khalifa Ghwell, who became the self-appointed prime minister of a so-called national salvation government in 2015, seized several ministries in Tripoli in an attempted coup.

Following two postponements, members of the Libyan Political Dialogue met on 22 January in Tunisia; no representatives from eastern Libya attended. At the meeting, which was not attended by UNSMIL representatives, members discussed a proposal to reduce the number of members of the Presidency Council from nine to three, separate the role of prime minister from the head of the Presidency Council and amend article 8 of the LPA regarding the authority of the supreme commander of the armed forces.

On 21 January, representatives of Libya's neighbours—Egypt, Sudan, Algeria, Chad, Niger and Tunisia—met in Cairo with Kobler and representatives of the AU and the League of Arab States. In a joint statement, they stressed the need for a comprehensive political dialogue between all Libyan parties as the only way out of the crisis, rejecting a military solution to the conflict. In a press

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**UN DOCUMENTS ON LIBYA** [Security Council Resolution S/RES/2323](#) (13 December 2016) extended UNSMIL's mandate until 15 September. [Security Council Meeting Record S/PV.7827](#) (6 December 2016) was the last briefing on Libya. [Security Council Press Statement SC/12613](#) (7 December 2016) expressed deep concern over the challenging political and security context in Libya and the serious political polarisation.

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## Libya (con't)

conference following the meeting, Egyptian Foreign Minister Sameh Shokry expressed his intention to convene direct talks between the leaders of the Presidency Council, the House of Representatives and Haftar.

### Human Rights-Related Developments

On 13 December 2016, a joint report released by UNSMIL and the Office of the High Commissioner for Human Rights on human rights abuses against migrants in Libya concluded that the situation constituted a “human rights crisis”, with migrants subjected to arbitrary detention, torture, other ill-treatment, unlawful killings and sexual exploitation. The report recommended a number of measures for Libya, including releasing the most vulnerable migrants as a step towards urgently ending all arbitrary detentions, decriminalising irregular migration and adopting an asylum law, while also recommending that countries of destination beyond Libya expand safe and regular entry channels for refugees and other migrants and continue search-and-rescue operations at sea. In a statement accompanying the report, Kobler said that Libya must acknowledge the abuse of migrants but that the responsibility for addressing migration was broader and included countries of origin and destination.

### Key Issues

The overarching issue is to ensure that the parties agree on a consensual solution for the political deadlock that addresses the issues

raised by those refusing to support the LPA.

Pressing external actors involved in Libya to exercise leverage to encourage engagement in the political process and to ensure the coherence of mediation efforts is a related issue.

The potential for ISIL to disperse and increase its regional reach as a result of ongoing offensives against its strongholds in Libya is an urgent issue.

### Options

Options for the Council include holding an unscripted and frank discussion to re-assess and seek agreement on a political strategy for Libya.

As soon as the strategic assessment review of the UN presence in Libya is completed, the Council could adopt a resolution prioritising a limited set of tasks that UNSMIL can realistically achieve in order to align the mission’s mandate with the political, security and operational realities on the ground.

Council members could also organise a visit to Libya and the region to hold discussions with the parties, including spoilers, and regional stakeholders to help overcome the political deadlock.

### Council Dynamics

Council members generally support UNSMIL’s mediation efforts but have arguably failed to set a clear direction to reach and support a political settlement. Some Council members have emphasised the importance of a formal endorsement of the GNA by the House of Representatives and have engaged with parallel institutions, including providing various degrees of support to Haftar’s forces, while others have been interacting bilaterally with the Presidency Council of the GNA as the legitimate government of Libya. One of the suggestions in the Secretary-General’s report was a review of the international community’s approach to the Libyan democratic transition process, should efforts to adopt a new constitution and establish democratically elected institutions within a reasonable timeframe fail. Despite the opportunity provided by the December 2016 renewal of UNSMIL’s mandate, this strategic discussion has yet to happen in the Council, which currently includes key actors on Libya such as Egypt and Italy, in addition to the permanent members.

The UK is the penholder on Libya and Ambassador Olof Skoog (Sweden) chairs the 1970 Libya Sanctions Committee.

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## Côte d’Ivoire

### Expected Council Action

In February, the Council is expected to receive a briefing from the Special Representative of the Secretary-General and head of the UN Operation in Côte d’Ivoire (UNOCI), Aïchatou Mindaoudou, on the latest and final report on UNOCI and recent developments.

The mandate of UNOCI expires on 30 June 2017, after which the mission is expected to be terminated.

### Key Recent Developments

At its last meeting on Côte d’Ivoire on 28 April 2016, the Council unanimously adopted resolutions 2283 and 2284. The former terminated the sanctions regime, while the

latter extended the mandate of the UN mission for a final period until 30 June. In line with resolution 2284, the military component of the mission will be withdrawn by 30 April while French forces will provide support for the mission until the end of its mandate on 30 June. Thereafter, the UN will continue its presence through its country team.

Following his re-election to the presidency in 2015, Alassane Ouattara vowed to initiate the process of reforming the constitution. Ouattara sought to modify the eligibility criteria for prospective presidential candidates. Under the constitution, both parents of a candidate had to have been born Ivorian citizens for the candidate to qualify for office. This

issue has been at the core of the Ivorian crisis because of the substantial immigrant population in the north of the country. Ouattara was barred from running for the presidency in 2000 because of claims that his father was of Burkinabe origin. The ensuing civil war divided the country between the rebel-held north, which supported Ouattara, and the government-controlled south. During the 2010 elections and the crisis that followed, Ouattara’s opponents again claimed he was ineligible to run for office due to his alleged foreign origin.

On 11 October 2016, the parliament approved the new constitution that Ouattara had submitted earlier in the month. The new

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**UN DOCUMENTS ON CÔTE D’IVOIRE** Security Council Resolutions S/RES/2284 (28 April 2016) extended the mandate of UNOCI for a final period until 30 June 2017, after which the mission will be terminated. S/RES/2283 (28 April 2016) terminated the sanctions regime in Côte d’Ivoire. **Secretary-General’s Report S/2016/297** (31 March 2016) was on the strategic review of UNOCI, containing recommendations on the future of the mission. **Security Council Meeting Record S/PV.7681** (28 April 2016) was the vote on resolutions 2284 and 2283. **Security Council Press Statement SC/12279** (14 March 2016) was on the terrorist attack in Grand Bassam.



## Côte d'Ivoire (con't)

constitution sought to modify the eligibility criteria for presidential contenders by requiring that, in addition to being exclusively Ivorian, at least one of the candidate's parents must be an Ivorian citizen by birth. Other changes included the creation of the post of vice president, who would be appointed by the president, and a senate. Some in the opposition claimed that Ouattara would use the vice presidency to establish a favourable successor to himself. Ouattara argued that the post of vice president would ensure continuity in case the president was unable to exercise his duties.

In a referendum held on 30 October 2016, Ivorians approved the new constitution, with more than 90 percent voting in favour. The turnout, which was about 40 percent, was lower than expected. The media reported sporadic violence at about 100 polling stations where opponents of the amendments tried to destroy ballot boxes and disrupt the vote. Some members of civil society and the political opposition had called for a boycott, arguing that drafting process was not inclusive and that voters were not properly informed about all the proposed changes. Nevertheless, Ouattara formally signed the new constitution into law on 8 November.

On 18 December 2016, the coalition of political parties led by Ouattara won an overwhelming majority in parliamentary elections, allowing him to form a new government. Prime Minister Daniel Kablan Duncan dissolved the government on 10 January. The same day, Ouattara appointed Duncan to the new post of vice president. Guillaume Soro, a former leader of the rebel group Forces Nouvelles, was re-elected president of the National Assembly, a post he has held since 2012.

Concerns about the security situation emerged on 6 January when some elements of the army, demanding better pay and working conditions, mutinied against the government. Dissatisfied soldiers, predominantly former rebels integrated into the national army, took control of the second-largest city, Bouaké. Despite the mutiny, the situation was relatively calm, and no violence was reported. On 7 January, Defence Minister Alain-Richard Donwahi travelled to Bouaké to negotiate with the soldiers. Later that day, Ouattara announced that a deal had been reached with the rebellious soldiers to end a stand-off. While he acknowledged the soldiers'

grievances, Ouattara condemned the methods they had used to raise the issue with the government, which he said only damaged the image of the country following recent significant economic development. After the mutiny, Ouattara dismissed the heads of the army, police and gendarmerie.

On 13 January, a government delegation led by Donwahi held further negotiations with the soldiers in Bouaké. There were reports of gunfire in Bouaké and at other military installations throughout the country. The same day, both sides announced that an agreement had been reached though no details were made public. On 17 January, the government announced that it had started transferring funds to mutinous soldiers. Protests by soldiers erupted in several other cities that day, including in the capital, Yamoussoukro, where at least two soldiers were reportedly killed during the unrest. According to media reports, soldiers in other parts of the country wanted to receive the same compensation as the soldiers in Bouaké who initiated the revolt.

### Human Rights-Related Developments

The Human Rights Council (HRC) considered the report of the independent expert on capacity-building and technical cooperation with Côte d'Ivoire in the field of human rights, Mohammed Ayat, during its 32nd session in June 2016 (A/HRC/32/52). The report, covering the period from 12 November 2015 to 31 May 2016, welcomed the progress that Côte d'Ivoire had made but also cautioned that challenges remained in terms of ensuring reconciliation and justice and the consolidation of democracy and human rights.

On 1 July 2016, the HRC adopted a resolution renewing the mandate of the independent expert for a final period until 30 June 2017. The resolution requested the independent expert to present his final recommendations to the HRC at its 35th session.

On 11 July 2016, a joint report by UNOCI and the Office of the UN High Commissioner for Human Rights on rape crimes and their prosecution in Côte d'Ivoire, covering the period from 1 January 2012 to 31 December 2015, concluded that rape crimes and impunity remain a problem and recommended a number of measures, including accelerating the implementation of the national strategy against gender-based violence and revising the criminal code to include a definition of rape and other forms of sexual violence.

In a statement on 20 January following his 10-17 January visit to Côte d'Ivoire, Ayat praised the successful organisation of the 2015 and 2016 elections and expressed satisfaction at the publication of the final report of the Truth and

Reconciliation Dialogue Committee in November 2016, calling for its recommendations to be studied closely. Ayat further said that the government must continue to reform the security sector and strengthen institutions to preserve its achievements, noting his concern at military and police mutinies, violent incidents in Abidjan and civil servants' strikes. He urged the government to adjust the handover plan with UNOCI and the UN country team to ensure necessary support for the promotion of human rights.

### Key Issues

The most prominent issue for the Council is the ongoing drawdown of the UN mission and its imminent termination at the end June.

In light of the recent mutinies by soldiers throughout Côte d'Ivoire, an increasingly important issue for the Council will be monitoring closely the ability of the government to maintain security and political stability in the country.

The mutiny exposed several potential risk factors that the Council will follow closely. These are mainly the lack of cohesion in the military and inadequate control and command.

### Options

Considering the ongoing drawdown of the mission and the prevailing view among members that the country is relatively stable, the most likely option is for the Council to receive the briefing and take no action.

However, should the mutiny continue and threaten stability and security in the country, the Council could adopt a statement urging the relevant actors to defuse the tensions and resolve the issues through dialogue.

In the extreme case of an escalation of violence, the Council could consider delaying the termination of the UN mission and using the remaining UN troops or even authorising reinforcements to assist in restoring order.

### Council Dynamics

Council members have maintained a common position on Côte d'Ivoire during the past several years. France, the former colonial power and penholder, has been the most prominent advocate for the UN to disengage from the country. In April 2016, France led the proposals in the Council to terminate the sanctions regime (resolution 2283) and extend for one last time the mandate of the UN mission (resolution



## Côte d'Ivoire (con't)

2284). In overwhelmingly supporting these actions, Council members indicated that Côte d'Ivoire has become a well-functioning

country with a vibrant economy and security forces that are capable of maintaining security in the country. However, some members

might question the assertions of stability in the country following the recent mutiny and could raise this during the meeting.

## Central African Republic

### Expected Council Action

In February, the Special Representative of the Secretary-General and head of the UN Multidimensional Integrated Stabilization Mission in the Central African Republic (MINUSCA), Parfait Onanga-Anyanga, will brief the Council on the latest MINUSCA report.

The Chair of the Central African Republic (CAR) Sanctions Committee, Volodymyr Yelchenko (Ukraine), will also brief the Council.

The mandate of MINUSCA expires on 15 November 2017.

### Key Recent Developments

The security situation in the CAR has continued to be precarious. The government of President Faustin Archange Touadera has limited control outside the capital, Bangui, and efforts to convince various armed groups to disarm have not gained traction, with factions of the Muslim-dominated ex-Séléka and Christian anti-Balaka rebel groups declining to give up their hold on large areas. The presence of MINUSCA has not been able to eliminate the threat of armed groups in huge swathes of the country.

Violence among ex-Séléka factions and between anti-Balaka, ex-Séléka and other rebel groups has become widespread and more frequent throughout the country, since September 2016. In one October incident, in Kaga-Bandoro, ex-Séléka fighters killed at least 37 civilians, wounded a further 60 and forced more than 20,000 people to flee their homes.

In another example of the upsurge in violence, it was reported on 22 December 2016

that a group called the Return, Reclamation, Rehabilitation group (3R) had taken control of an area in the Ouham Pende region, near the Cameroonian border, and displaced at least 17,000 people. The 3R group was formed in late 2015 ostensibly to protect the minority Puhel population from attacks by anti-Balaka militias. They are also reported to have killed at least 50 people and displaced another 17,000 between November 21 and 27.

MINUSCA too has come under attack. Unknown attackers killed two Moroccan peacekeepers and wounded two others when their convoy was attacked on 4 January about 60 kilometres west of the town of Obo in the south-eastern part of the country. The following day, a Bangladeshi peacekeeper on patrol near Bocaranga in the southwest was killed by an unknown assailant. The Council condemned both attacks in separate press statements.

### Sanctions-Related Developments

In February, Yelchenko is expected to brief the Council and present the final report of the Panel of Experts under the previous mandate, discussed in the Committee in December 2016. In addition to documenting the actions of rebel groups, the report notes that targeted sanctions against individuals and entities listed by the Committee, while having an important signalling effect, have been poorly implemented. The Panel also highlighted the continued prevalence of arms smuggling, focusing on two arms-trafficking routes through the Democratic Republic of the Congo in the southeast and on the Chadian border in the north.

On 27 January, the Council adopted resolution 2339, renewing the CAR sanctions regime until 31 January 2018 and the mandate of the Panel of Experts until 28 February 2018. The

measures include a comprehensive arms embargo, with government security forces required to seek exemptions from the Committee in advance of arms purchases. The measures also include a travel ban and assets freeze on individuals designated by the Committee as responsible for undermining peace and stability in the CAR, human rights and international humanitarian law violations and supporting armed groups or criminal networks through the illicit exploitation or trade of natural resources. The resolution also requests the Secretariat to provide information on the establishment of an arms embargo working group within MINUSCA and, at the same time, develop, by 30 May 2017, "options for the elaboration of benchmarks" to assess and re-evaluate the arms embargo, considering also developments in security sector reform, in consultation with the CAR government.

### Human Rights-Related Developments

On 5 December, the Office of Internal Oversight Services announced in a statement that it had concluded its investigation into allegations of sexual exploitation and abuse by Burundian and Gabonese contingents in the CAR. The report, which has been shared with both member states which have responsibility for further investigation, identified 41 alleged perpetrators (16 from Gabon and 25 from Burundi).

The third joint report by MINUSCA and the Office of the UN High Commissioner for Human Rights released in December, covering the period from 1 June 2015 to 31 March 2016, concluded that human rights violations and abuses, including arbitrary killings, sexual violence and the arbitrary deprivation of liberty, have increased by 70 per cent since the period covered by the first report, September 2014 to 31 May 2015.

The independent expert on the situation of human rights in the CAR, Marie-Thérèse Keita Bocoum, visited the country from 25 January to 3 February in order to assess the implementation of the recommendations contained in her previous report to the Human Rights Council (HRC) at its

**UN DOCUMENTS ON THE CAR Security Council Resolutions** S/RES/2339 (27 January 2017) renewed the CAR sanctions regime until 31 January 2018 and the mandate of the Panel of Experts until 28 February 2018. **S/RES/2301** (26 July 2016) renewed the mandate of MINUSCA until 15 November 2017. **Security Council Presidential Statement S/PRST/2016/17** (16 November 2016) encouraged contributions at the international donors' conference in Brussels on 17 November to support stabilisation and development in the CAR and also condemned attacks against MINUSCA-escorted convoys and attacks against civilians. **Secretary-General's Report S/2016/824** (29 September 2016) was on MINUSCA. **Security Council Meeting Record S/PV.7787** (10 October 2016) was a briefing on the situation in the CAR. **Security Council Press Statements SC/12669** (6 January 2017) condemned an attack by unknown assailants that resulted in the death of a Bangladeshi peacekeeper in the CAR. **SC/12668** (4 January 2017) condemned an attack on a UN convoy in the CAR that resulted in the death of two Moroccan peacekeepers. **Sanctions Committee Documents SC/12619** (12 December 2016) was a CAR Sanctions Committee press release on the Committee meeting during which they received the Panel of Experts' final report. **S/2016/1032** (5 December 2016) was the final 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 December 2016 12,135 troops (including 398 military observers and 1,705 police), 518 international civilian personnel, 242 local civilian staff and 203 UN volunteers. **Approved budget** (1 July 2016–30 June 2017): \$920 million **Mission duration** April 2014 to present

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## Central African Republic (con't)

33rd session (A/HRC/33/63). Bocoum will present her findings to the HRC in March.

### Key Issues

The main priority for the Council is finding ways to assist the CAR in establishing security and state authority throughout the country and rebuilding basic infrastructure and institutions.

As a key part of establishing state authority, an urgent issue is permanently disarming and reintegrating the anti-Balaka and ex-Séléka fighters into the CAR security forces.

### Options

The Council could:

- call on MINUSCA contingents to adopt a proactive approach in carrying out their immediate priority tasks by expanding areas under their control, and on 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 sanction additional individuals and entities.

### Council and Wider Dynamics

There was some optimism in the Council that the end of the transition period and the installation of the newly elected government in April 2016 would provide momentum to address some of the fundamental issues facing the country. However, it is now clear to Council members 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, significant progress will be impossible to achieve. In this context, several Council members are concerned with the inability of MINUSCA to establish control over widespread areas, which, accompanied with lack of state authority, results in an unsustainable situation. At the same time, some Council members note that the overall number of casualties has diminished compared to the height of the conflict in 2013.

CAR is not a top priority issue for the Council, but while some Council members are concerned over financial implications, there seems to be a consensus that achieving security and stabilising the CAR will necessitate a long-term engagement from the Council and MINUSCA.

France is the penholder on the CAR, and Ukraine is the chair of the 2127 Sanctions Committee.

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## Syria

### Expected Council Action

In February, Council members expect to receive the regular monthly briefings on the humanitarian and political situations in Syria. Council members will be following closely the intra-Syrian talks in Geneva, scheduled to be held in February.

On chemical weapons, Council members will consider the next report of the OPCW-UN Joint Investigative Mechanism (JIM), which is due in mid-February. At press time, it was unclear if a draft resolution, circulated by France and the UK, to impose sanctions on the Syrian government for the use of chemical weapons against its own population, would be put to a vote. Similarly, it was unclear what the next steps might be regarding a Russian draft resolution that focuses on chemical weapons use in Syria by non-state actors and terrorists.

### Key Recent Developments

Following the December fall of eastern

Aleppo to government forces, the Council adopted resolution 2336 on 31 December 2016 welcoming Russia and Turkey's efforts to end violence in Syria and jumpstart a political process. Resolution 2336 also included the Council's view that the 23-24 January Astana talks between the Syrian government and representatives of armed opposition groups should be considered a step toward the resumption of intra-Syrian talks under UN auspices in February. On 29 December 2016, Russia and Turkey had circulated several documents summarising their agreement on the ceasefire, including a monitoring mechanism for violations. Both in the negotiations and in explaining their votes on the resolution, several Council members raised concerns regarding the terms of the ceasefire, the lack of clarity on the monitoring mechanism and the risk of having a parallel political process if there was not adequate coordination with the UN's mediation efforts.

On 20 January, Council members were

briefed by Under-Secretary-General for Political Affairs Jeffrey Feltman on the preparation for the Astana talks. Ahead of the meeting, it was apparent that the government and opposition had differing objectives for the talks. The opposition's platform was to consolidate the ceasefire, get humanitarian aid flowing to besieged areas and seek the release of detainees from government prisons. The government viewed the talks as an opportunity to consolidate the ceasefire by seeking the separation of rebel groups from cooperation with Al-Qaida affiliate Jabhat Fateh al-Sham, formerly known as Jabhat al-Nusra and excluded from the terms of the ceasefire, and to lay the groundwork for more "local reconciliation" deals with armed groups, which are generally seen as surrender agreements after years of government bombardment and siege of rebel-held areas.

The opposition's delegation was led by Mohammad Alloush of Jaish al-Islam, a group that is a part of the High Negotiations

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**UN DOCUMENTS ON SYRIA** Security Council Resolutions S/RES/2336 (31 December 2016) welcomed efforts by Russia and Turkey to end violence in Syria and jumpstart a political process. S/RES/2319 (17 November 2016) and S/RES/2118 (27 September 2013) were on chemical weapons. S/RES/2254 (18 December 2015) was on a political solution to the Syrian crisis. **Secretary-General's Report S/2017/58** (20 January 2017) was on the humanitarian situation. S/2016/1131 (29 December 2016) was on chemical weapons. **Security Council Meeting Record S/PV.7870** (26 January 2017) was on the humanitarian situation. **Security Council Letters S/2017/45** (16 January 2017) was an update by the OPCW fact-finding mission on a 2 August 2016 incident and its 2016 activities. S/2016/1133 (29 December 2016) was from Russia and Turkey summarising their agreement for a ceasefire and political talks. S/2016/1093 (21 December 2016) was a summary of the UN Board of Inquiry report on the 19 September 2016 attack on a humanitarian convoy outside of Aleppo. **Security Council Press Statement SC/12690** (20 January 2017) condemned the destruction of cultural heritage by ISIL in Syria following reports of the destruction of the tetrapylon and parts of the theatre of Palmyra.

## Syria (con't)

Committee, a Riyadh-based opposition umbrella group. In April 2016, Russia had unsuccessfully proposed placing Jaish al-Islam on the Al-Qaida/ISIL sanctions list. However, in a 29 December press release by the Russian Ministry of Defence, Jaish al-Islam was described as a moderate opposition group. In another apparent shift, Russia agreed to Turkey's request that the Syrian Democratic Forces, which includes the Kurdish armed group YPG, not be invited to the Astana talks.

At the conclusion of the Astana talks, Turkey and Russia, joined by Iran, signed a joint communiqué deciding to establish a trilateral mechanism to observe and ensure full compliance with the ceasefire, prevent any provocations and determine all modalities of the ceasefire. At press time, Special Envoy Stefan de Mistura was expected to brief Council members on 31 January on how the Astana talks can feed into preparations for the Geneva talks in February.

The ceasefire is largely holding, except for the vicinity of Damascus where government airstrikes have continued. In particular, fighting in Wadi Barada between rebel groups and the government-allied Lebanese Shi'a militia Hezbollah has severely restricted the flow of water to Damascus since late December, with both sides trading accusations over who is responsible for it. Fighting also continues in rebel-held Eastern Ghouta, which has been besieged by the government for almost four years.

Idlib, which is under the control of armed groups, has been receiving evacuees from Aleppo and other municipalities. Tension among armed groups has been rising, with Jabhat Fateh al-Sham attacking the headquarters of Ahrar al-Sham in Idlib on 19 January. Jabhat Fateh al-Sham, which is designated by the Security Council as a terrorist group, has been targeted by Syrian, Russian and US airstrikes.

On 26 January, OCHA, the World Food Programme and the World Health Organisation updated the Council on the humanitarian situation in Syria, which continues to be critical. On 16 January, the head of OCHA and four other UN agencies issued a statement appealing for immediate, unconditional and safe access to reach those still cut off from humanitarian aid across the country. According to the statement, there are 15

besieged areas where up to 700,000 people, including an estimated 300,000 children, remain trapped. Nearly five million people, including more than two million children, live in areas that are extremely difficult to reach with humanitarian assistance due to fighting, insecurity and restricted access. Bureaucratic delays imposed by the government continue to limit the ability of the UN to reach those most in need. On 15 January, the Islamic State in Iraq and the Levant (ISIL) launched a major offensive against government-held Deir ez-Zor and captured the drop zone for humanitarian supplies, interrupting the town's only lifeline.

Briefing the Council on 4 January, the UN High Representative for Disarmament Affairs Kim Won-soo briefed Council members on efforts to re-establish the operational capacity of the OPCW-UN Joint Investigative Mechanism (JIM) following its renewal with the adoption of resolution 2319 on 17 November 2016. The JIM's previous four reports have concluded that of the nine cases investigated, the Syrian regime used chlorine gas against its own population in three cases and ISIL used mustard gas in one case. There was insufficient evidence to make a determination in the remaining five cases.

Since mid-December 2016, France and the UK have led negotiations on a draft resolution seeking to impose sanctions on the Syrian government for the use of chemical weapons against its own population. In early January, Russia circulated another draft resolution noting the decrease of allegations of use of chemical weapons by the Syrian government and placing emphasis in their use by non-state actors. On 12 January, the US imposed unilateral sanctions on 18 senior officials of the Syrian government connected to the country's weapons of mass destruction program and identified several branches of the government involved in the production and use of chemical weapons.

On 29 December 2016, the OPCW issued a report stating that the destruction of 24 of 27 chemical weapons production facilities declared by the Syrian government in 2014 had been verified. However, the OPCW believes that Syria's initial declaration remains incomplete.

Following the adoption of resolution 71/248 by the General Assembly on 21 December 2016, the Secretary-General, with

the Office of the High Commissioner for Human Rights, developed the terms of reference for a mechanism to assist in the investigation and prosecution of international crimes committed in Syria. The Secretary-General is expected to report on the operationalisation of this mechanism in late February.

### Key Issue

Nearly six years since the start of a war that has exacted a death toll approaching 500,000, left 700,000 living under siege after the evacuation of eastern Aleppo and displaced half of the Syrian population, including 4.86 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.

### 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.

Regarding accountability, Council members could:

- hold an informal interactive dialogue with the Board of Inquiry to discuss its findings in relation to the 19 September 2016 attack on a humanitarian convoy outside of Aleppo; and
- organise an Arria-formula meeting with the Human Rights Council's Commission of Inquiry on Syria.

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 threat of sanctions implicit in all three resolutions.

### Council and Wider Dynamics

Council members' engagement on the Syrian political negotiations has been limited to following the lead taken by key actors outside of the Council. This was the case with the adoption of resolution 2236 on 31 December 2016 which was tabled by Russia and Turkey. In this context, Council members have made efforts to ensure that the initiative by Russia and Turkey does not undermine the UN mediation which is guided by resolution 2254



## Syria (con't)

and the June 2012 Geneva Communiqué, endorsed in resolution 2118. Some Council members have expressed doubts over the government's willingness to compromise in peace talks on a genuine transitional governing body, given its recent military victories, particularly in Aleppo.

It remains unclear if a draft resolution to impose sanctions against Syria over its use of chemical weapons, penned by France and the UK, will be put to a vote. After several rounds of negotiations, and given Russia's rejection of the draft, Council members expect that it will be vetoed if it does proceed to a vote. It seems some Council members preferred to postpone such action in order to assess the

degree of continuity in US policy on Syria between the new administration and the previous one.

So far, Council members have not taken any initiative to promote accountability for the 19 September 2016 attack on a humanitarian convoy outside of Aleppo. A summary of the report of the UN Board of Inquiry was shared with the Council on 21 December. Even though the Board had received reports that Syrian forces were highly likely to have perpetrated the attack, the Board was not given access to the required data or to the attack site to determine responsibility.

Relations between Turkey and Russia, strained since the downing of a Russian jet

in November 2015 by Turkish forces, became closer over the summer of 2016 and culminated in the brokering of a new ceasefire in late December. Since August 2016, Turkey's priority in Syria has been its Operation Euphrates Shield, which has created a de facto buffer zone in areas previously held by ISIL, effectively preventing Kurdish control of contiguous areas in Syria along the Turkish border. In January, Turkey and Russia conducted their first joint airstrikes against ISIL targets in the town of al-Bab. The US-led anti-ISIL coalition has also conducted airstrikes around al-Bab in support of Operation Euphrates Shield, but not in coordination with Russia.

## Counter-Terrorism: Protection of Critical Infrastructure

### Expected Council Action

In February, Ukraine, as Council president, plans to hold an open debate on the protection of critical infrastructure against terrorist attacks. Ukrainian Foreign Minister Pavlo Klimkin is scheduled to chair the session. Briefers are expected to include a high-level Secretariat official and representatives of specialised international organisations and research institutes, including the Organisation for the Prohibition of Chemical Weapons and the International Maritime Organisation. The Council may adopt a resolution to promote greater cooperation in addressing the terrorist threat to critical infrastructure.

### Background

Protection of critical infrastructure has become a priority issue for Ukraine. In 2016, it developed a national strategy to protect critical infrastructure, and during the General Assembly's high-level week in September, President Petro Poroshenko called for the Council's action in response to growing threats. Against the backdrop of several terrorist attacks on critical infrastructure over the past year—including international airports in Brussels and Istanbul—the objective of the open debate is to raise awareness about vulnerabilities and the impact of such attacks, while promoting discussion of preventive measures.

Critical infrastructure systems include banking and finance; telecommunications; emergency services; air, maritime and rail transportation; and energy and water supplies. Attacks on these systems can cause chaos in societies, along with loss of civilian life, destruction of property and disruption of public services. There may also be environmental consequences that can extend beyond the targeted state, affecting neighbouring countries. States are made more vulnerable to this threat given developments in information and communication technology (ICT) that interlinks many of these systems. International conventions to prevent terrorist attacks have addressed the protection of infrastructure in treaties related to civil aviation, maritime security and nuclear weapons.

The UN Counter-Terrorism Implementation Task Force (CTITF) has considered the issue through its Working Group on Protection of Critical Infrastructure including Vulnerable Targets, Internet and Tourism Security. The Working Group, however, has not been very active since the end of 2013. The Counter-Terrorism Executive Committee Directorate (CTED) also discussed the issue of protecting critical infrastructure against terrorist attacks with member states in 2013, with the focus on prevention and emergency response plans and cooperation among law

enforcement agencies, and organised an open briefing of the Council's Counter-Terrorism Committee on this issue. CTED further raised the issue during 2014-2015 while conducting regional seminars.

On 21 November 2016, Ukraine organised an Arria-formula meeting on this theme, held with a view to begin discussion of the issue among members ahead of its Council presidency. The session included a discussion with three panellists—Sergiy Semochko, head of the Department for Counterintelligence and Protection of the National Economy of the Security Service of Ukraine; Frank Westfall, Regional Director of the Office of Infrastructure Protection of the US Department of Homeland Security; and Scott Aaronson, Executive Director of Security and Business Continuity of the Edison Electric Institute, an association of US investor-owned electric companies. Members spoke about some of their national efforts to respond to vulnerabilities and expressed support for continuing the discussion in the Council.

Among specific issues that are likely to be considered during the debate are how to enhance the security of infrastructure and public areas; to improve responsiveness and resilience to terrorist attacks against critical infrastructure, in particular ICTs; and to strengthen public-private partnerships. The

**UN DOCUMENTS RELATED TO PROTECTION OF CRITICAL INFRASTRUCTURE** General Assembly Document A/RES/60/288 (20 September 2006) is the UN Global Counter Terrorism Strategy from which the mandate of the CTITF Working Group on Protection of Critical Infrastructure including Vulnerable Targets, Internet and Tourism Security is drawn.



## Counter-Terrorism: Protection of Critical Infrastructure (con't)

debate may involve considering mechanisms for the exchange of best practices, and discuss how UN specialised agencies and other international and regional organisations can contribute to improving efforts to counter the terrorist threat to critical infrastructure.

Ukraine informed Council members of its plan to have a resolution on this issue last November and seems to have since consulted further with the P5. Negotiations among

Council members on the text started in the latter part of January.

The resolution which Ukraine is considering may seek to encourage member states to enhance preparedness and develop strategies to reduce the risk of attacks, and call for more cooperation between states and with the private sector. It might aim to address gaps in the existing legal architecture to criminalise terrorist attacks on critical infrastructure. It

may also prescribe activities for CTED, such as including risks to critical infrastructure in its assessments during national visits or providing the Council with a follow-up report, while encouraging CTITF to revive its Working Group on this issue. A Council resolution is more likely to focus on the physical protection of infrastructure rather than on the related cyber-security challenges, on which there is less consensus among member states.

## Guinea-Bissau

### Expected Council Action

In February, the Council is expected to renew the mandate of the UN Integrated Peacebuilding Office in Guinea-Bissau (UNIOGBIS), which expires on 28 February. Also, Modibo Touré, the Secretary-General's Special Representative to Guinea-Bissau, is expected to brief the Council. In addition, it is likely that Ambassador Mauro Vieira (Brazil), the chair of the Guinea-Bissau configuration of the Peacebuilding Commission, (PBC) will brief the Council.

### Key Recent Developments

Guinea-Bissau's political crisis has continued despite the intensified mediation efforts of the Economic Community for West African States (ECOWAS). The impasse has pitted President José Mário Vaz against his own African Party for the Independence of Guinea and Cape Verde (PAIGC) led by Domingos Simões Pereira, leaving the country without a functional government.

On 10 September 2016, at the end of a high-level mediation mission to Guinea-Bissau by Guinean President Alpha Condé and President Ernest Bai Koroma of Sierra Leone, Bissau-Guinean political actors agreed to a six-point roadmap. According to the roadmap, the sides should establish an inclusive dialogue process, form an inclusive consensus government to serve until the 2018 elections and conduct various governance reforms, including reform of the constitution to redefine the respective roles of the executive, parliament and judiciary. It

also envisions implementing Guinea-Bissau's security sector reform programme and gradually demobilising the ECOWAS Mission in Guinea-Bissau (ECOMIB) after the formation of a Bissau-Guinean contingent to take over its functions protecting state institutions and officials.

Since then, implementation of the accord has floundered as the sides have been unable to agree to a consensual prime minister and government, the starting point for taking forward the rest of the agreement. Vaz first delayed appointing a new prime minister despite having submitted three possible candidates to Guinea-Bissau's parliamentary parties at the Conakry talks. Following the intervention of ECOWAS chair Ellen Johnson-Sirleaf, who went to Guinea-Bissau on 5 November 2016, Vaz dismissed Prime Minister Baciroté's government on 14 November. Four days later, he appointed Umaro Sissoco Embaló as prime minister. The PAIGC claimed the appointment violated the roadmap and the Conakry Accord as Sissoco, a close confidant of Vaz, did not represent a consensual choice. A new government was finally announced on 12 December 2016. This was Guinea-Bissau's fifth government since August 2015. It is composed of members of the country's second-largest party, the Party for Social Renewal, three smaller parties in the National Assembly and two dissident members of the PAIGC.

At an ECOWAS summit in Abuja on 17 December 2016, West African leaders reaffirmed their deep concern over the inability

of political stakeholders to reach a lasting and consensual solution, according to the summit communiqué. They also reaffirmed that the Conakry Accord remains the only framework for a peaceful resolution to the crisis, urged Vaz to comply with its provisions and called on all parties to strictly respect and comply with the agreement's tenets. West African leaders also reiterated that ECOMIB should withdraw on 30 June 2017, directing the ECOWAS Commission to commence in the first quarter of 2017 operations for its gradual withdrawal. As of the end of January 2017, Guinea-Bissau's National Assembly had not approved the government programme, leaving the state without a budget now for more than a year.

The Council kept abreast of developments during a 20 October 2016 briefing from Touré in consultations. Afterwards, members issued a press statement welcoming the Conakry agreement and encouraged Vaz to nominate the consensual prime minister as soon as possible. The Secretariat submitted a confidential note to Council members on 21 December 2016, stating its views that the PAIGC's approval of a prime minister remains a precondition for complying with the Conakry Accord and resolving the impasse.

### Developments in the PBC

Vieira became chair of the PBC's Guinea-Bissau configuration in November 2016, replacing Ambassador Antonio de Aguiar Patriota (Brazil). Previously, on 19 September 2016, the configuration issued a statement expressing support for the 6-point roadmap.

**UN DOCUMENTS ON GUINEA-BISSAU** Security Council Resolution S/RES/2267 (26 February 2016) was a resolution renewing the mandate of UNIOGBIS. **Security Council Meeting Record S/PV.7764** (30 August 2016) was a briefing by Special Representative Touré, Deputy Permanent Representative Luis Bermúdez (Uruguay) and Ambassador Antonio de Aguiar Patriota (Brazil). **Security Council Press Statements SC/12560** (20 October 2016) welcomed the Conakry agreement. **SC/12504** (4 September 2016) stressed the urgency of deploying the ECOWAS presidential mission.

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## Guinea-Bissau (con't)

### Key Issues

The political crisis and how the Council can further support efforts to resolve the impasse is the key issue.

Related to this is renewing UNIOGBIS's mandate and considering any changes to its configuration.

Risks posed by the crisis, such as drug-trafficking, regional terrorist groups taking advantage of the situation, possible military interference and the deterioration of socio-economic conditions, represent ongoing concerns.

The future of ECOMIB is likely to be an important consideration.

### Options

When renewing the mandate of UNIOGBIS, the Council could further prioritise the mission's good offices functions.

In the resolution, the Council could state its willingness to consider imposing sanctions against individuals or groups that continue to impede implementation of measures to end the political impasse, in particular by violating or ignoring the Conakry Accord.

### Council Dynamics

Senegal has performed the role of keeping the Council's attention on Guinea-Bissau. As its neighbour, Guinea-Bissau's stability

has long been of paramount importance to Senegal, in particular to avoid the resurgence of conflict in its Casamance region. More broadly, members remain concerned about the risk of Guinea-Bissau's military interfering, which would undo the international community's efforts since the 2012 coup to stabilise the political situation. They are further concerned that the political stalemate or a deterioration of the situation could lead to an increase in transnational crime, such as drug trafficking and piracy, or be exploited by terrorist groups in the region.

There has been frustration that the Council's actions, which included a visiting mission in March 2016, and the region's close engagement with the country have been unable to end the stalemate. For some members, though, as long as this remains an internal non-violent political dispute, it is not necessarily an issue for the Council.

There have been diverging views among members over the disbursement of donor funds. Countries that made pledges at the Brussels conference in 2015 have withheld distributions, noting that conditions have greatly changed since then and do not trust that funds will not be diverted for the personal benefit of Vaz and his associates. The \$1.5 billion pledged also represents some of the international community's potential leverage.

Some members, though, believe more should be done to disburse funds that can help the general population. The 2048 Committee's consideration last year of the Secretary-General's 16 August 2016 report reviewing the Guinea-Bissau sanctions regime demonstrated limited support for using sanctions as a tool in the crisis, beyond maintaining existing measures, which are viewed as having been a contributing factor in deterring military interference. It seems that the willingness of some members to further consider the possible use or threat of sanctions would depend, in large part, on Senegal's championing this.

A dynamic that has played out over the last two years has been the efforts by several elected members to reduce references in the UNIOGBIS resolutions to drug trafficking. The P5 have opposed such changes. For that reason, last year's resolution renewing UNIOGBIS called on the Secretary-General to include in his reporting an assessment of progress towards combatting drug trafficking so that members would have a common understanding of the problem, and hopefully avoid such a debate this year.

Senegal is the penholder on Guinea-Bissau. Uruguay chairs the 2048 Sanctions Committee.

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## Conflicts in Europe

### Expected Council Action

In February, the Council will hold a ministerial-level open debate on the maintenance of international peace and security, focusing on conflicts in Europe. Pavlo Klimkin, Ukraine's minister of foreign affairs, will chair the debate. UN Secretary-General António Guterres has been invited to brief. Other briefers, though not yet confirmed, could include the representatives of the EU and the Organization for Security and Cooperation in Europe (OSCE). At press time, it did not appear that there would be a Council outcome.

### Background

Though expected to usher in a period of stability, the end of the Cold War and the dissolution of the Soviet Union resulted in the emergence of new security threats and challenges in Europe. In the early 1990s, the breakup of Yugoslavia was followed by a series of violent conflicts in the new Balkan countries. On the eastern flank of the continent, conflicts developed in the former Soviet Republics of Georgia (Abkhazia and South Ossetia), Moldova (Transnistria) and Nagorno-Karabakh. The ongoing conflict in Ukraine has been the most recent significant threat to the stability and security of the continent. Close to 10,000

people are estimated to have been killed and more than a million displaced since the conflict in Ukraine started in 2014.

The Security Council continues to be formally engaged in discussions on several European issues on its agenda (Bosnia and Herzegovina, Cyprus and Kosovo) and has discussed the situation in Ukraine when requested by members. In addition, annual briefings by the OSCE Chairperson-in-Office and by the EU High Representative for Foreign Affairs and Security Policy have provided a useful forum for discussing several protracted conflicts in Europe that the Council has not formally addressed.

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**UN DOCUMENTS ON CONFLICTS IN EUROPE** Security Council Resolution S/RES/2202 (17 February 2015) endorsed the "Package of measures for the Implementation of the Minsk Agreements" signed on 12 February 2015. **Security Council Presidential Statement S/PRST/2014/4** (14 February 2014) was on cooperation between the UN and the EU, highlighting the EU's comprehensive approach to maintenance of international peace and security. **Secretary General's Reports S/2015/730** (25 September 2015) was titled "The United Nations and conflict prevention: a collective recommitment". **S/2014/560** (4 August 2014) was on cooperation with regional and other organisations.

## Conflicts in Europe (con't)

By organising the debate, Ukraine wanted to draw attention to what it regards as the inability of existing mechanisms to properly address protracted conflicts in Europe, as well as incomplete implementation of relevant Council resolutions on the issue. Furthermore, Ukraine argues that the Council should pay closer attention to protracted conflicts in Europe because they have the potential to escalate and therefore threaten the overall stability and security of the region.

The debate will provide a forum for members to evaluate current threats to international peace and security posed by the conflicts in Europe while also discussing the best ways to tackle these issues. Members will be invited to provide their views on the role of the Council, as well as the Secretary-General, in addressing protracted conflicts in Europe.

Given that at the moment regional and sub-regional organisations such as the OSCE

and the EU play a leading role in the conflict and post-conflict environments in Europe, Council members will also explore ways in which the cooperation between these organisations and the UN could be more effective.

The OSCE has played a crucial role in conflict resolution efforts in Ukraine through its participation in the Trilateral Contact Group. With about 700 unarmed observers, the OSCE Special Monitoring Mission to Ukraine (SMM) has been given the responsibility for monitoring certain aspects of the implementation of the 2015 Minsk agreement. In addition, the OSCE plays a leading role in international efforts regarding frozen conflicts in Georgia, Nagorno-Karabakh and Transnistria. The EU has been actively engaged in the Balkans, where it has promoted the EU integration process, and played an instrumental role in the normalisation of relations between Belgrade and Pristina, leading

to a series of agreements between the two.

Considering the number of African conflicts on the Council's active agenda, members will be invited to share lessons learned from those conflicts that could also be applied to some situations in Europe. More specifically, members could address best practices in conflict resolution and prevention achieved through the more institutionalised relationship between the Council and the AU.

Another issue that the debate will seek to address is what role the Council ought to play in situations where parties seem to obstruct existing agreements, Council outcomes or both. Among the conflicts in Europe, this has been the most prominent issue in the case of Ukraine, where there has been almost no progress in implementing the provisions of the Minsk agreement, which the Council endorsed in resolution 2202.

## Yemen

### Expected Council Action

In February, the Council is expected to adopt a resolution renewing the 2140 Yemen sanctions regime and the mandate of the 2140 Sanctions Committee's Panel of Experts. Current sanctions measures expire on 26 February, and the mandate of the Panel expires on 27 March.

### Key Recent Developments

The war in Yemen has continued amidst a worsening humanitarian crisis and a stalled progress to resume political talks. The conflict pits the Houthis, a Zaydi Shiite rebel group, and forces loyal to former President Ali Abdullah Saleh against the Yemeni government and the Saudi Arabia-led coalition.

In a 6 December 2016 letter to the Secretary-General and the Security Council, the Yemeni government reiterated its rejection of the roadmap proposed by the UN Special Envoy Ismail Ould Cheikh Ahmed as a basis for resuming peace talks. The government described the roadmap as "flagrantly revers[ing] the three terms of reference"—the

Gulf Cooperation Council (GCC) initiative and its implementation mechanism, the National Dialogue Conference outcomes and resolution 2216 and other relevant Council resolutions—and said it "sows the seeds of a new phase of bloody conflict".

On 18 December 2016, foreign ministers of the "Quad"—Saudi Arabia, the United Arab Emirates, the UK and the US—met with the foreign minister of Oman and Ould Cheikh Ahmed in Riyadh. They discussed the Special Envoy's "proposals"—previously referred to as the roadmap—for resuming peace talks.

Following the meeting, the Quad released a communiqué reaffirming their support for the UN proposals, which "represent an outline for a comprehensive agreement whose details will be settled in negotiations". The Quad emphasised that "the transfer of presidential authorities", one of the steps in the roadmap to which Yemeni President Abd Rabbo Mansour Hadi objected, "will not take place until the parties begin implementation of all political and security steps". The communiqué outlined the seven key elements

of the UN proposals, including sequenced security steps and necessary withdrawals and appointments for the political transition. The Quad further urged the Yemeni government to engage in talks on the basis of the proposals, welcomed the endorsement of the roadmap by the Houthis and Saleh's party, the General People's Congress and called for a cessation of hostilities. In mid-January, the Special Envoy began a new round of shuttle diplomacy across the region, on which he briefed the Council on 26 January.

Meanwhile, intense fighting continued, including in Taiz, Nihm (near Sana'a) and along the north-western Saudi-Yemeni border, front lines that have changed little over the past year. In January, the Saudi-led coalition and Yemeni government began an offensive to take the Red Sea port city of Mokha, which they reportedly captured on 23 January. In other violence, the Islamic State in Iraq and the Levant (ISIL) claimed responsibility for suicide attacks in Aden on 10 and 18 December 2016 that each killed more than 50 government soldiers.

**UN DOCUMENTS ON YEMEN** Security Council Resolutions [S/RES/2266](#) (24 February 2016) renewed sanctions measures until 26 February 2017 and the mandate of the Panel of Experts until 27 March 2017. [S/RES/2216](#) (14 April 2015) demanded the Houthis withdraw from all seized areas and relinquish all seized arms, and established an arms embargo on Houthi and Saleh forces. [S/RES/2140](#) (26 February 2014) established the Yemen sanctions regime. [Security Council Meeting Record S/PV.7871](#) (26 January 2017) was a briefing by Special Envoy and OCHA head Stephen O'Brien. [S/PV.7797](#) (31 October 2016) was a briefing by Special Envoy and OCHA head Stephen O'Brien. [Security Council Letter S/2016/1035](#) (6 December 2016) was from the Yemeni government regarding the Special Envoy's roadmap.

## Yemen (con't)

Concerns continue to be flagged about a potential famine as Yemen's humanitarian crisis appears to worsen. OCHA's 31 December 2016 humanitarian bulletin estimated that 14 million people were food-insecure, of whom 7 million do not know where their next meal will come from. The bulletin noted import restrictions (particularly on medicines, food and fuel) despite the establishment and functioning of the UN Verification and Inspection Mechanism for Yemen (UNVIM). Moreover, a coalition ban on commercial flights to and from Sana'a since August has left several thousand people unable to seek necessary medical treatment abroad. The decline in the Yemeni Central Bank's foreign reserves and the country's liquidity crisis continue to compound the humanitarian crisis.

### Sanctions-Related Developments

In January, the Yemen Panel of Experts submitted its final report to the 2140 Yemen Sanctions Committee. The report analysed the implementation of financial and travel ban sanctions, the arms embargo against Houthi and Saleh forces and violations of the designation criteria including international humanitarian law and human rights law. Among its findings, the Panel said it had not seen sufficient evidence to confirm any large-scale supply of weapons from Iran. It noted that the exploitation by Al-Qaeda in the Arabian Peninsula (AQAP) and ISIL of the vacuum created by the war could be laying the foundation for terrorist networks that could last years. The report attributed violations of international humanitarian law and human rights law, some of which may amount to war crimes, to all parties to the conflict, including the Saudi-led coalition.

The Committee was due to discuss the report with the Panel on 27 January. The Panel did not make new recommendations in addition to those in its 2015 final report and 2016 mid-term update. In November 2016, the Panel submitted statements of cases on two individuals associated with the Houthis and Saleh whom the Committee could consider subjecting to sanctions measures.

### Key Issues

How the Council can support efforts to achieve a cessation of hostilities and the resumption of peace talks is a key issue.

Renewing the sanctions and the mandate of the Panel of Experts, including considering how the sanctions can complement a political process to end the war, will be a key issue.

Related to both sanctions and the Council's broader consideration of the Yemen conflict is the humanitarian crisis, including issues of humanitarian access and violations of international humanitarian law.

Another key issue is the expansion of AQAP and ISIL.

### Options

The Council is expected to renew the Yemen sanctions measures and the mandate of the Panel of Experts for a further 12 months from their respective expiration dates. In doing so, it could:

- demand an end to the prohibition of commercial flights to and from Sana'a;
- demand that parties to the conflict cease attacks on hospitals and infrastructure, and remove bureaucratic impediments that obstruct access to humanitarian assistance;
- affirm that UNVIM should provide clearance to and oversee inspections of commercial shipments to Yemen in accordance with resolution 2216, call on member states to cooperate fully with UNVIM, and request the Secretary-General to review the UNVIM's functioning and report to the Committee in three months; and
- call on member states to support the rehabilitation of port infrastructure, including the replacement of damaged cranes at Hodeidah port, to facilitate essential imports of food, fuel and other supplies.

The 2140 Committee may further decide to designate new individuals to be sanctioned.

The Council could also consider a new

resolution on Yemen, as the UK had said it would propose in autumn 2016, which:

- demands an immediate cessation of hostilities, including of all land, sea and military activities; and
- calls for the sides to return to negotiations on the basis of the Special Envoy's proposals.

### Council and Wider Dynamics

The Yemen war is a situation on the Council's agenda over which Gulf countries have exercised a strong influence. For example, last autumn the UK, following pressure by Saudi Arabia, held back from its announced intention that it would submit a resolution calling for a cessation of hostilities and engagement in talks on the basis of the roadmap. The Saudis have opposed any new resolution that could be viewed as departing from resolution 2216, adopted shortly after the coalition's intervention, as a basis for addressing the conflict. Within the Council, Egypt, as a member of the coalition, champions Yemeni government and coalition positions. Russia tends to highlight the perspective of the Houthis and has played a role in making Council positions on Yemen more balanced, while at times raising the Yemen conflict in the face of criticism regarding its role in Syria.

Among new incoming members, Italy and Sweden have expressed an interest in Yemen, such as trying to further address the humanitarian situation. Italy appointed a Special Envoy to Yemen this past September.

The Quad emerged in July 2016 to break the impasse that was developing in peace talks that were held in Kuwait from April to early August. The US has had a key role in driving the Quad's activities and in developing the roadmap. The change of US administrations may thus affect the role this group plays.

The UK is the penholder on Yemen and Japan chairs the 2140 Sanctions Committee.



# Kosovo

## Expected Council Action

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

## Key Recent Developments

Over the past few months, tensions between the political opposition and the government have subsided in comparison with the first half of 2016 when the crisis was most intense. On several occasions in 2016, the members of the opposition actively obstructed the work of the legislature and organised street protests. At the core of the crisis were certain aspects of the EU-facilitated dialogue between Belgrade and Pristina, particularly the establishment of the Association/Community of Serb Municipalities (ASM/CSM) in northern Kosovo. The opposition feared that this would create an additional layer of government and could potentially pose a risk of secession.

There has been no major progress on the implementation of the existing agreements between Belgrade and Pristina, especially on the establishment of the ASM/CSM. Though it planned to draft the statute for the ASM/CSM by the end of 2016, the working group set up for this purpose is yet to do so. After it is drafted, the statute will still need to be approved by the Kosovo legislature. This could potentially be a challenging process, given the evident grievances of the opposition on this issue.

However, there was progress on the issue of telecommunications, which has been discussed within the EU-facilitated dialogue. On 13 November 2016, Belgrade and Pristina reached an agreement that paved the way for the allocation of a unique international dialling code for Kosovo. Under the agreement, the subsidiary of the Serbian state-owned telecommunications company will be allowed "to operate fully licensed fixed telephone services in Kosovo and to obtain a temporary authorisation for mobile telephony". The agreement formally came into force on 15 December, when the International Telecommunication

Union officially assigned a dialling code for Kosovo. Heretofore, Kosovo used the dialling codes for Monaco, Slovenia and Serbia.

Several events at the beginning of this year contributed to a heightening of the rhetoric between Belgrade and Pristina. Ramush Haradinaj, former prime minister and current leader of the main opposition political party Alliance for the Future of Kosovo, was arrested by French police after entering France on 5 January. French authorities acted on an Interpol notice requested by Serbia regarding Haradinaj's alleged involvement in war crimes committed against local Serbs during the Kosovo war in the late 1990s. On 12 January, French authorities released Haradinaj on bail and barred him from leaving France, pending a final decision by the judicial authorities. In 2005, Haradinaj surrendered to the International Criminal Tribunal for the former Yugoslavia (ICTY) and was subsequently acquitted of war crimes charges in 2012. In a similar case in 2015, Slovenian authorities detained Haradinaj based on an Interpol notice requested by Serbia. He was released two days later after Slovenian authorities concluded that the ICTY had already addressed all charges in the arrest warrant.

On 14 January, tensions escalated again after a Serbian train travelling from Belgrade to Serb-dominated northern Kosovo was stopped just before reaching the Kosovo border. The train was painted with the colours of the Serbian flag and carried the inscription "Kosovo is Serbia" in 21 languages. Soon after, Kosovo President Hashim Thaci sent police to the border crossing and instructed them to prevent the train's entry to Kosovo. However, Serbian Prime Minister Aleksandar Vučić ordered the train to stop just before reaching the border with Kosovo, claiming that Kosovo Albanians had attempted to mine the railway. In a press conference the same day, Vučić said that Pristina had tried to provoke a large-scale conflict. Furthermore, he noted that this would be his "last warning and plea" to the Kosovo Albanians not to try to attack Serbs with weapons, because Serbia would not allow this. In a media interview on 16 January, Thaci said that the train was intended to provoke Kosovars as a ploy for Serbia to intervene militarily and annex the Serb-dominated northern part of Kosovo.

In light of the recent incidents, Federica Mogherini, European Union High Representative for Foreign Affairs and Security, called on both sides to meet under EU auspices in Brussels. The presidents and prime ministers of both Kosovo and Serbia attended the 24 January meeting with Mogherini after which they agreed to resume the UE facilitated dialogue on a high level.

In other developments, on 1 December 2016, the Netherlands ratified the agreement with the government of Kosovo on hosting the special court that will investigate crimes committed by the Kosovo Liberation Army during the conflict in Kosovo. The ratification of the agreement, which came into force on 1 January, cleared the last procedural obstacle preventing the court from becoming fully operational. The court will be located in The Hague, operate under Kosovo law and be staffed by international judges. On 14 December, Bulgarian judge Ekaterina Trendafilova was appointed President of the special court. Trendafilova had previously served as a judge of the International Criminal Court from 2006 to 2016. Earlier in 2016, David Schwendiman of the US was appointed chief prosecutor of the special court.

## Human Rights-Related Developments

On 14 October 2016, the Special Rapporteur in the field of cultural rights, Karima Bennouna, said in a statement following her visit to Serbia and Kosovo from 3 to 14 October that cultural heritage is a human rights issue and must be depoliticised and de-linked from nationalistic agendas. Bennouna will present a full report to the Human Rights Council in a future session.

## Key Issues

Maintaining stability in Kosovo remains the main issue for the Council, especially in light of the renewed tensions between Belgrade and Pristina.

Another issue for the Council will be what role UNMIK can play in promoting the implementation of the existing agreements between Belgrade and Pristina.

The Council will also closely follow developments regarding the special court for war crimes, in particular the cooperation of Kosovo authorities with the court.

## Options

Should the tensions between Belgrade and

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## Kosovo (con't)

Pristina escalate further or start posing a risk to overall stability, the Council could consider issuing a statement calling on both sides to resolve outstanding issues through dialogue.

Another option would be for the Council to explore ways in which UNMIK could facilitate the implementation of the existing agreements between Belgrade and Pristina.

The Council could consider the calls by some members, most notably the P3, to lengthen the reporting cycle and possibly modify UNMIK's mandate.

### Council Dynamics

Kosovo continues to be an issue of rather low intensity for the Council for several reasons. First, other regional organisations, such as the EU, NATO and the OSCE, have been playing leadership roles in Kosovo. Second, the Council has been increasingly preoccupied

with more pressing issues on its agenda. Third, several Council members seem to share the view that Kosovo does not require serious scrutiny because of its general stability and the progress it has made. However, some members with a particular interest in the region still follow the issue closely; these include Russia and the US as well as the EU members of the Council.

The deep divisions among the permanent members have shaped Council dynamics on Kosovo. The P3 members—France, the UK and the US—recognise Kosovo's independence and are supportive of Kosovo's government, while China and Russia, which do not, strongly support Serbia's position on the issue. Despite the ongoing political tensions in Kosovo, the P3 members have supported lengthening the reporting cycle and thus reducing the frequency of meetings on

Kosovo, noting that there are more pressing issues that deserve the Council's closer attention. Russia continues to oppose any change in the reporting cycle or UNMIK's mandate, citing the unstable political and security situation and problems in implementing the agreements between Belgrade and Pristina. The permanent members' longstanding entrenched positions are likely to paralyse any efforts by the Council to change the reporting cycle or alter UNMIK's mandate.

Council dynamics are unlikely to change significantly in 2017 as a result of the rotation of five non-permanent members. Incoming non-permanent members Bolivia, Ethiopia and Kazakhstan do not recognise Kosovo, while Italy and Sweden do. Among outgoing members, Angola, Spain and Venezuela did not recognise Kosovo while Malaysia and New Zealand did.

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## DPRK (North Korea)

### Expected Council Action

In February, the chair of the 1718 Democratic People's Republic of Korea (DPRK) Sanctions Committee, Ambassador Sebastiano Cardi (Italy), who succeeded Ambassador Román Oyarzun (Spain) on 1 January, is due to brief Council members in consultations on the Committee's work. Ahead of the briefing, the Sanctions Committee is scheduled to discuss the final report of its Panel of Experts under resolution 2276. In addition, Cardi is expected to convene a briefing open to all UN member states.

### Key Recent Developments

In resolution 2321, adopted on 30 November 2016, the Council imposed additional unprecedented sanctions on the DPRK in response to the nuclear test conducted on 9 September. One of the main objectives of the resolution was to further restrict exports of coal from the DPRK as a source of income for financing prohibited activities. Resolution 2270, which was adopted in March 2016 in

response to the DPRK's 6 January nuclear test, had imposed a ban on coal exports, but it contained an exemption clause for livelihood purposes that was used to circumvent the ban. With resolution 2321 there is now a binding cap on how much coal the DPRK can export per year. States are required to report all transactions promptly to the Sanctions Committee, which will declare when the allowed quantities have been reached and all further procurement of coal from the DPRK must stop. (For more background on the resolution and its other provisions, please refer to our 29 November 2016 What's in Blue story.)

In a 2 December 2016 letter to the Council, the DPRK rejected the sanctions resolution "as another excess of authority and a violation of the sovereignty of the DPRK by the Security Council acting under the instructions of the US". Furthermore, in a 8 December letter, the DPRK urged the Secretariat to answer a 23 May letter in which it claimed that the Security Council had acted outside its mandate in declaring nuclear tests

and peaceful satellite launches to be a threat to international peace and security. It asked for a clarification of the legal basis for the Council's actions and why similar measures had not been taken against the US or other countries engaging in the same activities.

In a 5 January letter to the Secretary-General, the DPRK rejected a response it had received on 20 December 2016 referring to article 39 of the UN Charter (which concerns what measures the Council can take to restore international peace and security). The DPRK asserted that the article "cannot be the legal grounds for sanctions resolutions".

In his annual New Year's speech, DPRK leader Kim Jong-un declared that preparations for the first test-firing of an intercontinental ballistic missile (ICBM) were in the final stages. The foreign ministry later repeated the claim, and Republic of Korea (ROK) military officials also said they believed the DPRK had built two ICBMs and placed them on mobile launchers to be ready for test-firing in the near future. In

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**UN DOCUMENTS ON THE DPRK** Security Council Resolutions S/RES/2321 (30 November 2016) was in response to the DPRK's 9 September nuclear test. S/RES/2276 (24 March 2016) extended the Panel of Experts until 24 April 2017. S/RES/2270 (2 March 2016) was in response to the DPRK's 6 January nuclear test. Security Council Letters S/2017/11 (5 January 2017) was the DPRK letter regarding the response to its 23 May letter. S/2016/1097 (22 December 2016) was another DPRK letter denouncing resolution 2321. S/2016/1042 (8 December 2016) was the DPRK letter requesting an answer to its 23 May letter. S/2016/1023 (2 December 2016) was the DPRK letter rejecting resolution 2321. S/2016/1034 (1 December 2016) was the request for a meeting on the human rights situation in the DPRK. S/2016/465 (23 May 2016) was the DPRK letter asking the Secretariat to clarify the legal basis for the sanctions imposed by the Council. Security Council Meeting Records S/PV.7830 (9 December 2016) was the meeting on the human rights situation in the DPRK. S/PV.7821 (30 November 2016) was the adoption of resolution 2321. Sanctions-Committee Documents S/2016/1094 (21 December 2016) was the Sanctions Committee's annual report. SC/12636 (17 December 2016) was the Sanctions Committee's delisting press release. S/2016/1069 (16 December 2016) was the new conventional arms dual use list adopted by the Sanctions Committee.

## DPRK (North Korea) (con't)

an apparent response, Japan, the ROK and the US conducted a joint military exercise on detection and tracing of DPRK missiles from 21 to 23 January.

### Sanctions-Related Developments

On 15 December 2016, the Sanctions Committee adopted the list of conventional arms dual-use items referred to in one of the provisions of resolution 2321, which had directed the Committee to adopt such a list within 15 days of the adoption. The items on the list are subject to the import and export ban first imposed by the Council in resolution 1718. On 17 December, the Committee announced the removal of five vessels from the sanctions list annexed to resolution 2270, citing new measures that had been taken to establish confidence that the vessels were not controlled or operated by the Ocean Maritime Management Company, the entity that was listed by the Committee in July 2014 for its involvement in the arms shipment intercepted by Panama in July 2013. On 21 December, the Committee submitted its annual report to the Council.

At press time, the final report under resolution 2276 of the Panel of Experts assisting the Committee was expected to be ready for circulation to Council members by the end of January.

### Human Rights-Related Developments

On 7 December 2016, the Office of the High Commissioner for Human Rights published a report on the human rights implications of the involuntary separation of Korean families, concluding that the primary responsibility for resolving this issue rests with the governments of the DPRK and the ROK. The report recommended a number of measures, including allowing unhindered people-to-people contacts between the two countries and protecting people who leave the DPRK, including women and children, from trafficking and other human rights violations that break their family ties.

On 9 December 2016, the Security Council held its third meeting on the human rights situation in the DPRK, following its decision on 22 December 2014 to add “the situation in the DPRK” to its agenda as an item separate from the non-proliferation issue in response to the findings of the February 2014 report of the Human Rights Council commission of inquiry. The meeting was convened in response to a joint request from France, Japan, Malaysia, New Zealand, Spain, Ukraine, the UK, the US and Uruguay, conveyed in a 1 December letter to the Council president. The format of the meeting was the same as in 2015, with briefings by Deputy Secretary-General Jan Eliasson and Assistant Secretary-General for Human Rights Andrew Gilmour, followed by statements by Council members and the ROK. As was the case on the two previous occasions when the human rights situation in the DPRK was discussed, there was a procedural vote at

the request of China on adopting the agenda for the meeting. China objected to the agenda on the grounds that the Council was not “a forum for discussing human rights issues, still less for the politicisation of such issues”. The agenda was subsequently adopted by a vote of nine in favour, five against (Angola, China, Egypt, Russia and Venezuela) and one abstention (Senegal).

In a statement on 20 December 2016, the Special Rapporteur on the situation of human rights in the DPRK, Tomás Ojea Quintana, welcomed the DPRK’s ratification on 6 December of the Convention on the Rights of Persons with Disabilities. He called on the DPRK to implement the treaty in consultation with people with disabilities and for the opportunity to be used to advance the implementation of other human rights treaties previously ratified by the DPRK and to encourage broader engagement with human rights mechanisms.

### Key Issues

The fundamental issue for the Council is how to deal with the growing threat to international peace and security posed by the DPRK as Pyongyang continues to develop the country’s nuclear and ballistic-missile capabilities in direct defiance of the Council’s demands.

A related issue is whether the tightening of sanctions will achieve the stated objectives of preventing the DPRK from making further progress and inducing Pyongyang to engage with the international community, or whether a different approach is needed.

A continuing issue is the importance of ensuring effective sanctions implementation by all member states while avoiding adverse humanitarian consequences or negative effects on legitimate livelihood activities, as emphasised in resolutions 2270 and 2321.

### Options

One option is to hold the chair’s briefing in a public meeting, perhaps followed by consultations, to provide a forum for Council members to express publicly their concerns about the DPRK’s actions. With regard to the planned briefing for UN member states, it provides an opportunity to explain the new sanctions measures, emphasise the importance of strict implementation and remind them of the reporting obligations under resolution 2321, which called on states to report to the Council within 90 days on measures taken to implement the resolution.

At the Committee level, the immediate task is to examine the forthcoming Panel of

Experts’ report and decide on what actions to take in response to its findings and recommendations. The Committee could also issue a press statement immediately after its first discussion of the report to raise awareness of the report and highlight specific areas of concern.

### Council and Wider Dynamics

The adoption by consensus of resolution 2321 seems to indicate that there is a high degree of unity among Council members on the continued application of sanctions as one of the main tools for dealing with the threat posed by the DPRK. Council members recognise, however, that sanctions alone will not be enough and that the impact of the new measures depends on the degree of compliance by member states, above all by China. Despite the unity on sanctions, there are continuing tensions related to the planned deployment of the Terminal High-Altitude Area Defense (THAAD) anti-missile system in the ROK, as agreed with the US last year. Following the adoption of resolution 2321, both China and Russia expressed their firm opposition to the THAAD deployment, with China urging the parties concerned “to stop forthwith” the deployment process. On 13 January, China and Russia announced that they had agreed to take “countermeasures” in response to the deployment.

Even as Council members express confidence that sanctions will have an impact, they also seem to expect that Pyongyang will engage in new provocations and that this is not a question of “if” but “when”. There was initially speculation that the DPRK would conduct a missile test to coincide with the inauguration on 20 January of the new US president, Donald Trump. Since that did not happen, it is now seen as likely that the DPRK will carry out some kind of military provocation in connection with Kim Jong-il’s birthday on 16 February or the annual ROK-US joint military exercises in March.

Under the current circumstances, there is great interest in the forthcoming report from the Panel of Experts as Council members are looking to get a better sense of the impact that the most recent sanctions have had so far and compliance by member states.

The US is the penholder on the DPRK.



# Burundi

## Expected Council Action

In February, the Council is expected to be briefed by the Special Adviser to the Secretary-General for Conflict Prevention, Jamal Benomar, on the Secretary-General's report on the situation in Burundi.

## Key Recent Developments

The security and political situation in Burundi, which deteriorated sharply after April 2015 when Burundian President Pierre Nkurunziza announced that he would run for a controversial third term, remains dire. While the number of casualties has declined and the security situation has improved, serious human rights abuses continue to be committed daily with impunity, mainly by the government and the Imbonerakure, the youth group of the Nkurunziza's party. The overall level of oppression and state control over Burundian society has increased, manifested by arbitrary deprivations of life, enforced disappearances, cases of torture and arbitrary detention on a massive scale. Furthermore, these actions are taking place in an environment where freedoms of expression, association and assembly are virtually non-existent. An estimated 325,000 people have fled the country since the beginning of the crisis.

Adding to the tense situation, Burundi's minister for water, environment and planning, Emmanuel Niyonkuru, was killed by unknown assailants in Bujumbura early on the morning of 1 January 2017. On 7 January, the prosecutor-general, Sylvestre Nyandwi, announced that six suspects had been arrested.

On the political front, there seems to have been no headway in the Inter-Burundian Dialogue, led by the East African Community (EAC) and facilitated by former Tanzanian President Benjamin Mkapa. On 9 December 2016, at the end of a three-day visit to Burundi, Mkapa reportedly said that the legitimacy of Nkurunziza's presidency should not be questioned and that his facilitation was focused on creating favourable conditions for free, fair and credible elections in 2020. Since then, the opposition has demanded that Mkapa step down as facilitator. It also voiced its wish to see the UN and AU become more involved in the process.

According to media reports, in late November, Nkurunziza requested the then

Secretary-General to work with the incoming one to appoint a replacement for Benomar. (Over the years Burundi has declared as persona-non-grata several UN envoys.) This request comes after Burundi decided in October 2016 to suspend all cooperation with the Office of the High Commissioner for Human Rights (OHCHR), and later in October to withdraw from the ICC Statute.

Resolution 2303 of 29 July 2016, authorising a police component with a ceiling of 228 officers to monitor the security situation and support the human rights monitoring of OHCHR, under the authority of Benomar's office, remains unimplemented. Adopted under Chapter VI, the resolution urged Burundi to cooperate fully with the police component, including giving unhindered access to detention facilities. At the same time, the resolution took note of the fact that Burundi had only consented to the deployment of 50 police officers for training the local police. Burundi has publicly rejected the resolution.

The AU deployment of an authorised 200 human rights observers and military experts to Burundi remains incomplete and underfunded, and a memorandum of understanding (MoU) between the AU and Burundi regarding the terms of deployment has yet to be signed. In a 19 September 2016 report to the Council, the Secretary-General proposed that the Council authorise him to provide a targeted logistical support package for the AU deployment. The Council has yet to take action on this issue.

The AU Peace and Security Council discussed Burundi on 6 October 2016. It called for the resumption of the Inter-Burundian Dialogue under the aegis of the EAC. It also urged Burundi to sign an MoU with the AU Commission for the deployment of the AU human rights observers and military experts in Burundi, as well as to engage with the UN on the deployment of the police component.

On 26 December 2016, a spokesperson for the Democratic Republic of Congo (DRC) military said that its forces had killed 10 Burundian soldiers on 21 December after they crossed the border, apparently in pursuit of rebels from the ethnic Hutu National Forces of Liberation (FNL). Reportedly, this is the first skirmish between Burundian and DRC soldiers since 2003.

Benomar last briefed Council members in consultations on 8 November 2016.

## Human Rights-Related Developments

On 18 November 2016, the Committee on the Elimination of Discrimination against Women adopted its concluding observations and recommendations on the report by Burundi (CEDAW/C/BDI/CO/5-6). Among other comments, the Committee expressed serious concern about the exacerbation of violence against women since April 2015, including lack of efforts to document incidents of sexual violence and widespread impunity.

On 22 November 2016, the President of the Human Rights Council (HRC) announced the appointment of Fatsah Ougergouz (Algeria), Reina Alapini Gansu (Benin) and Francoise Hampson (UK) as members of the Commission of Inquiry on Burundi. Ougergouz will serve as Chair of the Commission. The Commission held its first meeting from 23 to 27 January. The Commission, established by the HRC (A/HRC/RES/33/24), is responsible for identifying alleged perpetrators of human rights abuses in Burundi. It will present oral briefings to the HRC in March and June 2017; its final report to the HRC is due in September 2017.

On 29 November, the Committee on the Elimination of Racial Discrimination adopted a decision (1/91) deploring the Burundian government's growing lack of cooperation with the international community and called on the government to immediately admit a UN contingent of police officers as authorised by the Security Council in resolution 2303 in July.

## Key Issues

An immediate issue is ensuring that the situation in Burundi does not descend into chaos and further violence, including ethnically motivated violence.

On the political front, a main issue is finding an avenue for renewed and productive engagement between the Council and Burundi in order to solve the political crisis.

Promoting the deployment of the police component, in accordance with resolution 2303, and the deployment of AU observers are also key issues, as is re-establishing Burundi's cooperation with OHCHR.

## Options

In order to resolve the ongoing crisis in Burundi, steps the Council could take include:

- coordinating efforts with the AU and EAC in engaging with Burundi to advance the Inter-Burundian Dialogue and facilitate both the UN and AU deployments in the country;

**UN DOCUMENTS ON BURUNDI** [Security Council Resolution S/RES/2303](#) (29 July 2016) established a UN police component in Burundi of 228 officers for an initial period of one year. [Security Council Letter S/2016/799](#) (19 September 2016) contained the report of the Secretary-General on options to enable the UN to facilitate the deployment of AU human rights observers and military experts. [Security Council Press Statement SC/12554](#) (14 October 2016) called for the implementation of resolution 2303.



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## Burundi (con't)

- inviting Mkapa to brief it on developments in the Inter-Burundian dialogue;
- requesting the Secretary-General to engage with the Burundian government, directly or by establishing a position of special envoy for Burundi, in order to provide for a greater UN role in the Inter-Burundian Dialogue;
- adopting a logistical support package or another form of support for the AU deployment in Burundi;
- re-engaging with Burundi on ways to implement resolution 2303, or find a new platform for engagement if that proves impossible; and
- adopting targeted sanctions against spoilers of the political dialogue and those responsible for human rights violations.

### Council and Wider Dynamics

With Burundi currently entrenched in its

opposition to the implementation of resolution 2303—a position well known prior to the adoption of the resolution—the Council is at an impasse with respect to its engagement with the country. Some Council members, such as Russia and the African members, stress the need to establish a new basis for renewed engagement with Burundi, particularly as half a year has passed since the adoption of the resolution. Others, such as the US and France, hope to make headway with Burundi on the implementation of the resolution, a goal complicated by Burundi's current attitude towards Benomar.

Council members are hopeful that the new Secretary-General may be able to re-engage with Burundi in order to break the impasse. At the same time, Council members fear that the current state of affairs in Burundi—a relatively stable security environment

accompanied by severe human rights violations—could become a “tolerable” status quo for the international community.

On the issue of logistical support for the AU, France, the UK and the US have over the last few years been consistently opposed to granting such requests for missions outside of the UN system, due to budgetary concerns. Other Council members take the view that at this point, the AU is the only operational international presence in Burundi and should be supported in order to monitor the situation. They hope this issue will be more readily considered if an MoU officially accepting the AU deployment is signed with the government.

The penholder on Burundi is France.

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## South Sudan

### Expected Council Action

In February, the Council will follow closely the situation in South Sudan. There may be a meeting to consider the Secretary-General's 30-day assessment of the UN Mission in South Sudan (UNMISS), including the deployment and future requirements of the Regional Protection Force (RPF), obstacles to setting up the force and impediments to UNMISS in carrying out its mandate. Given the gravity of the situation, other meetings could be scheduled on South Sudan during the month, depending on developments in the country.

The UNMISS mandate expires on 15 December 2017.

### Key Recent Developments

The security and humanitarian environment in South Sudan continues to deteriorate amidst a faltering political process and reports of fighting in various parts of the country. There are now more than 1.85 million internally displaced people in South Sudan, and 1.3 million refugees have fled to neighbouring countries, including 450,000 since the July

2016 violence. Approximately one-third of the population requires emergency food assistance, and the World Food Programme estimates that the “situation is expected to further deteriorate during the peak of the lean season from May to July 2017.”

South Sudanese government officials continue to express ambivalence about the deployment of the Regional Protection Force (RPF), which the Council first authorised in August 2016 to, among other things, protect UN staff, humanitarian actors and civilians in Juba. On 10 January, Defence Minister Kuol Manyang Juuk said that the RPF was no longer needed, claiming that security had returned to Juba. On 13 January, Information Minister Michael Makuei Lueth said that the government did not object to the force but that the Council would need to adopt a new resolution for it because its initial mandate under resolution 2304 had expired on 15 December 2016. Makuei's statement failed to recognise that the mandate of the RPF was reauthorised by the Council through resolution 2327 adopted on 16 December 2016.

A number of outstanding issues remain

regarding the planning for the deployment of the RPF. While the government has agreed to provide land next to UN House in Juba for the force, on 12 January it rescinded its offer to allocate additional land near the UN's Topping base. There also continues to be disagreement between the government and UNMISS on the RPF's mandate to protect the airport; on 20 January, President Salva Kiir said that while South Sudan would accept the force, it “will not hand over the control of the airport to foreigners”.

The RPF, which was originally authorised for an initial four-month period ending on 15 December 2016, had to be reauthorised through resolution 2327 even though it has yet to be deployed and still may not be deployed in foreseeable future.

Obstructions of the operations of UNMISS continue. In recent months, there have been reports that government forces have restricted the freedom of movement of UNMISS personnel or otherwise obstructed its operations in various parts of the country, including Central Equatoria, Eastern Equatoria, Western Equatoria, Jonglei, Lakes,

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**UN DOCUMENTS ON SOUTH SUDAN** Security Council Resolutions S/RES/2327 (16 December 2016) extended the mandate of UNMISS for one year and reauthorised the Regional Protection Force. S/RES/2304 (12 August 2016) authorised the Regional Protection Force. **Secretary General's Report S/2016/951** (10 November 2016) was an UNMISS report. **Other S/2016/1085** (23 December 2016) was the draft resolution on an arms embargo and targeted sanctions that failed to receive the necessary support to be adopted. It received seven affirmative votes (France, New Zealand, Spain, Ukraine, Uruguay, the UK and the US) and eight abstentions (Angola, China, Egypt, Japan, Malaysia, Russia, Senegal and Venezuela). **S/2016/924** (1 November 2016) was the executive summary of the report of the special independent investigation into the July 2016 violence in Juba.

## South Sudan (con't)

Unity, Upper Nile and Western Bahr el-Ghazal states.

On 19 December 2016, Kiir issued a presidential decree authorising a South Sudan national dialogue process. Kiir had outlined his plans for the national dialogue in an address to the national legislative assembly on 14 December, during which he said that the objectives of the dialogue would be “to end violent conflicts in South Sudan, reconstitute national consensus, ... save the country from disintegration and usher in a new era of peace, stability and prosperity”. Kiir envisions the dialogue as a process that will include local-level consultations, followed by regional peace conferences and, lastly, a national conference in Juba. Opposition leader Riek Machar, currently in exile in South Africa, has criticised plans for the national dialogue, reportedly saying that negotiations to end the civil war must take place first.

On 14 January, Kiir issued a decree increasing the number of states in South Sudan from 28 to 32. The decree, which has been condemned by the Sudan People's Liberation Army/Movement in Opposition headed by Machar, is reminiscent of Kiir's late 2015 order that divided the country's ten states into 28 states. That decision was controversial in large part because it was perceived as increasing the control of the Dinka ethnic group over oil-producing areas of the Upper Nile region, and because it elicited concerns about the creation of ethnic enclaves that would exacerbate inter-communal tensions.

Secretary-General António Guterres spoke at length with Council members about South Sudan on 9 January during his first monthly luncheon with them since taking office. Among the key issues he raised at this meeting were the importance of revitalising the political process; the need to deploy the RPF, which the Council first authorised in August 2016, and the importance of raising awareness of the risk of atrocities in South Sudan.

On 23 January, Under-Secretary-General for Peacekeeping Operations Hervé Ladsous briefed Council members in consultations on South Sudan. Ahead of the consultations, they held an informal interactive dialogue with Festus Mogae, former President of Botswana and the chair of the Joint Monitoring and Evaluation Commission, responsible

for overseeing the implementation of the August 2015 South Sudan peace agreement. Ambassador Olof Skoog (Sweden), President of the Council in January, read out elements to the press on behalf of Council members at the stakeout after the meetings. Among other things, members expressed concern about the fighting throughout South Sudan, called on all actors to end hate speech, called on the government to work constructively with the UN on a swift deployment of the RPF and encouraged the engagement of the Secretary-General in a reinvigorated political process.

On 29 January, high-ranking officials from the AU, the Intergovernmental Authority on Development and the UN convened on the margins of the AU summit in Addis Ababa for a meeting on South Sudan. They issued a joint press statement that called for “an immediate cessation of hostilities and urged the parties to ensure inclusivity of the political process, both in the proposed National Dialogue and in the implementation of the” August 2015 peace agreement.

Newly appointed Special Representative of the Secretary-General David Shearer of New Zealand arrived in Juba on 20 January to assume his post.

### Human Rights-Related Developments

On 16 January, UNMISS and the Office of the High Commissioner for Human Rights released a joint report on human rights violations and abuses and breaches of international humanitarian law, including killings, rapes and arbitrary detention, committed in Juba between 8 and 12 July 2016 during and after fighting between the Sudan People's Liberation Army (SPLA) and the Sudan People's Liberation Movement/Army in Opposition (SPLM/A-IO). The report found that the two sides appeared to “deliberately target civilians, including on the basis of ethnicity” and concluded that some of the violations and abuses possibly amount to war crimes.

### Key Issues

The key underlying issue for the Council is what role it can play in reinvigorating the political process and in supporting those aspects of the August 2015 peace agreement that remain valid. This will require it to calibrate how it can add value to and coordinate with the efforts of the various regional, sub-regional and national actors with an interest in promoting peace in South Sudan. The Council further needs to determine how to approach Kiir's “national dialogue”; to date, Council

members have merely emphasised the need for this process to be “truly inclusive”.

Along with the search for a political process, another key and related issue is how to prevent the inter-ethnic conflict in South Sudan from descending into full-blown inter-ethnic warfare resulting in mass atrocities, given the warning signs that this is a possibility.

### Options

One option is for the Council to request a briefing from the Special Envoy for Sudan and South Sudan, Nicholas Haysom, to learn about his engagement in the peace process in conjunction with key regional actors and get his input on how the Council could most effectively support the mediation process.

Council members could also request to meet with AU High Representative for South Sudan Alpha Konaré to get his views on the mediation and how the Council could best support his efforts.

A further option is for the Council to adopt a resolution or presidential statement that:

- demands an immediate cessation of hostilities;
- reminds the government of its responsibility to protect civilians from atrocity crimes;
- encourages IGAD, the AU and the UN to vigorously pursue a mediated solution to the conflict;
- urges member states to provide operational support for the mediation efforts of the AU High Representative for South Sudan, given indications that resource constraints have hindered his work; and
- condemns restrictions on the freedom of movement of UNMISS personnel and obstacles to humanitarian access imposed by the government.

The Council could also consider holding an Arria-formula meeting on ways to combat hate speech and incitement to ethnic violence in South Sudan, inviting the participation of the High Commissioner for Human Rights, international NGOs with a presence in South Sudan and key South Sudanese religious figures, among others. The meeting could be open to the wider membership and webcast in order to continue to raise awareness of the risk of mass atrocities in South Sudan.

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## South Sudan (con't)

### Council Dynamics

Council members remain very concerned about the potential for the ongoing fighting in South Sudan to deteriorate into an all-out inter-ethnic war leading to mass atrocities and for the severe humanitarian crisis gripping the country to continue to worsen. While members have been emphasising the need for

an overarching political strategy to resolve the crisis, it is not clear what the elements of that strategy will be. Furthermore, members do not have a unified approach regarding how to exert leverage on the parties to resolve the crisis, with strong divisions persisting on the usefulness of pursuing an arms embargo and targeted sanctions.

Some members have noted that decisions pertinent to South Sudan that emerge from the AU Summit (scheduled for 22-31 January in Addis Ababa) will most likely help to inform the Council's next steps on South Sudan.

The US is the penholder on South Sudan.

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## Lead Roles within the Council in 2017: Penholders and Chairs of Subsidiary Bodies

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The insert in this Forecast contains an updated list of Security Council penholders and chairs of subsidiary bodies as of January 2017. The table does not contain an exhaustive list of all the agenda items of which the Council is currently seized but includes items with regular outcomes or where a subsidiary body has been established. For the full name of the agenda items, please refer to the latest summary statement by the Secretary-General of matters of which the Security Council is seized and the stage reached in their consideration (S/2017/10) and the weekly updates thereto. The list of chairs of subsidiary bodies is contained in a 9 January note by the Council president (S/2017/2/Rev.1).

The penholder system emerged around 2010, though the exact date is difficult to establish. The first time it was mentioned in a Council document other than meeting records was in a 2014 presidential note (S/2014/268). The note 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. While the note specified that any member of the Council can be a penholder, the P3 (France, the UK and the US) currently dominate the

penholder list, as is clear from the attached table. It should be noted, however, that this is only an informal system, with nothing preventing other Council members from “grabbing the pen” and drafting outcomes on any given issue if they so desire. Indeed, over the course of 2016 non-permanent members seemed to demonstrate an increased willingness to do so.

Contrasting with the penholder system, the many subsidiary bodies established by the Council are chaired by non-permanent members. The appointment process is largely controlled by the P5, although non-permanent members have long been pushing for a more inclusive and transparent process that takes into consideration to a greater extent the priorities and preferences of all Council members. As a result of these efforts, some changes in the selection procedures were instituted last year, reflecting also the fact that elections to the Council were moved up from October to June. Building on previous relevant presidential notes, Council members on 15 July 2016 agreed on a new note (S/2016/619), drafted by Japan as chair of the Informal Working Group on Documentation and Other Procedural Questions (IWG), concerning the preparation of newly elected members during the transitional period between the election and the beginning of their term, including the selection and preparation of

chairs of subsidiary bodies. Among other things, the note called on Council members “to make every effort to agree provisionally on the appointment of the chairs of the subsidiary organs for the following year no later than 1 October”. The note also reiterated that consultations on the appointment should begin as soon as possible after the elections and be conducted in a “balanced, transparent, efficient and inclusive way” by two members of the Council “working in full cooperation”, with it being understood that the two members in question would be the IWG chair and one permanent member.

Council members did not reach agreement on the selection of chairs for 2017 until 31 October 2016, but this was still much earlier than in previous years, thus giving the incoming elected members Bolivia, Ethiopia, Italy, Kazakhstan and Sweden more time to prepare for their new responsibilities. Bolivia chairs the 1540 Committee; Ethiopia, the Working Group on Conflict Prevention in Africa; Italy, the 1718 Democratic People's Republic of Korea Sanctions Committee; Kazakhstan, the 751/1907 Somalia-Eritrea, the 1267/1989/2253 ISIL/Da'esh/Al-Qaida and the 1988 Afghanistan Sanctions Committees; and Sweden, the 1970 Libya Sanctions Committee and the Working Group on Children and Armed Conflict.

## Notable Dates for February

REPORT DUE	REPORTS FOR CONSIDERATION IN FEBRUARY	REQUESTING DOCUMENT
13 January	Final report of the Panel of Experts of the 1591 Sudan Sanctions Committee	S/RES/2265
25 January	SG report on Iraq/Kuwait missing persons and property	S/RES/1284
26 January	SG report on UNAMI (Iraq)	S/RES/2299
27 January	Final report of the Panel of Experts of the 2140 Yemen Sanctions Committee	S/RES/2266
27 January	OPCW report on the implementation of resolution 2118 (Syria chemical weapons)	S/RES/2118 S/RES/2319
29 January	SG report on Burundi	S/RES/2303
30 January	SG report on UNMIK (Kosovo)	S/RES/1244
31 January	SG report on UNOCI (Côte d'Ivoire)	S/RES/2284
31 January	SG strategic report on the threat posed by ISIL and UN support to member states in countering the threat	S/RES/2253
1 February	SG report on CAR and implementation of MINUSCA's mandate	S/RES/2301
1 February	Final report of the Panel of Experts of the 1718 DPRK Sanctions Committee	S/RES/2276
8 February	SG report on UNIOGBIS (Guinea-Bissau)	S/RES/2267
15 February	Report of the Joint Investigative Mechanism (Syria chemical weapons)	S/RES/2319
15 February	SG report on UNMISS (South Sudan)	S/RES/2327
16 February	SG report on the humanitarian situation in Syria	S/RES/2139

MANDATES EXPIRE	RELEVANT DOCUMENT
26 February	Yemen sanctions S/RES/2266
28 February	UNIOGBIS (Guinea-Bissau) S/RES/2267
12 March	Panel of Experts of the 1591 Sudan Sanctions Committee (expires in March but expected to be renewed in February) S/RES/2265
27 March	Panel of Experts of the 2140 Yemen Sanctions Committee (expires in March but expected to be renewed in February) S/RES/2266

### Security Council Report Staff

**Ian Martin**  
Executive Director

**Joanna Weschler**  
Deputy Executive Director

**Shamala Kandiah Thompson**  
Associate Director

**Amanda Roberts**  
Associate Director

**Astrid Forberg Ryan**  
Senior Policy Analyst

**Paul Romita**  
Senior Policy Analyst

**Victor Casanova Abos**  
Policy Analyst

**Dahlia Morched**  
Policy Analyst

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**Robbin VanNewkirk**  
Website Manager

**Lindiwe Knutson**  
Research Analyst

**Audrey Waysse**  
Operations Manager

**Maritza Tenerelli**  
Administrative Assistant

**Aubrey Bloomfield**  
Research Intern

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Design Point Five, NY

**Security Council Report**  
One Dag Hammarskjöld Plaza  
885 2nd Ave at 48th St, 21st Floor  
New York NY 10017

**Telephone** +1 212 759 6394  
**Fax** +1 212 759 4038  
**Web** securitycouncilreport.org  
whatsinblue.org



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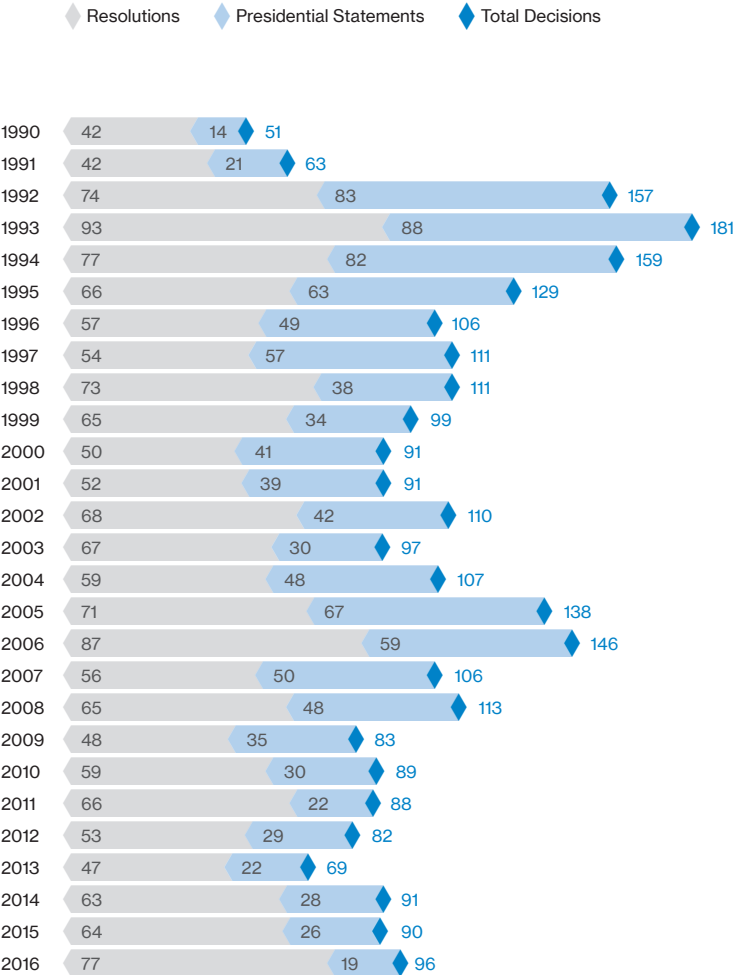


# Security Council Statistics in 2016

Overall, 2016 saw an increase in the number of decisions adopted by the Council. The number of resolutions increased and presidential statements decreased from the previous year. The number of resolutions adopted without consensus increased by two. Formal meetings increased by 11.

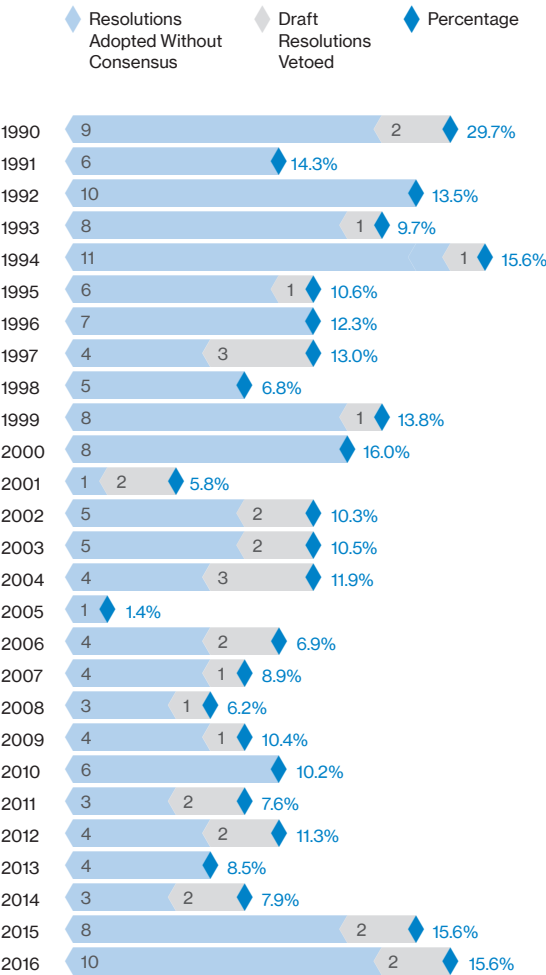
For further analysis see SCR’s “The Security Council in 2016” in the February 2017 Monthly Forecast.

Graph 1. Total Annual Decisions of the Security Council: 1990–2016



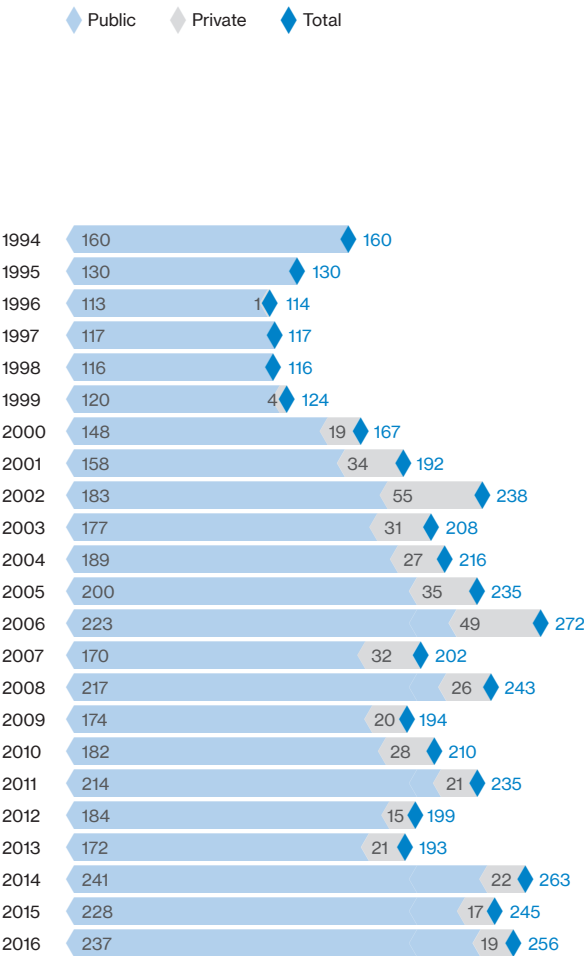
The Council adopted 96 decisions in 2016, compared to 90 decisions in 2015. The number of resolutions increased by 13, from 64 in 2015 to 77 in 2016. Resolutions were largely related to mandate extensions and sanctions renewals, but occasionally were adopted on wider humanitarian concerns such as protection of healthcare in armed conflict or human trafficking. The number of presidential statements adopted decreased by seven compared to 2015. The number of resolutions (77) adopted in 2016 was the highest since 1993 (93), while the number of presidential statements (19) was the lowest since 1990 (14).

Graph 2. Total Non-Consensual Resolutions: 1990–2016



In 2016, 67 of the 77 resolutions were unanimous (87 percent). The number of resolutions adopted without consensus increased by two relative to 2015. Resolutions relating to the renewal of mission mandates in Liberia, South Sudan and Western Sahara; Israel/Palestine and settlements; establishment of a UN police component in Burundi; Libya and migrants; non-proliferation; international tribunals; and sexual exploitation in UN peacekeeping were adopted without a unanimous vote in 2016. For the third year in succession, there were two resolutions vetoed, with Russia using its veto twice and China once. Both vetoed resolutions were on the situation in Syria.

Graph 3. Total Annual Meetings of the Security Council: 1994–2016



In total, the Council convened 256 formal meetings in 2016 representing an increase from 2015, when 245 meetings were held. Of those, 237 were public, and 19 were private. With the exception of two meetings (on the recommendation for the appointment of the Secretary-General and a briefing by the President of the ICJ), all the other private meetings were with TCC/PCCs. This was the highest number of formal meetings in over 20 years. For further analysis see “The Security Council in 2016” in the February 2017 Monthly Forecast.

## 2017 Chairs of Subsidiary Bodies and Penholders

SITUATION-SPECIFIC OR THEMATIC MATTER	PENHOLDER IN THE COUNCIL	CHAIR OF THE RELEVANT COUNCIL SUBSIDIARY BODY
Afghanistan	Japan	Kairat Umarov (Kazakhstan), 1988 Afghanistan Sanctions Committee
Bosnia and Herzegovina	Rotating on a monthly basis among members of the contact and drafting group (currently France, Germany, Italy, Russia, Sweden, the UK, Ukraine and the US).	N/A
Burundi	France	N/A
Central Africa Region (UNOCA/LRA)	UK	N/A
Central African Republic	France	Volodymyr Yelchenko (Ukraine), 2127 CAR Sanctions Committee
Central Asia (UNRCCA)	Russia	N/A
Colombia	UK	N/A
Côte d'Ivoire	France	N/A (The 1572 Côte d'Ivoire Sanctions Committee was dissolved on 28 April 2016.)
Cyprus	UK	N/A
Democratic Republic of the Congo	France	Amr Abdellatif Aboulatta (Egypt), 1533 DRC Sanctions Committee
DPRK (Non-proliferation)	US	Sebastiano Cardi (Italy), 1718 DPRK Sanctions Committee
Golan Heights (UNDOF)	Russia and the US	N/A
Guinea-Bissau	Senegal	Elbio Rosselli (Uruguay), 2048 Guinea-Bissau Sanctions Committee
Haiti	US in consultation with the Group of Friends of Haiti (Argentina, Brazil, Canada, Chile, Colombia, France, Guatemala, Peru, the US, Uruguay and Venezuela).	N/A
Iran (Non-Proliferation)	US; Italy acts as facilitator for the implementation of resolution 2231	N/A
Iraq	US on Iraq; UK on Iraq/Kuwait	Amr Abdellatif Aboulatta (Egypt), 1518 Iraq Sanctions Committee
Lebanon	France	Koro Bessho (Japan), 1636 Lebanon Sanctions Committee
Liberia	US	N/A (The 1521 Liberia Sanctions Committee was dissolved on 25 May 2016.)
Libya	UK	Olof Skoog (Sweden), 1970 Libya Sanctions Committee
Mali	France	N/A
Middle East (Israel/Palestine)	The US is often seen as the lead, but recent proposals on this issue have been drafted by various other Council members.	N/A
Somalia	UK; US on piracy	Kairat Umarov (Kazakhstan), 751/1907 Somalia-Eritrea Sanctions Committee

N/A= Not Applicable

SITUATION-SPECIFIC OR THEMATIC MATTER	PENHOLDER IN THE COUNCIL	CHAIR OF THE RELEVANT COUNCIL SUBSIDIARY BODY
Sudan and South Sudan	UK on Darfur; US on South Sudan and Sudan/South Sudan	Volodymyr Yelchenko (Ukraine), 1591 Sudan Sanctions Committee Fodé Seck (Senegal), 2206 South Sudan Sanctions Committee
Syria	Egypt, Japan and Sweden lead on humanitarian issues. On other issues, incl. chemical weapons, texts are normally agreed between Russia and the US prior to seeking agreement by the broader Council although France and the UK have also been active in tabling drafts and calling for meetings.	N/A
Ukraine	There is no clear penholder for Ukraine. Both Russia and the US have drafted texts and other members have been active in calling for meetings on the issue.	N/A
Yemen	UK	Koro Bessho (Japan), 2140 Yemen Sanctions Committee
West Africa, including the Sahel	Senegal	N/A
Western Sahara	US	N/A
Children and Armed Conflict	Sweden	Olof Skoog (Sweden), Working Group on Children and Armed Conflict
Counter-Terrorism (1267/1989/2253)	US	Kairat Umarov (Kazakhstan), 1267/1989/2253 Islamic State in Iraq and the Levant (ISIL) (Da'esh)/Al-Qaida Sanctions Committee
Counter-Terrorism (1373)	US	Amr Abdellatif Aboulatta (Egypt), 1373 Counter-Terrorism Committee
Counter-Terrorism (1566)	US	Amr Abdellatif Aboulatta (Egypt), 1566 Working Group
ICTY and International Residual Mechanism for Criminal Tribunals	Uruguay	Elbio Rosselli (Uruguay), Informal Working Group on International Tribunals
Non-proliferation of Weapons of Mass Destruction (1540)	Bolivia	Sacha Sergio Llorenty Soliz (Bolivia), 1540 Committee
Peace and Security in Africa	N/A	Tekeda Alemu (Ethiopia), Ad Hoc Working Group on Conflict Prevention and Resolution in Africa
Peacekeeping	UK	Fodé Seck (Senegal), Peacekeeping Operations Working Group
Protection of Civilians in Armed Conflict	UK	UK, Protection of Civilians Informal Expert Group
Women and Peace and Security	UK on women's participation and protection (resolution 1325); US on sexual violence in conflict (resolution 1820)	Sweden, the UK and Uruguay co-chair the 2242 Informal Expert Group on Women, Peace and Security
Working Methods	Japan	Koro Bessho (Japan), Informal Working Group on Documentation and Other Procedural Questions