

Monthly Forecast

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Overview

South Africa has the presidency in December. Members are monitoring the pandemic situation in New York, and if conditions allow, some meetings may be held in UN headquarters.

There will be a ministerial-level debate on “Peacebuilding and Sustaining Peace: Security Sector Governance and Reform”. South Africa’s Minister of International Relations and Cooperation, Naledi Pandor, will preside over the meeting, which will be held via VTC. AU Commissioner for Peace and Security Smail Chergui is expected to brief, and several member states that are on the Council agenda and that have undertaken SSR processes, including Colombia, the CAR, the DRC and Iraq, are expected to participate. A resolution is the proposed outcome.

South Africa is also organising a high-level VTC debate on [cooperation between the UN and the AU peace and security architectures](#). President Cyril Ramaphosa (who also heads the AU in 2020) is expected to chair the debate, and UN Secretary-General António Guterres and AU Commission Chairperson Moussa Faki Mahamat will brief. A presidential or press statement is a possible outcome.

As its third signature event, South Africa has chosen to have a briefing on [“the promotion and strengthening of the rule of law, focusing on strengthening the cooperation between the Security Council and the International Court of Justice”](#). The president of the ICJ, Abdulqawi Ahmed Yusuf, is expected to brief.

Regarding other African issues, an adoption is anticipated to renew the mandate of [MONUSCO in the DRC](#), with a briefing and consultations ahead of the renewal. An adoption is also scheduled to renew counter-piracy measures in [Somalia](#).

There are several meetings related to [Sudan and South Sudan](#) this month. On South Sudan, there will be a briefing and consultations on the activities of UNMISS, as well as a briefing by the chair of the 2206 South Sudan Sanctions Committee.

On [Sudan](#), members will have the quarterly briefing by the chair of the 1591 Sudan Sanctions Committee and semi-annual briefing on the ICC’s work by the Prosecutor. The Council is also

expected to receive a briefing on UNITAMS and UNAMID.

The Council is expected to focus on [Central Africa](#) in December, with a briefing and consultations scheduled on the semi-annual report on UNOCA and the implementation of the UN regional strategy to combat the Lord’s Resistance Army.

Regarding Middle East issues there will be consultations on [UNDOF in the Golan Heights](#), whose mandate expires on 31 December.

On [Iran](#), the Council is scheduled to receive the Secretary-General’s report on the implementation of resolution 2231, which in 2015 endorsed the JCPOA on Iran’s nuclear programme. Briefings are expected from the Joint Commission, established by the parties to the JCPOA to oversee its implementation, and from the Council’s 2231 facilitator, Ambassador Philippe Kridelka (Belgium), Under-Secretary-General for Political and Peacebuilding Affairs Rosemary DiCarlo, and a representative of the EU in its capacity as coordinator of the Joint Commission.

The regular meetings on [Syria, Yemen and the situation in the Middle East, including the Palestinian Question](#), are also on the December programme of work. On Syria, there will be an open and closed meeting covering the political and humanitarian situations and possibly both an open and closed meeting on the use of chemical weapons. The meetings on developments in Yemen and on the situation in the Middle East are also planned in both open and closed format.

A briefing by Karim Asad Ahmad Khan, the Special Adviser and head of the [UN Investigative Team to Promote Accountability for Crimes Committed by Da’esh/ISIL \(UNITAD\)](#), is also anticipated.

Regarding Asian issues, the quarterly meeting on [Afghanistan](#) is expected.

The semi-annual debate on the [International Residual Mechanism for Criminal Tribunals](#) will take place in December.

There will also be the annual briefing by [outgoing subsidiary body chairs](#), reviewing their experience and developments during their term as

30 November 2020
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Overview

chairs of committees or working groups.

Meetings may be scheduled for adoptions on possible presidential statements

to lift the obligation of regular briefings on [Burundi](#) and to mark the 31 December end of [UNIOGBIS in Guinea-Bissau](#).

The Council will also be watching developments in [Ethiopia](#), [Western Sahara](#) and [Nagorno-Karabakh](#).

In Hindsight: Signature Events in 2020 and Emerging Security Threats

The Security Council presidency, which rotates monthly in English-language alphabetical order, is an opportunity for Council members to showcase their foreign policy interests and goals. The “signature event”—convened as a debate, open debate, briefing or, during the COVID-19 pandemic, as open videoconferences (VTC)—is a prime vehicle for doing so. In contrast to meetings the Council is required to hold, whether to renew mandates of peace operations or discuss some reports of the Secretary-General, signature events are strictly optional, held at the discretion of the president. They have usually, but not always, been on thematic issues, and often take months to plan. Typically, Council members will hold one or two signature events during their respective presidencies, although on occasion a member has held more—or none at all. For elected members, with one or at most two presidencies during their two-year Council terms, the signature event can be a way of advancing particular priority issues and leaving their imprint on the Council’s work.

Signature events were first held in the 1990s and have been a common feature of Council presidencies during the past two decades. Over the years, these events have elicited mixed reactions. On the one hand, some of the topics pursued have been criticised for reflecting domestic political concerns as much as international peace and security imperatives. Some members have regarded long thematic debates—often the chosen format for these events—as a distraction from the core work of the Council. On the other hand, signature events have also brought greater focus to vital matters of peace and security, and raised wider awareness of non-traditional threats.

Several of this year’s signature events (listed below) allowed for expansive discussions on traditional topics, such as the relationship between the UN and regional organisations, upholding the UN Charter, and the safety and security of peacekeepers. But many of these events also demonstrated the complexity and

fluidity of global challenges and the broadening perceptions of peace and security among Council members. In this regard, it is not surprising that ecological issues and COVID-19 featured prominently among the 2020 signature events. This year featured signature events on climate and security (Germany’s presidency) and the humanitarian effects of environmental degradation, focusing largely on the Sahel region (Niger’s presidency). As well, there were signature events on the implications of COVID-19 for peace and security (Germany’s presidency), pandemics and the challenges of sustaining peace (Indonesia’s presidency), and global governance post-COVID-19 (Niger’s presidency). The 3 November Open VTC initiated by St. Vincent and the Grenadines on “Contemporary drivers of conflict and instability and insecurity” looked at the security implications of climate change and COVID-19, among other factors.

The elected members have played a significant role in pursuing several of these initiatives, often making signature events not isolated showpieces of a Council presidency but part of a strategy to promote priority issues over the course of a Council tenure and beyond. Issues such as hunger and conflict, and climate change, have gained momentum over time in the Council, with elected members taking the baton from past E-10 colleagues and running with it, at times developing coordinated approaches with contemporaneous elected members and some permanent members.

When the Dominican Republic convened an open VTC on conflict-induced hunger and spearheaded the adoption of a presidential statement on this issue in April, it was following in the footsteps of the Netherlands, which organised a briefing on conflict and hunger as a signature event of its March 2018 presidency and wielded the pen on resolution 2417 in May 2018—a product that requested the Secretary-General to report swiftly to the Council when there arises “the risk of conflict-induced famine and widespread food insecurity”. The Dominican Republic continued

its focus on hunger and conflict following its April presidency. In early September, it engaged members to explore Council follow-up to a Secretariat note that warned about worsening food insecurity resulting from armed conflict in the Democratic Republic of the Congo, north-east Nigeria, South Sudan, and Yemen. This led to a request from eight Council members—Belgium, Dominican Republic, Estonia, France, Germany, Niger, the UK, and Viet Nam—for a briefing on these hunger crises. Indonesia, Saint Vincent and the Grenadines, South Africa, Tunisia, and the US subsequently expressed their support for the proposal. As a result, on 17 September, Under-Secretary-General for Humanitarian Affairs Mark Lowcock, Executive Director of the World Food Programme David Beasley, and the Director-General of the Food and Agricultural Organisation Qu Dongyu briefed in open VTC format on the hunger crisis in the four countries.

The signature events that elected members have pursued on climate and security this year, as well as in previous years (for example, the Dominican Republic in January 2019 and Sweden in July 2018), are part of a broader effort to integrate this issue into the Council’s work. Ten current members—Belgium, Dominican Republic, Estonia, France, Germany, Niger, Saint Vincent and the Grenadines, Tunisia, the UK and Viet Nam—recently formed an informal expert group on climate and security to help inform Council decision-making on this issue. Some of these members have also spearheaded efforts to integrate climate-security concerns into Council resolutions and presidential statements.

This year’s signature events on pandemics, climate change, and hunger and conflict reflect the diverse global challenges confronting Council members in a complex international peace and security environment. In this respect, other issues such as hybrid warfare and cyber-threats have been discussed in informal meetings of Council members and are potential topics for future signature

In Hindsight: Signature Events in 2020 and Emerging Security Threats

events, although they could be controversial for some members, and provoke resistance. Regardless of the issue, the signature event has always been most effectively used when it is part of a broader strategy to promote a particular issue in coordination with other like-minded members. Such coordination in recent years has been an encouraging aspect of Council dynamics.

2020 UN SECURITY COUNCIL SIGNATURE EVENTS

Month	Council President	Event(s)
January	Viet Nam	<ul style="list-style-type: none"> Maintenance of International Peace and Security: Upholding the UN Charter (Open Debate) Cooperation between the UN and the Association of Southeast Asian Nations (Briefing)
February	Belgium	<ul style="list-style-type: none"> Peacebuilding and sustaining peace: transitional justice in conflict and post-conflict situations (Open Debate) Children and Armed Conflict: Integrating child protection into peace processes to resolve and sustain peace (Briefing)
March	China	<ul style="list-style-type: none"> Peace and Security in Africa: Countering terrorism and extremism in Africa (Debate) UN Peacekeeping Operations: safety and security of peacekeepers
April	Dominican Republic	<ul style="list-style-type: none"> Protection of civilians in armed conflict: Protecting civilians from conflict-induced hunger (Open VTC) Maintenance of international peace and security: youth, peace and security (Open VTC)
May	Estonia	<p>(In lieu of a typical signature event format, Estonia organised two Arria-formula meetings):</p> <ul style="list-style-type: none"> "Seventy-five years from the end of the Second World War on European soil – lessons learned for preventing atrocities, responsibility of the Security Council" (Open VTC) "Cyber Stability, Conflict Prevention and Capacity Building", in cooperation with Belgium, Dominican Republic, Indonesia and Kenya (Open VTC)
June	France	<ul style="list-style-type: none"> Briefing by the UN High Commissioner for Refugees (Open VTC)
July	Germany	<ul style="list-style-type: none"> Maintenance of international peace and security: Implications of Covid-19 (Open VTC) UN peacekeeping operations: Peace operations and human rights (open VTC) Maintenance of international peace and security: Climate and security (Open VTC)
August	Indonesia	<ul style="list-style-type: none"> Threats to international peace and security caused by terrorist acts: Linkage of counter-terrorism and transnational organised crime (Open VTC) Peacebuilding and sustaining peace: Pandemics and the challenges of sustaining peace (Open VTC)
September	Niger	<ul style="list-style-type: none"> The relationship between the UN and the Organisation Internationale de la Francophonie (Open VTC) Children and armed conflict: Attacks against schools – a grave violation of children's rights (Open VTC) Maintenance of international peace and security: Humanitarian effects of environmental degradation and peace and security (Open VTC) Maintenance of international peace and security: Global governance post-Covid-19 (Open VTC)
October	Russia	<ul style="list-style-type: none"> Maintenance of International Peace and Security: Comprehensive review of peace and security in the Persian Gulf region (Open VTC)
November	Saint Vincent and the Grenadines	<ul style="list-style-type: none"> Peacebuilding and Sustaining Peace: Contemporary drivers of conflict and insecurity (Open VTC)
December	South Africa	<ul style="list-style-type: none"> Security Sector Reform (Open VTC) Relationship Between the UN and the AU on Peace and Security Architectures (Open VTC) Relationship between the Security Council and the ICJ (Briefing) <p>(All signature events of South Africa's presidency listed as anticipated at the time of writing.)</p>

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Peacebuilding

On 3 November, Security Council members held a virtual, high-level open debate on "contemporary drivers of conflict and insecurity", under the Peacebuilding and Sustaining Peace agenda (S/2020/1090). Saint Vincent and the Grenadines circulated a concept note ahead

of the meeting (S/2020/1064). Briefers were: Deputy Secretary-General Amina Mohammed; Chief Executive Officer of the New Partnership for Africa's Development Ibrahim Mayaki; Vice-Chancellor of the University of the West Indies Hilary Beckles; and the President of ECOSOC, Ambassador Munir Akram (Pakistan).

Police Commissioners

On 4 November, the Security Council held its annual meeting with the heads of UN police components in UN peace operations (S/2020/1092). In addition to Under-Secretary-General for Peace Operations Jean-Pierre Lacroix, the Council also heard briefings from

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the heads of police components of three UN peacekeeping operations and one special political mission. Pascal Champion, the police commissioner of the UN Multidimensional Integrated Stabilization Mission in the Central African Republic, briefed on enhancing UN police performance and accountability; Unaisi Lutu Vuniwaqa, the police commissioner of the UN Mission in South Sudan, briefed on the contribution of UN police to the protection of civilians; Issoufou Yacouba, the police commissioner of the UN Multidimensional Integrated Stabilization Mission in Mali, addressed the issue of advancing political solutions through UN policing; and Serge Therriault, the police commissioner of the UN Integrated Office in Haiti, discussed capacity-building and development efforts.

Bosnia and Herzegovina

On 5 November, the Council held its semi-annual debate on Bosnia and Herzegovina (S/2020/1103). High Representative Valentin Inzko briefed on the latest report of the Office of the High Representative (S/2020/1052). The Council unanimously adopted resolution 2549 renewing the authorisation of the EU-led multinational stabilisation force (EUFOR ALTHEA) for another year (S/2020/1087). On 24 November, Council members convened for a virtual Arria-formula meeting, organised by Russia, to commemorate the 25th anniversary of the General Framework Agreement for Peace in Bosnia and Herzegovina. The briefers at the meeting were Inzko; Dragan Čović, a former member of the tripartite presidency of Bosnia and Herzegovina and the head of the Croatian Democratic Union of Bosnia and Herzegovina; and Milorad Dodik, a Republika Srpska politician who is the head of the Alliance for Independent Social Democrats and one of three members of the rotating tripartite presidency of Bosnia and Herzegovina.

Libya

On 10 November, ICC Prosecutor Fatou Bensouda delivered her semi-annual briefing to the Council on recent developments concerning cases in Libya (S/2020/1108). On 19 November, Council members met for a VTC briefing, followed by consultations, on the work of UNSMIL and on Libya sanctions. The briefers were Acting Special Representative and head of UNSMIL, Stephanie Williams, and the chair of the 1970 Libya Sanctions Committee, Günter Sautter, the Deputy Permanent Representative of Germany.

Nagorno-Karabakh

On 11 November, the Council discussed the situation in Nagorno-Karabakh under “any other business”. Russia called for the meeting to discuss the 9 November agreement, which it had brokered, on cessation of hostilities between Armenia and Azerbaijan. Under the agreement, Russia would deploy peacekeeping force along the line of contact in Nagorno-Karabakh and along the Lachin corridor that connects Armenia with the disputed territory.

Belarus

On 11 November, the Council discussed the situation in Belarus under “any other business”. Estonia, Belgium, France, Germany, and the UK initiated the meeting. These members have expressed concern over the ongoing human rights violations against the opposition in the country. They called for a peaceful and inclusive national dialogue vis-à-vis disputed presidential elections held in August.

Sudan/South Sudan

On 12 November, the Council unanimously adopted resolution 2550 that renewed the mandate of UNISFA until 15 May 2021 (S/PV.8774). It retained the authorised troop ceiling of 3,550 and the authorised police ceiling of 640 personnel, as well as the mission’s support for the Joint Border Verification and Monitoring Mechanism.

Central African Republic

On 12 November, the Council unanimously adopted resolution 2552, which extends the mandate of MINUSCA for one year until 15 November 2021 (S/PV.8776). Resolution 2552 maintains MINUSCA’s current troop levels of 11,650 military personnel and 2,080 police personnel, and highlights preparations for CAR’s elections, supporting the country’s peace process and protecting civilians as key priorities for the mission.

Hitting the Ground Running Workshop

The 18th annual workshop for incoming members of the UN Security Council, titled “Hitting the Ground Running”, was held on 12 and 13 November in New York City. The government of Finland convened the workshop, in cooperation with Security Council Report, the School of International and Public Affairs of Columbia University, and the Security Council Affairs Division of the UN Department of Political and Peacebuilding Affairs.

G5 Sahel

On 16 November, the Council held a VTC briefing on the Group of Five for the Sahel joint force. Under-Secretary-General for Peace Operations Jean-Pierre Lacroix briefed on the Secretary-General’s latest report on the force (S/2020/1074). Other briefings were delivered by Ambassador Issa Konfourou of Mali, on behalf of the G5 Sahel countries; Koen Vervaeke, the Managing Director for Africa at the European External Action Service and Ambassador Robert Rae (Canada), the chair of the Peacebuilding Commission. Because of technical problems, AU Peace and Security Commissioner Smail Chergui was unable to brief. His statement will be included in the compilation document of briefings and statements at the meeting.

Mali

On 17 November, Ambassador José Singer Weisinger (Dominican Republic) briefed the Council in his capacity as chair of the Mali 2374 Sanctions Committee (S/PV.8777). The briefing was held in accordance with resolution 2374, which requests that the chair brief at least once a year on the overall work of the committee.

Lebanon (1701)

On 17 November, the Security Council heard a briefing on the latest Secretary-General’s report on the implementation of resolution 1701 (S/2020/1110) in a closed VTC meeting. Assistant Secretary-General for the Middle East, Asia and the Pacific, Mohamed Khaled Khiari, and the Special Coordinator for Lebanon, Jan Kubiš, briefed the Council.

DPRK

On 17 November, the Council met under “any other business” to discuss issues related to implementation of paragraph 5 of resolution 2397 (2017) concerning petroleum transfers to the DPRK. The Chair of the 1718 DPRK Sanctions Committee, Ambassador Christoph Heusgen (Germany), initiated the meeting to address the issue of conversion rate for tons and barrels related to the importing of refined petroleum products to the DPRK that are capped at 500,000 barrels annually. A persistent issue at the committee level has been the inability of its members to agree on a ton/barrel conversion rate, which would help the committee determine with more precision the permitted amount of imported petroleum products. After the meeting, Heusgen held a

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media stakeout during which he noted that China and Russia have politicised the process of finding a solution to this issue and have continuously stalled attempts to resolve it. He emphasised that the inability to resolve this issue undermines the credibility of the Council and the committee.

The Middle East, including the Palestinian Question

On 18 November, Security Council members held a VTC briefing, followed by VTC consultations, on “The Situation in the Middle East, including the Palestinian Question” (S/2020/1128). Special Coordinator for the Middle East Peace Process Nickolay Mladenov briefed. He expressed concern about the rising number of COVID-19 infections in the occupied Palestinian territory, the decision by Israeli authorities to commence bidding for the construction of more than 1,200 new housing units in the Givat Hamatos settlement in eastern Jerusalem, and the demolition of Palestinian structures in the occupied West Bank.

Counter-Terrorism

On 23 November, the Council received its annual briefing from the chairs of its counter-terrorism-related committees. Briefings on the activities of the respective committees were delivered by Ambassador Dian Triansyah Djani (Indonesia), chair of the 1540 Committee, which focuses on the non-proliferation of weapons of mass destruction, and of the 1267/1989/2253 Islamic State in Iraq and the Levant (ISIL) (Da’esh) and Al-Qaida Sanctions Committee; and Ambassador Tarek Ladeb (Tunisia), chair of the 1373 Counter-Terrorism Committee.

Iraq

On 24 November, Special Representative and head of UNAMI, Jeanine Hennis-Plasschaert, briefed the Council on the most recent developments in Iraq and on the Secretary-General’s reports on UNAMI (S/2020/1099), and on the issue of missing Kuwaiti and third-country nationals and missing Kuwaiti property, including the national archives (S/2020/1089).

Ethiopia (Tigray conflict)

On 24 November, Council members discussed the conflict in Ethiopia’s Tigray region under “any other business”. Several members emphasised the importance of de-escalating the conflict, expressed concern about the impact of the fighting on civilians, and underscored their support for regional engagement to resolve the conflict.

Unilateral Coercive Measures

On 25 Council members participated in a virtual Arrria-formula meeting organised by China, Niger, Russia, Saint Vincent and the Grenadines, and South Africa on the issue of Unilateral Coercive Measures (UCM). The briefers were: Alena Douhan, UN Special Rapporteur on UCM; Fermín Quiñones, President of the UN Cuban Association; Khaled Erksoussi, the Secretary General of the Syrian Red Crescent; and Dr. Nhamo Mhiripiri, Associate Professor at Midlands State University, Zimbabwe.

Iran

Expected Council Action

In December, the Council is scheduled to receive the Secretary-General’s report on the implementation of resolution 2231, which in 2015 endorsed the Joint Comprehensive Plan of Action (JCPOA) on Iran’s nuclear programme. The Council also expects reports from the Joint Commission, established by the parties to the JCPOA to oversee its implementation, and from the Council’s 2231 facilitator, Ambassador Philippe Kridelka (Belgium). Under-Secretary-General for Political and Peacebuilding Affairs Rosemary DiCarlo, Kridelka, and a representative of the EU in its capacity as coordinator of the Joint Commission, are also expected to brief the Council in a videoconference (VTC).

Key Recent Developments

Since the Council’s last meeting on the implementation of resolution 2231 in June, the tensions between the US and Iran have continued. Following its formal withdrawal from the JCPOA in May 2018, the US has imposed a wide range of unilateral sanctions on Iran. It argues that Iran poses a threat to peace and security in the region and continues to supply weapons to terrorist groups and proxies in violation of resolution 2231.

Among other things, the resolution imposed restrictions on arms-related transfers to and from Iran, with an October 2020 expiry date that was contingent on Iran’s compliance with its commitments under the JCPOA. The US stated its intention not to allow Iran to acquire conventional weapons

after the expiry of the ban and emphasised that it would work with other Council members to extend the prohibition.

In recent months, the US intensified a public campaign to garner international support for extending the arms embargo on Iran. On 14 August, the US tabled a draft resolution that would have extended indefinitely the existing arms-related restrictions under resolution 2231. After receiving two votes in favour (Dominican Republic and the US), two against (China and Russia), and 11 abstentions, the draft resolution was not adopted. On 20 August, US Secretary of State Mike Pompeo hand-delivered identical letters to UN Secretary-General António Guterres and the president of the Security Council, Ambassador Dian Triansyah Djani (Indonesia),

UN DOCUMENTS ON IRAN Security Council Resolution S/RES/2231 (20 July 2015) endorsed the Joint Comprehensive Plan of Action on Iran. **Secretary-General’s Report** S/2020/531 (11 June 2020) was on implementation of resolution 2231. **Security Council Letters** S/2020/1037 (20 October 2020) contained the written record of the briefing on the “Comprehensive review of the situation in the Persian Gulf region”. S/2020/927 (21 September 2020) was from the US, stating that as of 20 September, all restrictive measures prior to the adoption of resolution 2231 were reinstated on Iran as a result of the US notification to the Security Council of Iran’s significant non-compliance with the JCPOA. S/2020/921 (19 September 2020) was from the Secretary-General, ensuring the Secretariat’s support for the Security Council pending its clarification on whether or not the terminations in paragraph 7 (a) of resolution 2231 continue in effect. S/2020/1003 (4 September 2020) was from the Director General of the IAEA addressed to the president of the Security Council. S/2020/822 (21 August 2020) was from the US, providing a legal argument for its right to initiate a snapback mechanism under resolution 2231. S/2020/815 (20 August 2020) was from the US, notifying the Council that it initiated the snapback mechanism under resolution 2231. S/2020/805 (15 August 2020) contained the written record on a vote on a draft resolution S/2020/797 on the extension of arms-related restrictions on Iran. S/2020/644 (2 July 2020) contained the written record of the VTC meeting on implementation of resolution 2231. **Security Council Press Statement SC/13762** (2 April 2019) reaffirmed the commitment to advancing the goals of the Non-Proliferation Treaty. **Other** S/2020/797 (14 August 2020) was the US draft resolution on the extension of arms-related restrictions on Iran. S/2020/307 (15 April 2019) was the IAEA report on verification and monitoring in Iran in light of resolution 2231.

Iran

notifying the Council that the US finds Iran in non-compliance with the JCPOA, and claiming that it had, accordingly, triggered the snapback mechanism under resolution 2231.

Resolution 2231 stipulates that any concerned party to the JCPOA can notify the Council about an issue that it considers a significant violation of the agreement. The sanctions in place before its adoption would then resume 30 days after the notification unless the Council adopted a resolution that continued the lifting of the sanctions.

Following the US notification, 13 Council members (excluding the US and the Dominican Republic) sent letters to the president of the Council opposing the US move and maintaining that the US did not have the right to invoke the snapback provision under resolution 2231 because of its withdrawal from the JCPOA. The US based its claim on the plain reading of the text of resolution 2231, which lists the US as a participant state to the JCPOA, and argued that it had the right to initiate the procedure irrespective of its current position on the JCPOA, which it considers a non-binding political arrangement related to, but distinct from, resolution 2231.

During the 25 August open VTC meeting on “the Situation in the Middle East including the Palestinian Question”, Russia asked the Council president (Indonesia) how the presidency would proceed with the US decision to trigger the snapback provision under resolution 2231. Indonesian Ambassador Djani responded that given the lack of consensus among Council members, the presidency could not take further action on this issue. Niger, president of the Council in September, also did not act on this matter, citing a lack of consensus.

On 19 September, the Secretary-General sent a letter to the president of the Security Council stating that the Council had taken no action to trigger the snapback mechanism after the receipt of the US notification. He indicated that in such circumstances there was uncertainty as to whether or not the snapback mechanism was triggered, but that the Secretariat stood ready to provide support for the Council at its direction. The Secretary-General has taken no position on the validity of the US notification. On 20 September, Pompeo said that all UN sanctions had been re-imposed on Iran and that countries that did not respect the sanctions would face consequences.

In November, the IAEA reported a continued increase in Iran’s stockpile of

low-enriched uranium, far exceeding the limit set by the JCPOA. Also, Iran has continued to enrich uranium to a purity of 4.5 percent, exceeding the JCPOA’s limit of 3.67 percent. According to some media reports, US President Donald Trump discussed with his senior advisors possible options for a military strike against an Iranian nuclear site, presumably Natanz. The White House did not comment on these reports. Meanwhile, Iran has warned that any attacks against the country would face a “crushing response”.

The newly elected US president, Joe Biden, was a member of the US administration that negotiated the JCPOA in 2015. During his campaign, he stated his intention to re-enter the agreement if Iran returns to full compliance, saying that he would use this as a starting point for further negotiations. Iran has been explicit in saying that it would return to full compliance only if the US does the same. Iranian Foreign Minister Javad Zarif has also emphasised that Iran would not renegotiate the terms of the JCPOA.

Human Rights-Related Developments

Addressing the 75th session of the General Assembly, Javaid Rehman, Special Rapporteur on the situation of human rights in the Islamic Republic of Iran, presented his annual report (A/75/213) and expressed deep concern, saying that the human rights situation in Iran is characterised by “systematic violations of human rights and continued impunity”. The report emphasised that the violence by security forces during protests in November 2019 and January 2020 was the “worst incident of State violence in Iran in decades”. In his statement, Rehman said that the Government of Iran and the judiciary appeared to be implementing death sentences against protesters “in order to prevent peaceful dissent and limit civic space”.

Key Issues and Options

The primary concern for the Council is to ensure full implementation of resolution 2231 by the remaining parties to the JCPOA and the wider UN membership. This has become more challenging since the US claimed to have triggered the snapback mechanism under this resolution, a move that 13 Council members consider illegitimate.

While members indicated their positions on this matter via letters to the Council, there has been no dedicated discussion on the issue in the Council. Therefore, an option for the Council would be to hold a closed meeting to facilitate a further exchange of views.

While it is still formally in the JCPOA, Iran

has continued to breach its nuclear-related commitments under the agreement. Should the remaining parties to the agreement fail to resolve Iran’s non-compliance issues, they would have the option of notifying the Council formally, which would initiate the snapback mechanism, effectively reinstating the sanctions that were in place before the adoption of resolution 2231.

The expiry of arms-related restrictions on Iran in October poses a related issue for the Council, given the deep divisions among permanent members over how to address this. Some Council members, including JCPOA participant states, have concerns about Iran’s destabilising behaviour in the region and its support for proxy groups. However, the Council would face a difficult task in addressing this issue without affecting the JCPOA.

The standoff between the US and Iran over the JCPOA has also affected the regional security situation and heightened military tensions in the Persian Gulf. Given the real potential for open confrontation, the Council will follow this situation closely. Should tensions escalate further, the Council could consider making a more formal pronouncement urging restraint on all sides.

Council Dynamics

The US withdrawal from the JCPOA in 2018 has left the Council deeply divided on Iran. Although it has committed several breaches of its nuclear-related commitments under the JCPOA, Iran formally remains in the agreement. The US has claimed that Iran’s destabilising behaviour in the region runs contrary to the spirit of the agreement and has kept up a campaign of maximum pressure on the country, imposing a series of unilateral sanctions. Most other Council members—among them, China, France, Germany, the UK, and Russia, which are parties to the agreement—maintain their position that the JCPOA remains valid, reiterate the importance of preserving it, and say that they will continue to adhere to its provisions.

A recent attempt by the US to extend arms-related restrictions on Iran and subsequently trigger a snapback mechanism faced overwhelming opposition in the Council. An additional challenge the Council faces in the implementation of resolution 2231 is the US position that this resolution is now irrelevant, the US having triggered the snapback mechanism. The US considers that Iran is thus now subject to the UN sanctions that were in

Iran

place before the adoption of resolution 2231. All other Council members excluding the Dominican Republic view the US move as illegitimate and have said that they intend to continue to implement the resolution.

The European members and JCPOA participants—France, Germany, and the UK—have expressed concerns over the expiry of

arms-related restrictions in October and Iran's destabilising behaviour in the region. They have emphasised the importance of preserving the JCPOA, however, especially its nuclear-related provisions. Iran has signalled that any changes to resolution 2231, including the extension of arms-related restrictions, would force it to withdraw from the

agreement. Russia and China are adamant about implementing all aspects of resolution 2231, including its sunset clauses. The Council dynamics vis-à-vis the JCPOA and resolution 2231 are likely to change next year under the new US administration.

Security Sector Reform

Expected Council Action

In December, Council president South Africa is expected to convene a ministerial-level debate on “Peacebuilding and Sustaining Peace: Security Sector Governance and Reform (SSR)”. South Africa's Minister of International Relations and Cooperation, Naledi Pandor, will preside over the meeting, which will be held via videoconference. AU Commissioner for Peace and Security Smail Chergui is expected to brief. Representatives of several member states that are on the Council agenda and that have undertaken SSR processes, including Colombia, the Central African Republic, the Democratic Republic of the Congo, and Iraq, are expected to participate in accordance with rule 37 of the provisional rules of procedure.

A resolution is a possible outcome.

Background and Key Recent Developments

Security Sector Reform (SSR) is a term which has been widely used in General Assembly and Security Council documents. While the definition of SSR is constantly evolving, the core aim of SSR remains to improve safety and enhance the effectiveness and accountability of security institutions controlled by civilians, including those of defence, law enforcement, corrections, intelligence services, and border management. Security Sector Governance and Reform (SSG/R) describes how to facilitate the application of principles of good governance to public security provision, including accountability and rule of law.

The Security Council began discussing SSR as a thematic issue in 2007 when it convened its first open debate on the matter during Slovakia's February presidency. The Council adopted a presidential statement following the debate that stressed the importance of SSR in post-conflict environments and underlined the sovereignty and primary responsibility of the country concerned in determining its SSR priorities. The statement also requested the Secretary-General to report on lessons learned as well as core SSR functions the UN system can perform. The subsequent report, “Securing Peace and Development: the role of the UN in supporting SSR”, was discussed during a briefing on 12 May 2008 under the UK presidency. The report observed that UN support for SSR had largely been pursued as an ad hoc undertaking, hampered by weak capacity and insufficient resources to deliver effective support to national authorities.

The Council held a second open debate on SSR on 12 October 2011, under the presidency of Nigeria. The presidential statement adopted following the debate noted that the bulk of international assistance in the area of SSR takes place in, and is directed to, countries in Africa, and stated that there is a need to expand the consideration given to African perspectives on SSR. The statement welcomed the partnership between the UN and the AU in developing a continental policy framework for SSR implementation. In the context of multidimensional peacekeeping operations, the Council stressed the need

to continue to include, as appropriate, SSR aspects as an integral part of the planning of UN operations.

On 28 April 2014, the Security Council adopted resolution 2151, the first thematic resolution on SSR, following an open debate again convened by Nigeria, which had returned to the Council after two years and which spearheaded the resolution. It recognised that SSR should be a nationally owned process, and in this regard, it recalled the sovereign right and the primary responsibility of the states concerned to determine their respective SSR approaches and priorities. While noting the support provided by bilateral and regional actors, resolution 2151 focused on the key role of the UN system in SSR. Among other things, it requested the Secretary-General to develop additional guidance to help UN officials in delivering on mandated SSR tasks and to highlight updates on progress in SSR, where relevant, in reporting to the Council.

On 20 August 2015, the Council convened for a briefing under Nigeria's presidency to take stock of the implementation of resolution 2151 by the UN system, with an emphasis on implementation by the Security Council. At the meeting, Council members acknowledged the important role that SSR plays in stabilising countries in post-conflict situations and expressed support for more focused engagement by UN peace operations in SSR efforts based on national ownership and in cooperation with regional organisations such as the AU. Some Council members referred to the need to involve the voices of women, youth and civil

UN DOCUMENTS ON SECURITY SECTOR REFORM [Security Council Resolution S/RES/ 2151](#) (28 April 2014) was the first thematic resolution on SSR. [Security Council Presidential Statements S/PRST/2011/19](#) (12 October 2011) highlighted the need to expand the consideration given to African perspectives on SSR. [S/PRST/2007/3](#) (21 February 2007) recognised the link between SSR, Disarmament, Demobilization and Reintegration and small arms and light weapons control. [Security Council Letter S/2020/1145](#) (25 November 2020) contained a concept note prepared by South Africa ahead of the ministerial-level debate on “Peacebuilding and Sustaining Peace: Security Sector Governance and Reform (SSR)”. [Secretary-General's Reports S/2013/480](#) (13 August 2013) was on “Securing States and societies: strengthening the United Nations comprehensive support to security sector reform”. [S/2008/39](#) (23 January 2008) was on “Securing peace and development: the role of the United Nations in supporting security sector reform”. [Security Council Meeting Records S/PV.7508](#) (20 August 2015) was a briefing on SSR under the presidency of Nigeria. [S/PV.6630](#) (12 October 2011) was an open debate on SSR under the presidency of Nigeria. [S/PV.5889](#) (12 May 2008) was a briefing on SSR under the UK presidency. [S/PV.5632](#) (20 February 2007) was the first open debate on SSR under the presidency of Slovakia.

Security Sector Reform

society in reform efforts and to increase women's participation in the security sector.

Since 2014, the Council has adopted no fewer than 20 country-specific resolutions mandating ten peace operations to implement an increasingly wide range of SSR tasks. Concurrently, the Secretary-General's independent reviews of peace operations such as the UN Multidimensional Integrated Stabilization Mission in the Central African Republic (MINUSCA) highlighted the role that UN support for SSR plays in advancing political solutions to conflict. Additionally, peace agreements signed since 2010 increasingly contain comprehensive provisions on SSG/R, due to changes in conflict dynamics, as discussions arose around the possible integration of armed groups that laid down their arms in post-conflict security arrangements. Such agreements include those signed in South Sudan (2015, 2018), Mali (2016), the Central African Republic (2019) and Sudan (2020). Also, the AU identified SSR as a key element in its initiative to "silence the guns in Africa" as part of its Agenda 2063.

The Group of Friends of Security Sector Reform was formed in 2007, with the aim of offering member states a platform to discuss possible action to shape and advance the UN SSR agenda. The Group is currently co-chaired by Slovakia and South Africa. South Africa identified SSR as one of its foreign policy priorities and hosted several meetings to promote the development of the SSR agenda, such as a high-level dialogue on "Global Experiences in SSR", co-hosted by Slovakia and South Africa in May 2017. In April 2018, Slovakia and South Africa also co-hosted a high-level roundtable on "Security Sector Reform and Sustaining Peace".

Key Issues and Options

According to the concept note prepared by South Africa ahead of the meeting, December's Council debate on SSG/R aims to draw linkages between SSR, peacebuilding and sustaining peace, with the goal of integrating the concept across all three pillars of the UN system.

A key priority for the Council is to promote the implementation of resolution 2151 while continuing to ensure national ownership of SSR processes without compromising key principles and guidelines. Challenges in this regard include the difficulties faced by the UN system in securing national authorities' commitment to holding national dialogues on SSR; forging a common national vision for security; and developing national security policies, strategies and plans.

The concept note states that another gap is that although SSR is a political process as much as a technical one, SSR mandates often do not highlight security sector governance or inclusiveness and the participation of all segments of society in national SSR processes. A priority in this regard is to increase the representation of women in the security sector to create more inclusive institutions that garner broader trust from the population. The Council may wish to provide guidance on the need for inclusive national agreements related to Security Sector Governance when considering good offices, mediation and the facilitation of political dialogue.

Another priority for the Council is to provide UN peace operations with tools to implement their role in supporting the coordination of international assistance to SSG/R.

The Council may therefore consider asking the Secretariat to issue a guidance on how to better link mandate priorities and sequencing to assist UN peace operations in performing SSG/R related tasks.

A further issue relates to the fact that while many member states integrate security sector reforms into their national recovery, prevention and peacebuilding strategies, underfunding hinders implementation. Council members may consider ways to facilitate predictable and sustainable financing for the security sector in various post-conflict situations.

Council Dynamics

While SSR has become a standard element in the mandates of several peacekeeping operations, some Council members remain cautious about UN engagement in security management and are reluctant for the Security Council to be too prescriptive in post-conflict settings.

During the negotiations on resolution 2151, at least one permanent member opposed language encouraging the mainstreaming of SSR in peace operation mandates. As a result, the final text of the resolution included qualifiers that narrowed the resolution to situations where the peace operation's mandate already includes SSR. Additionally, it appears that at least one member opposed language that sought to underline the importance of an effective vetting process to exclude from the security sector perpetrators of human rights violations and abuses and violations of international humanitarian law, and it was eventually not included in the resolution.

Democratic Republic of the Congo

Expected Council Action

In December, the Security Council will hold a briefing and consultations on the Secretary-General's most recent report on the UN Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO) ahead of considering an extension of the mission's mandate, which expires on 20 December.

Key Recent Developments

Intense military operations by the DRC's Forces armées de la République Démocratique du Congo (FARDC) continue in the eastern part of the Democratic Republic of the Congo (DRC) in an effort to dislodge armed groups from the area, in particular the Allied Democratic Forces (ADF). Since 30 October 2019,

the FARDC has been leading a new, increased offensive against the ADF, which originated in Uganda. Fighting has been violent, and civilians have borne the brunt of the repercussions, especially ADF counteroffensives. For example, on 21 October in Beni, hundreds of prisoners escaped during an attack that police blamed on the ADF. On 28 October, the ADF killed

UN DOCUMENTS ON THE DRC [Security Council Resolutions S/RES/2528](#) (25 June 2020) renewed the DRC sanctions regime until 1 July 2021 and the mandate for the Group of Experts until 1 August 2021. [S/RES/2502](#) (19 December 2019) renewed MONUSCO's mandate until 20 December 2020. [Secretary-General's Report S/2020/919](#) (21 September 2020) covered the activities of MONUSCO and the situation in the DRC from 17 June to 18 September 2020. [Security Council Letters S/2020/1041](#) (26 October 2020) was from the Secretary-General sharing the "Joint Strategy on the Progressive and Phased Drawdown of MONUSCO". [S/2020/987](#) (8 October 2020) transmitted the briefings and statements from the 6 October open VTC on MONUSCO.

Democratic Republic of the Congo

19 people in the village of Baeti and destroyed 40 homes. Then, more than 20 civilians were killed and several were kidnapped on 31 October in the village of Lisasa. The Islamic State of Iraq and the Levant (ISIL) has claimed responsibility for several of these attacks, but MONUSCO has yet to find any evidence of a direct connection between ISIL and the ADF.

Ituri province continues to face attacks by an armed group called the Cooperative for the Development of Congo (CODECO), whose fighters are drawn mostly from the Lendu ethnic group and are in conflict with the Hema tribe over natural resources and land. This is despite concerted action by Congolese ex-combatants to promote disarmament, demobilisation and reintegration. Some CODECO fighters have signed a peace agreement with the DRC government, but several factions are still fighting.

Since parliamentary elections were held in March 2019, President Félix Tshisekedi has been governing with a coalition made up of his party supporters, collectively known as the Cape for Change (CACH), and that of former President Joseph Kabila's coalition, the Common Front for the Congo (FCC). As the DRC approaches presidential elections in 2023, these groups have increased their jockeying for power. CACH and the FCC have argued over ministry posts, military reshuffles, appointments to the judiciary and national electoral council, and anti-corruption policies. Political infighting led to a series of serious protests across the DRC during July. The first protests objected to what demonstrators saw as attempts by Kabila to gain more power and influence ahead of elections through the appointment of a Kabila ally to head the national electoral council, but those were soon followed by counter-protests by Kabila's supporters. These violent protests have died down in recent weeks, but their root causes remain. International partners have called on political leaders to set aside differences for the good of the Congolese people, but little has been resolved.

The Council discussed MONUSCO and the Secretary-General's 21 September report via videoconference (VTC) on 6 October. Leila Zerrougui, Special Representative and head of MONUSCO, briefed Council members. Zerrougui highlighted the COVID-19 pandemic's impact on the DRC, the political situation in the country, and continuing violence against civilians. She also told the Council that the DRC will need sustained international support to continue important

work on strengthening institutions and preserving security gains.

Zerrougui also touched on her efforts to create a joint strategy in collaboration with the DRC government for the responsible drawdown of MONUSCO. This strategy, officially called the "Joint Strategy on the Progressive and Phased Drawdown of MONUSCO", was transmitted to the Council on 26 October. While Council members had considered holding a separate discussion—possibly under "any other business"—during consultations to exchange views on the joint strategy, it seems the Council decided to wait and discuss the document in its December meetings. Last year's resolution 2502 requested this strategy as a preparation for the eventual phased withdrawal of MONUSCO. The strategy's general suggestion is for MONUSCO to gradually consolidate its footprint in the provinces where active conflict persists: North Kivu, South Kivu and Ituri. In other areas of the country, the UN would focus on good offices and development-related assistance.

Human Rights-Related Developments

Addressing the Human Rights Council (HRC) at its 45th session on 2 October, High Commissioner for Human Rights Michelle Bachelet presented the comprehensive report on the situation of human rights in the DRC (A/HRC/45/49) as part of an interactive dialogue. Bachelet underscored that her report pointed to several incidents that may amount to war crimes or crimes against humanity. In her statement, Bachelet observed that threats against human rights defenders, members of civil society and journalists; arbitrary detention; and harassment continue, noting that the report documented 857 human rights violations and abuses over the 12-month period beginning in May 2019.

During the same interactive dialogue, a team of international experts presented their final report (A/HRC/45/50) on the situation of human rights in Kasai province, in central DRC. Presenting the report, Bacre Waly Ndiaye, chair of the team, observed that Kasai's humanitarian crisis was a threat to security. He emphasised that impunity was a major issue that required vigilance. While noting the progress in the creation of commissions of inquiry by military justice, he pointed out that the killing of two UN experts in March 2017 and the disappearance of their Congolese escort "had yet to be elucidated".

Sanctions-Related Developments

In the Council's open VTC meeting on 6 October, Ambassador Abdou Abarry (Niger) in his capacity as Chair of the 1533 DRC Sanctions Committee outlined the committee's activities in 2020 since

he assumed the chairmanship in January. This was the Council's, and Abarry's, first briefing about the committee's activities since 24 July 2019.

Since that previous briefing, the committee has held four meetings: three in 2019 and one in 2020. Because of COVID-19 measures, the committee has also met informally via VTC five times in 2020. In an informal VTC meeting on 4 September, the coordinator of the Group of Experts informed committee members of the group's programme of work under the new mandate established in resolution 2528.

Key Issues and Options

As members approach the expiration of MONUSCO's mandate, discussions have already begun on how to reflect in a new mandate the renewed concentration of violence in eastern DRC. December's meeting is likely to include a focus on the joint strategy submitted in October as well as the Secretary-General's latest report, which the Council was due to receive on 27 November. Resolution 2502, in operative paragraph 49, "requests the Secretary-General to engage with the Government of the DRC to articulate a joint strategy and identify a set of measurable benchmarks". While it does talk about conditions on the ground that need to be met for changes to MONUSCO, the joint strategy document does not include data-driven elements. Council members may want to ask Zerrougui for more concrete recommended actions than were set out in the joint strategy.

Council members may also call for compromise by the DRC's political leaders in the wake of the summer protests, especially ahead of any consideration of reducing MONUSCO's footprint. Council members could issue a presidential or press statement to put pressure on Congolese stakeholders to compromise.

Council Dynamics

While Council members have been generally unified on this file throughout 2020, the upcoming mandate renewal will highlight divergences on the best way to move forward with a MONUSCO transition.

The US and South Africa appear to remain diametrically opposed on the role and utility of the Force Intervention Brigade (FIB), a military part of MONUSCO authorised to take offensive action. The US is a strong critic of the FIB and would ultimately like to see it dissolved, suggesting instead that MONUSCO's mandate incorporate a robust offensive capability. South Africa, a significant troop-contributing country to this particular force, remains a vocal

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supporter of the FIB and argued for an increase in its capacities. South Africa believes that the security situation has not improved sufficiently to warrant the FIB's dismantling. In 2019, France elaborated compromise language in resolution 2502 aligning the FIB more explicitly with other MONUSCO structures and goals. However, the US may want more changes after another year has passed. The joint strategy scarcely mentions the FIB, so member states may be guided by their capitals on this point.

Council members may also differ on the

troop ceiling, which also caused difficulties in 2019. Some Council members suggested that any increase in police in Kasai and Tanganyika provinces must be balanced by a decrease in troops. Resolution 2502 ultimately authorised a ceiling of 14,000 military personnel and 591 police personnel while maintaining the numbers of military observers, staff officers, and personnel of formed police units. Before this change, the troop ceiling was 16,215 military personnel and 391 police personnel. In 2020, these same members may push for further

alterations, especially as the joint strategy suggests withdrawing MONUSCO from Kasai by June 2021 and from Tanganyika in 2022.

Members may also diverge on the length of the mandate. Some members have suggested a technical rollover in December, arguing that the impact of COVID-19 and the breadth of the proposed changes may be too great for this moment.

The penholder on the DRC is France. Ambassador Abdou Abarry (Niger) chairs the 1533 DRC Sanctions Committee.

Somalia

Expected Council Action

In December, the Council is expected to adopt a resolution renewing counter-piracy measures off the coast of Somalia that expire on 4 December.

The authorisation for the AU Mission to Somalia (AMISOM) expires on 28 February 2021. The mandate of the UN Assistance Mission in Somalia (UNSOM) expires on 31 August 2021.

Key Recent Developments

Under a compromise agreement by the five leaders of the federal member states and President Mohamed Abdullahi Mohamed "Farmajo" that was also approved by Parliament, Somalia is due to hold elections for parliament from 1 to 27 December under a modified indirect system. To hold elections as soon as possible to address the upcoming expiration of both the legislative and executive mandates, the system remains clan-based (with clans' delegates choosing the members of the lower house of parliament, which in turn will choose the president). More electors will take part in parliamentary elections than ever before: 27,775 delegates from Somalia's clans, almost twice as many as in the previous election, held in 2016. Under the new agreement, which was announced by the Somali National Independent Electoral Commission (NIEC) on 2 October, after the legislative elections conclude in December, the presidential election will be held on 8 February 2021.

The Council was last briefed on Somalia on 23 November. Special Representative and head of UNSOM James Swan and AU Special Representative for Somalia and head of AMISOM Francisco Caetano José Madeira briefed Council members. They were joined by Zainab M. Hassan, founder and chairwoman of Somali Gender Equity Movement (SGEM). Swan welcomed the recent agreement on an election model and called for political consensus to be "preserved and indeed deepened" in the coming weeks. Madeira, among other topics, detailed how AMISOM is assisting electoral security operations. Hassan called for increased participation of women during peacebuilding and detailed the remaining obstacles for Somali women's participation in Somalia's economy and political processes.

On 2 November Council members received the annual report on piracy and armed robbery at sea off the coast of Somalia. The report, which covered the period from 1 November 2019 through 31 October, emphasised that COVID-19 had had an impact on all matters surrounding piracy and armed robbery, including the fact that there was less shipping due to decreased demand. In-person coordination meetings, such as the annual plenary session of the Contact Group on Piracy off the Coast of Somalia, had to be postponed. Capacity-building projects also could not be fully implemented. These projects range from assistance to the Somali

government in developing an effective legal framework for ocean governance in conformity with the UN Convention on the Law of the Sea to Swedish-led training courses on effective search and rescue operations in Somaliland. Perhaps owing partly to the far-reaching impacts of COVID-19, and also to successful suppression operations, there were no incidents of piracy off the coast of Somalia for the first time since the reports began. While good news, the report stresses that the situation is far from stable and encourages continued international cooperation to consolidate security gains made in this area.

Somalia, in particular the Somali Maritime Administration Department, continues to receive significant support—both physically in terms of ships and military personnel and in the form of technical advice for capacity-building—from various UN offices and the international community, especially the Combined Maritime Forces and EU NAVFOR Somalia Operation Atalanta. In recommendations included in the 2 November report, the Secretary-General pointed to the need to address the root causes and drivers of piracy in order to eliminate such practices in the long run.

Sanctions-Related Developments

On 12 November, the Council adopted resolution 2551 with abstentions by China and Russia. The resolution renewed the partial lifting of the arms embargo on Somali security forces. It also made open-ended the humanitarian exemptions to the

UN DOCUMENTS ON SOMALIA Security Council Resolutions S/RES/2551 (12 November 2020) extended various elements of the Somalia sanctions regime until 15 November 2021. S/RES/2540 (28 August 2020) extended UNSOM's mandate for 12 months until 31 August 2021. S/RES/2520 (29 May 2020) renewed the authorisation of AMISOM until 28 February 2021. S/RES/2500 (4 December 2019) renewed the counter-piracy measures off the coast of Somalia for 12 months. **Secretary-General's Report S/2020/1072** (2 November 2020) covered the reporting period from 1 November 2019 to 31 October 2020, detailing the international military and capacity support for efforts to combat piracy. **Security Council Letter S/2020/1079** (30 October 2020) was a copy of the 28 October briefing provided by Ambassador Philippe Kridelka (Belgium) in his capacity as Chair of the 751 Somalia Sanctions Committee. **Security Council Meeting Record S/PV.8775** (12 November 2020) was the adoption of resolution 2551 on the Somalia sanctions regime.

Somalia

sanctions regime, which were previously renewed annually. Resolution 2551 also renewed the authorisation for maritime interdiction to enforce the embargo on illicit arms imports and charcoal exports until 15 November 2021 and the mandate of the Somalia Sanctions Committee's Panel of Experts until 15 December 2021.

Key Issues and Options

Looking ahead, Council members will continue to track closely the progress towards the upcoming elections, the sporadic and tension-filled dialogue between the Somali Federal Government and its member states, and developments on the independent technical assessment on AMISOM and UNSOM that is due on 10 January 2021. All of these will have an impact on how the Council may adjust AMISOM's and UNSOM's priorities in 2021.

Council Dynamics

While in general the Council agrees on the challenges facing Somalia, members remain

divided on the best road ahead. China and Russia abstained on resolution 2551 on 12 November for a variety of reasons, including wanting to remove language about the relationship between Djibouti and Eritrea, objecting to the inclusion of some human rights language, and wanting to see benchmarks that could begin the path towards lifting the arms embargo. This marks the second year in a row that China and Russia have abstained on the Somalia sanctions resolution.

Incoming Council member Kenya assumed the chairmanship of the Contact Group on Piracy off the Coast of Somalia on 1 January and will hold the post until 2022. This group, whose membership is voluntary, was established through resolution 1851 (2008) and is made up of around 80 countries, organisations and industry groups with an interest in combating Somalia's piracy problem. Kenya is expected to play a significant role on the Somalia file when it starts its Council membership on 1 January 2021.

The upcoming report of the independent technical assessment may illuminate differences between members on the future of AMISOM that could come to a head in 2021. Some members see AMISOM as a critical bulwark against the armed group Al-Shabaab and believe that removing its authorisation could create a destabilising security vacuum. Meanwhile, with the EU being one of the main financial sponsors of AMISOM, EU Council members are eager to see tangible improvement on the ground. The key element that would eventually create an environment for AMISOM to withdraw would be Somali national forces' taking the lead in combatting Al-Shabaab.

The UK is the penholder on Somalia, though the US is penholder on counter-piracy measures off the coast of Somalia. Ambassador Philippe Kridelka (Belgium) chairs the 751 Somalia Sanctions Committee.

Virtual Head of State and Government-level Debate on Cooperation Between the UN and AU

Expected Council Action

As president of the Security Council in December, the last month of its two-year term as an elected member, South Africa is organising a high-level videoconference (VTC) debate on cooperation between the UN and the AU peace and security architectures. President Cyril Ramaphosa (who also heads the AU in 2020) is expected to chair the debate, and UN Secretary-General António Guterres and AU Commission Chairperson Moussa Faki Mahamat will brief. During the meeting, the Council will discuss the Secretary-General's annual report on the cooperation between the UN and the AU. A presidential or press statement is a possible outcome.

Key Recent Developments

The 14th annual meeting between members of the UN Security Council and the AU Peace and Security Council was held on 30 September. During the meeting—conducted via a virtual platform because of the COVID-19 pandemic—members of the two councils discussed some of the conflict situations overlapping both bodies' agendas: Mali, the Sahel and Somalia. They also talked about ways to enhance coordination on their respective approaches to conflict situations and means to generate strong support from the international community to address the difficult challenges to peace and security facing countries in Africa.

The 14th annual meeting, like the four previous ones, was preceded by an informal

seminar during which members exchanged views on strengthening cooperation between the UN and the AU in the context of the UN's 75th anniversary and the AU's marking its 57th anniversary.

The Secretary-General has submitted an annual report on strengthening the partnership between the UN and the AU on peace and security in Africa since 2016, and each year the Council has discussed this report in a briefing or a debate. His most recent report, submitted in August, highlighted several joint initiatives and described the work of the UN Office to the AU. The Secretary-General also underscored the importance of the collaboration in the face of the challenges posed by the COVID-19 pandemic.

UN DOCUMENTS ON AU-UN COOPERATION [Security Council Resolutions S/RES/2378](#) (20 September 2017) was on UN peacekeeping reform in which the Council expressed its intention to consider partially funding AU-led peace support operations authorised by the Council through UN-assessed contributions. [S/RES/2320](#) (18 November 2016) welcomed the AU Assembly decision to fund 25 percent of AU peace support operations, to be phased in incrementally over five years. [Security Council Presidential Statement S/PRST/2014/27](#) (16 December 2014) acknowledged progress in the ongoing cooperation between the UN and the AU in peace operations and requested annual reports from the Secretary-General on this cooperation. [Secretary-General's Reports S/2020/860](#) (31 August 2020) was the most recent annual report on strengthening the partnership between the UN and the AU on issues of peace and security in Africa. [S/2016/780](#) (13 September 2016) was the first annual report on the UN-AU partnership. [Security Council Letters S/2020/1146](#) (25 November 2020) was a concept note for the 4 December debate. [S/2020/962](#) (30 September 2020) was the joint communiqué following the 14th annual joint consultative meeting between the UN Security Council and the AU Peace and Security Council. [S/2016/966](#) (10 November 2016) contained a concept note for the discussion of the first Secretary-General's report on strengthening the partnership between the UN and the AU. [Security Council Meeting Records S/PV.8650](#) (30 October 2019) was a meeting on the Secretary-General's 2019 annual report on ways to strengthen the partnership between the UN and AU on issues of peace and security in Africa. [S/PV.7816](#) (18 November 2016) was a debate on the Secretary-General's first annual report on ways to strengthen the partnership between the UN and AU on issues of peace and security in Africa.

Virtual Head of State and Government-level Debate on Cooperation Between the UN and AU

Key Issues and Options

The upcoming annual discussion about cooperation between the UN and the AU peace and security architectures will be the first to be held with the participation of top African political leaders. Leaders of some of the African countries on the Security Council agenda will be invited, as will those contributing troops and police to peace operations on the continent, along with the heads of the sub-regional African organisations. Such a gathering of representatives of states and entities with practical experience of this relationship may create an opportunity for an in-depth discussion.

Among the topics South Africa has suggested for discussion in its concept note are:

- the impact of cooperation between the AU and the UN on the efforts to resolve conflicts in Africa;
- the challenges to the Security Council's ability to execute its mandate on the African continent;
- the impact of the Security Council's use of Chapter VI tools for conflict prevention and the pacific settlement of disputes in Africa and whether and how this can be refined;
- whether the UN-AU partnership can be leveraged to further advance the Women, Peace and Security and the Youth, Peace and Security agendas on the African continent; and
- what specific contribution UN-AU cooperation could make in addressing the impact of health emergencies on the

maintenance of peace and security in Africa.

The debate may also provide an opportunity to bring up concerns about some recent and current developments on the African continent—in places such as Burkina Faso, Ethiopia, Mali, Mozambique or Western Sahara—and discuss ways to address them through the partnership between the two bodies.

Council and Wider Dynamics

Council members have acknowledged the importance of the partnership with the AU in maintaining international peace and security. They have praised and frequently deferred to the AU and other regional organisations' initiatives in mediation and peacebuilding. Over the years, however, a particularly divisive and as yet unsettled issue has been predictable and sustainable UN funding for AU peace support operations.

In its 2014 presidential statement establishing the annual reporting mandate, the Council recognised that “one major constraint facing the AU, in effectively carrying out the mandates of maintaining regional peace and security is securing predictable, sustainable and flexible resources”. The subsequent report devoted considerable space to the topic, and during the debate in which it was discussed the Council adopted resolution 2320, stressing “the need to enhance the predictability, sustainability and flexibility of financing for African Union-led peace support operations authorized by the Security Council” and also welcoming the AU

Assembly decision to fund 25 percent of AU peace support operations, to be phased in incrementally over five years. In resolution 2378 adopted in 2017, the Council signalled its intention to consider partially funding AU-led peace support operations authorised by the Council through UN-assessed contributions “on a case by case basis”.

In December 2018, a vote was scheduled following weeks of negotiations on a draft resolution on the financing of AU peace support operations put forward by the three African members (A3) at the time, Côte d'Ivoire, Ethiopia and Equatorial Guinea, and co-sponsored by 57 member states. But the draft in blue was withdrawn at the last moment in anticipation of a lack of support from the US and following the introduction of an alternative text by France trying to salvage the initiative. The A3 turned to the AU Peace and Security Council for direction, and the issue was not discussed in the Council in 2019. Late last year, it had been expected that the AU common position on its plans for funding AU peace support operations would be articulated during the AU's summit in February. It appears, however, that the AU common position has not been elaborated—possibly due to some AU members' wariness about discussing funding matters amongst the challenges caused by the COVID-19 pandemic—and that the current A3 (Niger, South Africa and Tunisia) have put pursuing a resolution on hold.

South Africa chairs the Ad Hoc Working Group on Conflict Prevention and Resolution in Africa.

Sudan

Expected Council Action

In December, the Council is expected to receive a briefing on the UN Integrated Transition Assistance Mission in Sudan (UNITAMS) and the AU/UN Hybrid Operation in Darfur (UNAMID). The briefing is expected to cover the Secretary-General's 90-day report on both missions due in December as requested in

resolutions 2524 and 2525, as well as the joint AU/UN special report on UNAMID, requested in resolution 2525, which members received on 13 November. The Council will also receive the semi-annual briefing of the ICC Prosecutor, Fatou Bensouda, related to the Court's work on Darfur. The chair of the 1591 Sudan Sanctions Committee, Ambassador Sven Jürgenson

(Estonia), is expected to provide the quarterly briefing on the committee's work.

The mandate of UNAMID expires on 31 December while the mandate of UNITAMS expires on 3 June 2021.

Key Recent Developments

On 3 October, the transitional government of

UN DOCUMENTS ON SUDAN Security Council Resolutions S/RES/2525 (3 June 2020) maintained UNAMID's current troop and police ceilings until 31 December 2020. **S/RES/2524** (3 June 2020) established UNITAMS for an initial period of 12 months. **Secretary-General's Report S/2020/912** (17 September 2020) was the 90-day report of the Secretary-General. **Security Council Letters S/2020/1096** (5 November 2020) was from the Secretary-General informing the Council that the publication of the joint special report requested in resolution 2525 would be delayed. **S/2020/901** (14 September 2020) was from Sudan, transmitting the first periodic progress report on the implementation of the national plan for the protection of civilians in Darfur. **S/2020/429** (21 May 2020) was from Sudan, transmitting the plan for the protection of civilians after the exit of UNAMID. **Security Council Meeting Record S/PV.8761** (25 September 2020) was a briefing on the Secretary-General's 90-day report on UNAMID and UNITAMS. **Security Council Press Statement SC/14323** (9 October 2020) welcomed the 3 October 2020 peace agreement.

Sudan

Sudan and an opposition group, the Sudan Liberation Army led by Minni Minawi, signed a peace agreement in Juba that was facilitated by South Sudan. Council members welcomed the agreement in a press statement on 9 October and encouraged its swift implementation. It also urged those who have yet to join the peace process with the government of Sudan to do so “immediately, constructively and without pre-conditions to conclude swiftly negotiations on a comprehensive peace agreement”.

On 3 June, the Security Council adopted resolution 2524, establishing UNITAMS for an initial period of 12 months and setting out four strategic objectives for the mission. These are: assisting Sudan’s political transition; supporting peace processes and implementation of future peace agreements; assisting peacebuilding, civilian protection and rule of law in Darfur and the Two Areas (that is, South Kordofan and Blue Nile); and supporting the mobilisation of economic and development assistance and coordination of humanitarian assistance. The resolution requests the Secretary-General to report to the Security Council every 90 days on the implementation of the UNITAMS mandate.

Resolution 2525, also adopted on 3 June, extended UNAMID’s mandate until 31 December, maintaining its troop and police ceilings. It requested the Secretary-General to continue reporting to the Council on the implementation of UNAMID’s mandate every 90 days, but to do so as an annex to the regular 90-day reporting requested on UNITAMS in resolution 2524. It also requested the Secretary-General and the Chairperson of the AU Commission to provide the Security Council with a joint special report no later than 31 October, assessing, among other things, “the impact of the peace process on the security situation in Darfur, the capacity of the Government of Sudan...to protect civilians in line with the strategy outlined in the Government of Sudan’s letter addressed to the President of the Security Council dated 21 May (S/2020/429), and recommendations on the appropriate course of action regarding the drawdown of UNAMID”. The Council will take into account the report’s findings when deciding which “courses of action [to take] regarding the responsible drawdown and exit of UNAMID” by the expiration of its mandate on 31 December.

The Secretary-General informed the Council in a letter on 5 November that a

meeting of the Tripartite Coordination Mechanism, involving the AU, UN and the transitional government of Sudan was held in Khartoum on 25 October to discuss the future of UNAMID. The letter informed the Council that the publication of the joint special report, requested in resolution 2525 by 31 October, would be delayed until 13 November. The report recommends “the termination of the UNAMID mandate by 31 December 2020 and the full operationalization of the UNITAMS presence in accordance with resolution 2524”. The report estimates that the removal of UNAMID’s footprint and the repatriation of staff, troops and police will take six months, subject to COVID-19 and the rainy season.

On 25 September, the Council held an in-person briefing on Sudan in the ECOSOC chamber. Under-Secretary-General for Political and Peacebuilding Affairs Rosemary DiCarlo and Under-Secretary-General for Peace Operations Jean-Pierre Lacroix briefed on UNITAMS and UNAMID.

Human Rights-Related Developments

Addressing the attendees at the Hernán Santa Cruz Inaugural Dialogue on Economic, Social and Cultural Rights—which focused on strengthening social protection—at Khartoum University in Sudan on 20 October, High Commissioner for Human Rights Michelle Bachelet noted the legacy of Santa Cruz, who participated in the drafting of the Universal Declaration of Human Rights. She observed that his support for economic and social rights despite “considerable opposition” made him a lynchpin of the current United Nations human rights system. Bachelet emphasised that a strong and independent national human rights institution with a broad mandate could address the lack of economic and social rights, the absence of which has been at the root of several conflicts and grievances.

Key Issues and Options

The Council will need to continue to closely assess several key issues—including the overall situation in Darfur and the impact of the broader political situation—in relation to the expiration of UNAMID’s mandate on 31 December. An option is to consider the observations and recommendations made in the 13 November joint special report. Members may also evaluate the progress report on the implementation of Sudan’s national plan for the protection of civilians in Darfur, transmitted to the Council on 14 September.

The transition from UNAMID to UNITAMS is also a priority for the Council.

According to resolution 2524, the Secretary-General was expected to “swiftly initiate the planning for and establishment of UNITAMS, with a view to reaching full operational capacity as soon as possible” and to start delivering the mission’s strategic objectives by 1 January 2021. The “suggested structure and geographical deployment” that the Secretary-General is scheduled to report on will also be of keen interest, as will the impact on the mission’s build-up of COVID-19 and of delays in the appointment of critical UNITAMS leadership positions. Resolution 2524 requested the Secretary-General to appoint a Special Representative for Sudan and head of Mission of UNITAMS and a Deputy Special Representative to serve as UN Resident Coordinator and Humanitarian Coordinator, but at the time of writing these posts had yet to be filled. An option would be for members to again highlight the need for such appointments to be made, as was done by several members at the briefing on 25 September.

The impact that COVID-19 is having, and may continue to have, on Sudan, UNAMID and UNITAMS will also be an important issue for the Council to consider.

Council Dynamics

The drawdown and exit of UNAMID and the establishment of UNITAMS have been contentious issues for some time. Despite the unanimous adoption of resolutions 2524 and 2525 in June, there were clear disagreements during the negotiations over references to monitoring and reporting on progress in the implementation of Sudan’s Constitutional Document, the provision of technical assistance in the areas of rule of law and security sector reform, and reporting on the human rights situation. There were also strong differences on the new mission’s potential tasks relating to protection of civilians. While several members believed that the new mission should have a mandate to protect civilians, others (Russia, China and the three African members among them) opposed the inclusion of such tasks in the mandate.

Members seem to agree on the significance of the 3 October peace agreement and view positively steps taken by the transitional government over the past several months. However, the statements made by members following the briefing on 25 September suggest that divisions persist in assessing the situation in Darfur. For example, several members, including the UK and Germany,

Sudan

expressed concern over the situation in Darfur, while other members, such as China and Russia, emphasised the need for the

drawdown and exit of UNAMID.

The UK and Germany are co-penholders on Sudan. Ambassador Sven Jürgenson

(Estonia) chairs the 1591 Sudan Sanctions Committee.

UNDOF (Golan Heights)

Expected Council Action

In December, the Council is expected to extend for six months the mandate of the UN Disengagement Observer Force (UNDOF), which expires on 31 December. Ahead of the mandate renewal, the Department of Peace Operations is expected to brief Council members in consultations on the Secretary-General's latest 90-day report on UNDOF, due in December, and the most recent developments.

Key Recent Developments

UNDOF was established following the conclusion of the 1974 Disengagement of Forces Agreement (the 1974 Agreement) between Israel and Syria, which ended the Yom Kippur war. Its mandate is to maintain the ceasefire between the parties and supervise the disengagement of Israeli and Syrian forces as well as the so-called areas of separation (a demilitarised buffer zone) and limitation (where Israeli and Syrian troops and equipment are restricted) in the Golan Heights. Carrying out the mandate entails observing any violations of the 1974 Agreement, reporting them and liaising with both sides. UNDOF protests observed violations of the 1974 Agreement and calls upon both sides to exercise restraint. Such violations regularly include unauthorised personnel and equipment in the areas of separation and limitation, the firing of weapons across the ceasefire line, and drones and aircraft crossing the ceasefire line. The mission's observation role has been limited since its September 2014 relocation from the Bravo (Syrian) to the Alpha (Israeli-occupied) side because of the armed conflict in Syria. As at 31 August, UNDOF comprises 990 personnel. The UN Truce Supervision Organization in Observer Group Golan continues to provide UNDOF with military observers.

In his September report on UNDOF, the Secretary-General noted that the ceasefire between Israel and Syria was mainly sustained,

notwithstanding the ongoing violations of the disengagement agreement. While the report noted that there was continued military activity across the ceasefire line and in the areas of separation and limitation, the security situation in the UNDOF area of operations has remained relatively stable. The Secretary-General expressed concern over escalations of ceasefire violations in July and August. He emphasised that it was of critical importance for all parties to maintain regular liaison with UNDOF to de-escalate tensions.

In recent months, there were frequent violations of the 1974 Agreement marked by attacks between Israel and Syria. On 21 September, the Israel Defense Forces (IDF) confirmed that they had destroyed two Syrian military sites in the disengagement zone in the Golan Heights. According to media reports, Israel conducted several airstrikes inside Syrian territory, targeting pro-Iranian militia fighters in September. In October, there were reports of Israeli airstrikes on Al-Quneitra in Syria, allegedly targeting pro-Iranian and militia groups associated with the Shi'a group Hezbollah. In late October, the IDF conducted a large-scale military exercise simulating a war with Hezbollah in the northern regions of Israel bordering Lebanon and Syria. On 18 November, the IDF confirmed that it had carried out an attack on military sites near Damascus controlled by Iran's Islamic Revolutionary Guard Corps. The attack was a response to the explosives IDF uncovered in the Israeli-controlled Golan Heights a day earlier.

In an October interview with the Russian state news agency Sputnik, Syrian President Bashar al-Assad said that he would be open to peace talks with Israel on the condition that the Golan Heights be returned to Syria. On 14 June, Israeli Settlements Minister Tzipi Hotovely announced approval of a plan to settle 300 families in the Golan Heights after

US President Donald Trump signed a presidential proclamation recognising Israeli sovereignty over the area. The Secretary-General reiterated that he considers "that the status of Golan has not changed".

US Secretary of State Mike Pompeo made an official visit to Israel on 18 and 19 November. His itinerary included a visit to the Golan Heights accompanied by Israeli Foreign Minister Gabi Ashkenazi. Pompeo praised Trump for recognising Israeli sovereignty over Golan and said that Syrian control of Golan would present a danger to the people of Israel and the West. The Syrian government condemned Pompeo's visit to Golan, calling it provocative and a clear violation of Syrian sovereignty.

Key Issues and Options

The numerous violations of the Disengagement of Forces Agreement of 1974 are ongoing issues for the Council. UNDOF's ability to implement its mandate, including its full return to the Bravo side, has been a key issue since 2014.

Council Dynamics

There is general agreement within the Council that UNDOF's mandate contributes to stability in the region, given the absence of a peace agreement between Israel and Syria. Both countries still value UNDOF's presence and want to see the mission's full return to the Bravo side. Council members also support its eventual complete return, mindful of the fact that this would require a continuously favourable security environment, which is also crucial for maintaining the confidence of troop-contributing countries.

Russia and the US are the co-penholders on UNDOF. Despite the deep divisions between them regarding the Syria file, both countries are expected to continue to consider UNDOF as a separate issue, on which they agree.

UNOCA (Central Africa)

Expected Council Action

In December, François Louncény Fall, Special Representative and head of the UN Regional Office for Central Africa (UNOCA), is expected to brief the Security Council on the Secretary-General's semi-annual report on UNOCA and the implementation of the UN's regional strategy to combat the Lord's Resistance Army (LRA).

The mandate of UNOCA expires on 31 August 2021.

Key Recent Developments

Briefing the Council on 12 June, Fall, echoing the Secretary-General's 29 May report, noted that the political situation in the region had been largely dominated by electoral cycles: elections in eight of the 11 Central African countries have been held or are scheduled in 2020 and 2021. As a result, underlying political tensions have emerged and are further exacerbated by economic stagnation, rising insecurity—across many parts of the region and with maritime insecurity in the Gulf of Guinea—and the ongoing effects of the COVID-19 pandemic. According to the Secretary-General's 29 May report, countries in the region have shown “strategic resolve” to address this instability and build on their bilateral relations. The region covered by UNOCA includes several situations that are on the Council's agenda, including Burundi, the Central African Republic (CAR) and the Democratic Republic of the Congo (DRC). Following a strategic review of the UNOCA mandate conducted in 2019 and a Council presidential statement welcoming the office's role in promoting inclusive political dialogue in non-mission settings, UNOCA also covers Angola, Cameroon, Chad, Gabon, the Republic of the Congo, Equatorial Guinea, Rwanda, and São Tome and Príncipe.

In Cameroon, there continues to be unrest in the anglophone north-western and south-western regions, grounded in claims of political and economic discrimination by the francophone authorities against the anglophone minority. On 14 February, 22 people were killed in an attack in the north-western anglophone village of Ngarbuh. On 21 April, the government released the results of its investigation into the attack, announcing that three military officers had been

charged with murder and remanded in custody at the Yaoundé military prison. Despite the high-profile launch on 3 April of a programme for the development of Cameroon's north-western and south-western regions and his 13 May meeting with Cameroonian President Paul Biya, Fall informed the Council that he remained concerned about “the ongoing obstacles to humanitarian access in the two regions” and urged the Cameroonian authorities and the humanitarian community to improve coordination and cooperation. On 24 October, a group of armed men attacked a school in Kumba, in Cameroon's south-west region, killing seven children and injuring at least 13 others. Secretary-General António Guterres condemned the attack and called on the Cameroonian authorities to investigate the massacre. To date, no groups have claimed responsibility, though the government blamed anglophone separatists. On 2 November, Fall visited Yaoundé, where he met with Cameroonian Minister of External Relations Lejeune Mbella Mbella. At the time of writing, there was no readout of the meeting.

In Burundi, presidential elections were held on 20 May. Organised to determine a successor to President Pierre Nkurunziza, who was concluding his third term in office, the election campaign was conducted in a tense environment. On 25 May, provisional results were announced: Évariste Ndayishimiye, Secretary-General of the National Council for the Defense of Democracy—Forces for the Defense of Democracy (CNDD-FDD)—Burundi's ruling party—won 68 percent of the vote. With Nkurunziza preparing to step down and scheduled to transfer authority to Ndayishimiye on 20 August, the Burundian government announced on 9 June that Nkurunziza had died of cardiac arrest. Despite concern that Nkurunziza's sudden death could precipitate a constitutional crisis and potential violence, Ndayishimiye was inaugurated on 18 June. Following this transition, the Council convened a closed videoconference (VTC) meeting on 22 June, subsequently issuing press elements that welcomed the “broadly peaceful conduct of the elections” and “stressed the importance of pursuing national unity, political inclusiveness and peacebuilding”. The Secretary-General subsequently discussed further UN engagement

with Burundi in a 29 June call with President Ndayishimiye. From 14 to 19 September, a UN strategic assessment mission visited Burundi to consult with stakeholders on enhancing cooperation between the UN and Burundi. The mission's report was circulated to the Council on 2 November and had not been made public at the time of writing.

Presidential elections are scheduled for 27 December in the CAR, with legislative and local elections and a possible second round of presidential elections in early 2021. The Secretary-General's 12 October report on the UN Multidimensional Integrated Stabilization Mission in the Central African Republic (MINUSCA) noted that the CAR's political situation is “increasingly characterized by tension and mistrust”, while implementation of the CAR's Political Agreement also remains problematic, with a number of armed groups continuing to violate the agreement and obstruct the restoration of the CAR government's authority. In addition, there has been a resurgence in violence in the CAR's north-west, though the situation in the CAR's north-east stabilised after an upswing in violence earlier this year. The CAR's ongoing instability also has implications for the region covered by UNOCA. The report noted, for example, that Cameroon was hosting 272,000 refugees from the CAR. The Secretary-General, in his 29 May UNOCA report, noted that Fall and the Special Representative for the CAR and head of MINUSCA, Mankeur Ndiaye, agreed to carry out joint initiatives while senior-level representatives of UNOCA and the Economic Community of Central African States (ECCAS) secretariat in Libreville, Gabon, agreed to develop an updated common assessment of the situation in the CAR in the lead-up to the elections.

Key Issues and Options

The security situation in the region remains a key concern for the Council, especially with regard to the ongoing situations in Cameroon and the CAR. The COVID-19 global pandemic and its attendant social and economic impact on the central African region is also of concern. Given UNOCA's continued shift to focus its efforts on the region as a whole, rather than on the LRA as its main objective, the UN's regional strategy to combat the

UN DOCUMENTS ON UNOCA Secretary-General's Report S/2020/463 (29 May 2020) was the semi-annual report on UNOCA. Security Council Presidential Statement S/PRST/2019/10 (12 September 2019) expressed the Council's full support for UNOCA. Security Council Letter S/2020/542 (16 June 2020) was a letter dated 16 June 2020 from the president of the Security Council addressed to the Secretary-General and the Permanent Representatives of the members of the Security Council containing the record of the 12 June open VTC meeting on UNOCA.

UNOCA (Central Africa)

LRA has received little attention.

Upcoming elections in the CAR and the post-election political transition in Burundi are also key concerns. The Council's 12 September 2019 presidential statement noted that one of UNOCA's priorities while working with ECCAS is to assist countries "facing institutional crises related to electoral processes".

Council Dynamics

There appears to be consensus on the Council regarding UNOCA's potentially stabilising role in Central Africa, with the 12 September presidential statement illustrating Council unity in its support for UNOCA's mandate.

There are some differences, however, about the role UNOCA should play in addressing different situations. Some Council members, such as the UK and the US, have expressed concern about the situation

in Cameroon, arguing that UNOCA should focus on the security and humanitarian situation in that country. Other members, such as China and Russia, maintain that the situation in Cameroon is an internal matter and that the Council should intervene only upon Cameroon's request.

The UK is the penholder on UNOCA. Ambassador Abdou Abarry (Niger) chairs both the 2127 CAR Sanctions Committee and the 1533 DRC Sanctions Committee.

Syria

Expected Council Action

In December, the Security Council expects to hold its monthly meetings on the political and humanitarian situations and on the use of chemical weapons in Syria.

Key Recent Developments

In recent months, the Council's deliberations around the use of chemical weapons in Syria have become particularly heated. The Security Council continues to meet monthly, often in closed consultations, on the implementation of resolution 2118 requiring the verification and destruction of Syria's chemical weapons stockpiles, which the Council adopted unanimously in 2013. On 5 October, the Council, meeting in person in a public briefing, held a procedural vote after several Council members objected strongly to Russia's inviting former Organization for the Prohibition of Chemical Weapons (OPCW) Director-General José Bustani to brief. They argued that his tenure as head of the OPCW pre-dated the use of chemical weapons in Syria and thus he could not provide relevant information. Only three Council members (China, Russian Federation and South Africa) voted in favour of allowing Bustani to participate in the meeting, with six votes against and six members abstaining. At the following meeting, on 5 November, High Representative for Disarmament Affairs Izumi Nakamitsu noted that "due to...identified gaps, inconsistencies and discrepancies that remain unresolved, the OPCW's technical secretariat has assessed that the declaration submitted

by the Syrian Arab Republic cannot be considered accurate and complete".

Syria's humanitarian situation remains tenuous, with the number of Syrians considered food insecure now over 9.3 million, and as the Syrian economy deteriorates, with rising unemployment and inflation making access to basic goods more difficult. According to OCHA, Syria's current socio-economic situation "represents some of the most challenging humanitarian conditions experienced in the past ten years of [the] crisis". Though it has been widely reported in the past several months that some 80 percent of Syria's population lives in poverty, OCHA says that there are indications that "more families have been pushed toward poverty and destitution".

The number of cases of COVID-19 in Syria continues to rise sharply, further degrading Syria's damaged health care system. Children have also been severely affected by the pandemic: because of serious overcrowding in some school settings, efforts to mitigate any potential transmission of COVID-19 in schools have proven to be challenging despite initiatives by the World Health Organization and UNICEF to train students and teachers on necessary precautionary measures against coronavirus and to distribute personal protective equipment (PPE) to school staff throughout Syria.

The humanitarian and security situations in Syria's north-west region remain fragile. The region, like many other parts of Syria, has seen a rapid rise in COVID-19 cases. It also suffers from particularly poorly-equipped medical

facilities, inadequate access to PPE and low testing capacity. The region's security situation has also continued to worsen. According to media reports, on 4 November, Syrian military shelled several areas around Idlib, killing at least eight civilians. This incident follows a period of several weeks in which OCHA reported an increase in shelling and airstrikes in the area. The increased violence also comes in the wake of recent reports that Turkey has withdrawn from several observation points and military outposts that it had established in Syria's north-west, raising concerns that the 5 March ceasefire in the region, agreed between Turkey and Russia, is weakening.

In this difficult humanitarian and security context, the Syrian government organised an international conference in Damascus from 11 to 12 November on refugee returns to Syria. In the weeks leading up to the meeting, international media reported that Russia and the United States had put pressure on various countries to participate in or to boycott the meeting, respectively. The US, supported by the EU, argued that the conference should not be allowed to decouple the issue of refugee return and the ongoing political process implemented under resolution 2254. Resolution 2254, which was unanimously adopted in 2015, calls for a "Syrian-led and Syrian-owned political transition" and highlights the "critical need to build conditions for the safe and voluntary return of refugees and internally displaced persons".

In the run-up to the meeting, Syrian President Bashar al-Assad reportedly spoke with Russian President Vladimir Putin, informing

UN DOCUMENTS ON SYRIA Security Council Resolution S/RES/2533 (11 July 2020) renewed the authorisation for cross-border humanitarian aid into Syria through one border crossing (Bab al-Hawa) for 12 months. **Secretary-General's Report S/2020/813** (20 August 2020) was the regular 60-day report on the implementation of humanitarian resolutions by all parties to the conflict in Syria. **Security Council Meeting Record S/PV.8764** (5 October 2020) was a meeting on the use of chemical weapons in Syria.

Syria

Putin that the return of refugees is “a number one priority” for Damascus. Nonetheless, of Syria’s neighbours, only Lebanon and Iraq sent representatives to the conference, and Turkey was not invited. Russia and China were both in attendance. On 10 November, EU High Representative Josep Borrell announced that neither the EU nor any of its members would attend the event, calling the conference “premature”. The UN attended as an observer. According to UNHCR, 5,575,708 Syrians have fled the country, the vast majority of whom live in Turkey, Lebanon, Jordan, and Iraq.

During a Council briefing on 27 October, Special Envoy for Syria Geir O. Pedersen informed members that “there was some valuable narrowing of the differences” on the agenda of the work of the Constitutional Committee for Syria and that he was hoping to identify dates to reconvene the committee for its fourth and fifth rounds. Initial proposals suggested that the end of November and early December would be viable options for further rounds of in-person meetings in Geneva. The death of Syrian Foreign Minister Walid Muallem, which was announced on 16 November, could set back this timeline. In addition, media outlets have reported that since March, 128 Geneva-based UN staff have been infected with COVID-19,

with another 30 cases being reported on 17 November alone. When Pedersen organised a third round of Geneva meetings in August, held in person, four Syrian participants tested positive for the coronavirus upon arrival in Switzerland, and two days of meetings had to be cancelled. Briefing the Council on 25 November, Deputy Special Envoy Khawla Matar stated that the end of November and early December would be a viable option for a fourth round, and early January for a proposed fifth round, of in-person meetings in Geneva. She noted, however, that travel restrictions due to the COVID-19 pandemic and the relatively high coronavirus caseload in Switzerland may cause the timeline to shift.

Key Issues and Options

Despite potential setbacks to the timeline due to COVID-19, Council members may wish to use the one-year anniversary of the launch of the Constitutional Committee and the current momentum to welcome progress to date while also laying out a clear set of substantive achievements they expect the committee to aim for in upcoming rounds of meetings.

Given the increasing security challenges in the north-west, some members may pursue more information on the security situation and the status of the 5 March ceasefire in the region

in order to better understand their potential impact on the humanitarian situation.

As the chemical weapons file and the work of the OPCW itself continue to be sources of division amongst Council members, they may wish to invite current OPCW Director-General Fernando Arias to brief the Council in December.

Council Dynamics

The Council remains deeply divided on the political, humanitarian and chemical weapons files. There appears to be agreement among Council members that the work of the Constitutional Committee is an overall positive development; however, some members have become increasingly concerned with the committee’s lack of progress. The response of various Council members to the Syrian-organised refugee conference further illustrates the stark cleavages on the Council vis-à-vis the way forward on the humanitarian file, while recent meetings on the use of chemical weapons in Syria, and the current contention around the format in which OPCW Director-General Arias could brief the Council, have further deepened divisions on this issue.

Belgium and Germany are the penholders on humanitarian issues in Syria.

Yemen

Expected Council Action

In December, the Council is expected to hold its monthly briefing on Yemen with Special Envoy for Yemen Martin Griffiths, Under-Secretary-General for Humanitarian Affairs Mark Lowcock, and General Abhijit Guha, who heads the UN Mission to support the Hodeidah Agreement (UNMHA). The mandate of UNMHA expires on 15 July 2021.

Key Recent Developments

The Yemen war persists across multiple frontlines as UN officials issue further warnings about the risk of famine. Meanwhile, Griffiths continues, after more than eight months, to try to broker an agreement between the Yemeni government and the Houthi rebel group on a joint declaration for a nationwide

ceasefire, economic and social measures, and the resumption of peace talks.

The Council held its monthly briefing on Yemen on 11 November via videoconference. Griffiths expressed disappointment in the lack of progress on the joint declaration. He said that the time had come for the parties to take the final decisions required to conclude the negotiations on the joint declaration, as the “same challenges have been coming up repeatedly, particularly with regard to the economic and humanitarian measures”. He suggested that it might be necessary to organise an in-person meeting between the parties after months of shuttle diplomacy and virtual talks, noting the recent success of the September talks in Geneva between the government and Houthis on the exchange of prisoners. “I

am becoming convinced that perhaps this is exactly what is needed in the case of the Joint Declaration itself, an opportunity for the parties to explain to each other their positions and together to reach the compromises needed,” Griffiths said. “I will be discussing this and other options with the parties in the near time”.

At the 11 November briefing, Lowcock and Executive Director David Beasley of the World Food Programme (WFP) raised further alarms about the growing risk of famine. Lowcock said “the most urgent task in Yemen today is to prevent widespread famine”, and implored donors to “fulfil outstanding pledges and to increase their support” to prevent a famine, noting that more than \$200 million in pledges towards the UN’s humanitarian response plan, including

UN DOCUMENTS ON YEMEN Security Council Press Statement SC/14329 (16 October 2020) urged the Yemeni parties to endorse the UN-facilitated joint declaration proposals without delay. Human Rights Council Document A/HRC/45/6 (28 September 2020) was the third annual report of the Group of Eminent International and Regional Experts on Yemen.

Yemen

commitments announced in September, had still not been received. According to Beasley, “Yemen will be plunged into a devastating famine within a few short months” if the international community fails to act. He, too, appealed for funding and the injection of foreign currency reserves into the Central Bank of Yemen to stabilise the value of the Yemeni rial. Beasley announced that on 8 November, the WFP had launched a pilot programme for the biometric registration of food aid recipients in Sana’a, covering 150,000 people, which he hoped would be expanded elsewhere in Houthi-controlled territory. The start of the pilot followed two-plus years of talks with the Houthis on establishing a biometric registration system to reduce the diversion of food assistance.

Omer Badokhon of Yemeni civil society initiative Solutions for Sustainable Societies also addressed Council members from Hadramout governorate. He spoke about how the war was setting back development gains and addressed its environmental consequences. On the FSO Safer oil tanker moored in the Red Sea, he said the situation was a “ticking time bomb” that threatens livelihoods in neighbouring coastal areas, and he demanded that the warring parties stop exploiting the environment for political purposes, as in the case of the oil tanker.

On 16 November, it was reported that the outgoing Trump administration in the US intends to designate the Houthis as a foreign terrorist organisation as part of further attempts to increase pressure on Iran. The prospect of such a designation has reportedly raised concerns among aid organisations and with the Special Envoy that it could have a negative impact on humanitarian operations and the political track.

On 17 November, Reuters reported that in high-level talks between the Houthis and Saudi Arabia, which leads a military coalition that supports the Yemeni government, Saudi Arabia said it would accept a nationwide ceasefire in exchange for setting up a buffer zone along its border with Yemen to prevent attacks against Saudi Arabia until a UN-backed transitional government is formed. On 22 November, the Houthis fired a missile that struck a Saudi Aramco oil company distribution station in Jeddah, Saudi Arabia.

Secretary-General António Guterres released a statement on 20 November warning that “Yemen is now in imminent danger

of the worst famine the world has seen for decades” and called for urgent action “to stave off catastrophe”.

On 24 November, the Secretary-General’s spokesperson Stéphane Dujarric announced that the Houthis had sent an official letter indicating their approval for the UN-proposed expert mission to the FSO Safer tanker that will assess the tanker’s condition, undertake initial repairs and make recommendations on actions required to avert an oil spill. According to Dujarric, preparations for the team’s deployment will now begin, including to procure necessary equipment, entry permits for mission staff, agreement of a work-order system onboard and logistical planning, so the mission can arrive by late January or early February.

Human Rights-Related Developments

On 12 November, two UN experts on human rights (Marcos A. Orellana, the Human Rights Council’s (HRC) Special Rapporteur on toxics and human rights, and David R. Boyd, the Special Rapporteur on human rights and the environment) called on the Yemeni government and Houthi authorities to grant “immediate access” to FSO Safer to avoid an ecological catastrophe currently threatening Yemen and the Red Sea. A UN technical team could “conclusively avert the threat of a spill” from the tanker, noted Orellana. The likely oil spill would harm the rights to life, health and a healthy environment for some 1.6 million Yemenis, said Boyd. Calling it a “tragedy in the making”, the two experts emphasised that it must be prevented at all costs.

Key Issues and Options

The joint declaration of a nationwide ceasefire, along with a restart of peace talks, remains the main political initiative. Fighting continues on multiple frontlines—though when Griffiths briefed the Council in November, he noted a decrease in its intensity in the preceding weeks—and there has been an apparent increase in Houthi attacks against Saudi Arabia. The Houthis’ Marib offensive since the start of the year remains a significant threat to political talks, especially if fighting spreads to Marib city, which has become a political and economic stronghold for the government because of the governorate’s oil and gas reserves and the thousands of displaced persons who have relocated there during the war. Sustaining and implementing the Saudi Arabia-overseen Riyadh Agreement between the government and the separatist Southern Transitional Council (STC) is another important issue, reflecting the

complexity of resolving Yemen’s war.

The humanitarian situation, including the risk of famine, has worsened due to ongoing military operations, a shortage in donor funding compared to past years, and Yemen’s deteriorating economy. Restrictions on access for humanitarian actors, particularly those imposed by the Houthis in the north, and the COVID-19 pandemic contribute to the worsening situation.

The FSO Safer oil tanker is an equally vital issue, including that the Houthis’ fulfill their most recent commitments to the UN for allowing access for the technical mission. An oil spill from the deteriorating ship would prevent use of Hodeidah’s critical port for up to six months and have grave environmental, humanitarian and economic consequences for Yemen and the region.

If agreement is reached between the government and the Houthis on Griffiths’ proposed joint declaration, the Council may adopt a resolution to welcome or endorse the deal.

Another option is to have the Group of Eminent International and Regional Experts on Yemen, established by the HRC in 2017, brief the Council on its annual report on the human rights situation in Yemen. (This year’s report again documents violations of human rights and international humanitarian law by the warring parties in Yemen and recommends that the Security Council refer the situation to the International Criminal Court.)

Council Dynamics

Council members appear aligned in their support of the Special Envoy, continuing to back his efforts to reach an agreement on the joint declaration of a ceasefire and the resumption of a political process. Members further share concerns about the humanitarian situation and the FSO Safer. So far this year, members have issued multiple press statements and press elements urging the parties to reach agreement on the declaration and calling on the Houthis to facilitate the UN technical mission’s access to the oil tanker. The US, which has sought to reimpose sanctions on Iran, often points to what it perceives as Iran’s destabilising role in Yemen.

The UK is the penholder on Yemen. Ambassador I. Rhonda King (Saint Vincent and the Grenadines) chairs the 2140 Yemen Sanctions Committee.

International Criminal Tribunals

Expected Council Action

In December, the Security Council is scheduled to hold its semi-annual debate on the International Residual Mechanism for Criminal Tribunals (IRMCT), which was established in 2010 to carry out the remaining essential functions of the International Criminal Tribunal for Rwanda (ICTR) and the International Criminal Tribunal for the former Yugoslavia (ICTY) after their respective closures. The IRMCT's president, Judge Carmel Agius, and its prosecutor, Serge Brammertz, are expected to brief during the debate and to meet with the Informal Working Group on International Tribunals prior to this.

Key Recent Developments

The IRMCT, with branches in The Hague, Netherlands, and Arusha, Tanzania, focuses on the completion of trials and appeals from the ICTY, which closed in December 2017, and the ICTR, which closed in December 2015. Its tasks include locating and arresting the remaining fugitives indicted by the ICTR—now six, following the arrest of one fugitive and confirmation of the death of another, both in May—and assisting national jurisdictions in handling requests related to prosecuting international crimes committed in the former Yugoslavia and Rwanda. The IRMCT was established by resolution 1966 in 2010, which says that “the Mechanism shall continue the jurisdiction, rights and obligations and essential functions of the ICTY and the ICTR”, and that it “should be a small, temporary and efficient structure, whose functions and size will diminish over time”.

Under resolution 1966, the IRMCT was mandated to operate for an initial period of four years and for subsequent periods of two years thereafter unless the Security Council decided otherwise. The Council most recently extended the IRMCT's operating period and Brammertz's term until 30 June 2022 with the adoption of resolution 2529 on 25 June. It was adopted with 14 votes in favour

and one abstention (Russia).

The resolution requested the IRMCT to continue to take steps to enhance efficiency and effective and transparent management, including the production of clear and focused projections of completion timelines; continued ensuring of geographic diversity and gender balance of staff; and further reduction of costs, such as flexible staff engagement. It also requested that the IRMCT update the Council in its semi-annual reports on progress in implementing the resolution, with detailed information on staffing, workload and related costs, and detailed projections of the duration of residual functions.

On 16 May, Félicien Kabuga, at the time one of eight remaining fugitives indicted by the ICTR, was arrested in Paris by French authorities as the result of a joint investigation with the IRMCT Office of the Prosecutor. Kabuga was indicted by the ICTR in 1997 on seven counts of genocide; complicity in genocide; direct and public incitement to commit genocide; attempt to commit genocide; and conspiracy to commit genocide, persecution and extermination, all in relation to crimes committed during the 1994 genocide in Rwanda. On 1 October, Agius assigned Kabuga's case to a Trial Chamber of the IRMCT. On 21 October, Judge Iain Bonomy amended the warrant of arrest and order for transfer, ordering that Kabuga be transferred to the Hague branch of the Mechanism. That happened on 26 October, and on 11 November, Kabuga entered a plea of not guilty to the charges in the indictment.

The last semi-annual debate on the IRMCT was held on 8 June in an open videoconference. Agius told the Council that at the end of 2019, the IRMCT had been expected to finish its judicial caseload by the end of 2020 with the exception of pending appeals. However, those projections have been affected by the COVID-19 pandemic, which has stalled in-court proceedings, he said. As a result, cases that were to conclude by the end of 2020 are expected to continue into early 2021. Agius also said that the case

against Ratko Mladić, which was originally scheduled for March but was postponed to June as the defendant underwent surgery, has been put on hold as a result of the pandemic. Agius also noted with concern that nine acquitted people, released to a safe house in Arusha, have not yet been able to be relocated.

Key Issues and Options

A key issue is for members to continue monitoring the work of the IRMCT and the implementation of its mandate, including the areas specified in resolution 2529. The impact of the COVID-19 pandemic on projected timelines for completion of the IRMCT's caseload is a related issue.

Council Dynamics

Council members generally assess the IRMCT and the progress it has made positively with the exception of Russia, which was also consistently critical of the ICTY. Russia has also been critical of the appointment of Brammertz, who was the prosecutor of the ICTY from 2008 until its closure in 2017 and had already abstained on previous resolutions appointing him in 2016 and 2018.

It seems that the negotiations on resolution 2529, which extended Brammertz's term until 30 June 2022, were similarly lengthy and difficult. (See our What's In Blue story on 25 June 2020.) In explaining its abstention on resolution 2529, Russia referred to “the unsatisfactory work of that body, which continues not to allow the Council to proceed with its legal closure”. Russia also emphasised the importance of the protection of detainees of the Mechanism, including their access to medical care, specifically referring to the case of Mladić. It added that the IRMCT must produce “clear and focused projections of completion timelines at the earliest stage possible and disciplined adherence thereto”, as set out in resolution 2529.

Viet Nam is the chair of the Informal Working Group on International Tribunals.

UN DOCUMENTS ON INTERNATIONAL CRIMINAL TRIBUNALS Security Council Resolutions S/RES/2529 (25 June 2020) extended the term of the IRMCT's prosecutor until 30 June 2022. S/RES/1966 (22 December 2010) established the IRMCT. Security Council Presidential Statement S/PRST/2020/4 (28 February 2020) updated the timelines specified in S/PRST/2018/6. Security Council Letter S/2020/309 (15 April 2020) transmitted the review report of the IRMCT. Security Council Meeting Records S/2020/602 (26 June 2020) was the adoption of resolution 2529. S/2020/527 (10 June 2020) was the most recent semi-annual debate. Other S/2020/236 (26 March 2020) was the OIOS report on the IRMCT.

South Sudan

Expected Council Action

In December, the Council will be briefed on the Secretary-General's 90-day report on South Sudan, which members expect to receive by 7 December. Ambassador Dang Dinh Quy (Viet Nam), chair of the 2206 South Sudan Sanctions Committee, is also expected to brief on South Sudan sanctions. Consultations are expected to follow the briefing. An outcome on sanctions is possible.

The mandate of the UN Mission in South Sudan (UNMISS) expires on 15 March 2021.

Key Recent Developments

After significant delays, the parties to the September 2018 Revitalized Agreement on the Resolution of the Conflict in South Sudan (R-ARCSS) have made some progress at the political level in recent months although critical security sector reform remains stalled. State governors have been appointed, but delays continue in country-level appointments. The cabinet meets irregularly, and the Transitional National Legislative Assembly has yet to be reconstituted, resulting in an inability to pass necessary new laws and delaying progress on the constitution.

The Reconstituted Joint Monitoring and Evaluation Committee (RJMEC), which is responsible for overseeing the implementation of the R-ARCSS, said in its most recent quarterly report covering 1 July to 30 September that there are "ongoing risks and challenges to implementation of the R-ARCSS including the lack of resources for redeployment of the Necessary Unified Forces, intercommunal clashes, persistent National Salvation Front attacks in the Equatorias, and limited efforts at tackling the Transitional Period tasks". It concluded that none of the 187 activities to be conducted during the Transitional Period have taken place and that two key pre-transitional tasks, namely reconstituting the Transitional National Legislative Assembly and completion of the security arrangements, "continue to trail implementation with no clear timetable for them being accomplished".

In October, representatives of the Transitional Government of National Unity and the South Sudan Opposition Movement Alliance (SSOMA), which includes holdout groups

from the R-ARCSS such as the National Salvation Front led by Thomas Cirilo Swaka, held meetings in Rome mediated by the Rome-based Community of Sant'Egidio. The SSOMA recommitted to adhere to the Cessation of Hostilities Agreement and further meetings were scheduled to take place in Rome between the parties at the end of November.

The National Dialogue Conference (postponed from March, due to the COVID-19 pandemic) took place in Juba from 3 to 14 November. (The National Dialogue was first announced as an initiative of President Salva Kiir in December 2016. Three regional conferences preceded the national conference.) The conference reportedly included over 500 participants from different communities and political parties and sought to address key issues, including governance, the economy, national security, land and social cohesion. A final paper is expected on the outcome.

Humanitarian needs continue to rise because of violence, flooding and the COVID-19 pandemic. An estimated 856,000 people across 39 counties have been affected by flooding in South Sudan since July, with close to 400,000 displaced as a result, according to OCHA, as at 21 October. Security of humanitarian workers remains an issue. At the end of October, UNMISS evacuated 35 humanitarian workers following threats and violent attacks by youth in Renk, a town in the Upper Nile region.

On 31 October, Council members received the report from the Secretary-General requested in paragraph 5 of resolution 2521, assessing the role of the arms embargo in facilitating the implementation of the R-ARCSS. The resolution also requested that the report include options for the elaboration of benchmarks to assess the arms embargo measures. While the report does not contain specific benchmarks, it presents options for developing such benchmarks, including headquarters-based desk review with or without remote consultations and a field-based assessment mission. The Council may use the results of such a review to elaborate a list of benchmarks against which the progress of implementation at the national level may be assessed.

Council members were last briefed on South Sudan on 16 September in an open videoconference (VTC), followed by a closed VTC. The briefers were Special Representative and head of UNMISS David J. Shearer and Nyachangkuouth Ramban Tai, representing the civil society organisation Assistance Mission for Africa. Ramban Tai spoke about intercommunal violence in South Sudan and emphasised the Security Council's protection of civilians role. Shearer described delays in security sector reform and in reconstituting the Transitional National Legislative Assembly in South Sudan.

Human Rights-Related Developments

On 6 October, the Commission on Human Rights in South Sudan issued a report (A/HRC/45/CRP.3) documenting how, between January 2017 and November 2018, South Sudanese government forces intentionally deprived Fertit and Luo communities, living under government opposition control, of critical resources, in acts amounting to "collective punishment and starvation as a method of warfare". The report also found that government commanders authorised their soldiers to "reward themselves" by looting objects "indispensable to survival" of these rural populations.

During its 45th session, the Human Rights Council (HRC) heard an oral update from the commission as part of an enhanced interactive dialogue, as requested by the HRC in resolution 43/27. In a statement, commission chair Yasmin Sooka expressed severe concern about sexual and gender-based violence being "extraordinarily high" and reiterated that South Sudan is witnessing "a war against women and girls and their bodies". She called for the immediate implementation of Chapter V of the Revitalized Peace Agreement in order to establish the Hybrid Court and the Commission on Truth, Reconciliation, and Healing for the "full range of transitional justice measures" to be enacted. Otherwise, she warned, the ongoing cycle of destruction and impunity will not be broken.

Sanctions-Related Developments

On 20 November 2020, the 2206 South Sudan Sanctions Committee discussed the interim report of its Panel of Experts, as requested in resolution 2521. (Report not yet publicly available at press time.)

Key Issues and Options

Several significant political and security challenges persist in South Sudan related to the

UN DOCUMENTS ON SOUTH SUDAN Security Council Resolutions S/RES/2521 (29 May 2020) renewed the South Sudan targeted sanctions and arms embargo until 31 May 2021 and the mandate of the Panel of Experts until 1 July 2021. S/RES/2514 (12 March 2020) renewed the mandate of UNMISS until 15 March 2021. **Secretary-General's Reports** S/2020/1067 (31 October 2020) was the report requested in resolution 2521, assessing the role of the arms embargo. S/2020/890 (8 September 2020) was the 90-day report on South Sudan. **Security Council Letter** S/2020/914 (18 September 2020) was a compilation of the briefings and statements from Council members' VTC on South Sudan.

South Sudan

delays in implementing the 2018 peace agreement. Numerous security issues also pose hindrances to the peace process. Cantonment and training of security forces, which are a prerequisite to forming a unified national army, have faced major difficulties.

Given the many delays in implementing the peace agreement, the Council could consider holding an informal interactive dialogue (IID) with key RJMEC officials to exchange ideas about how to support the parties in meeting their obligations under the agreement. The IID is a closed format that, unlike consultations, allows for the participation of non-UN officials and briefers.

Another key issue is the sanctions measures in the context of resolution 2521, in which the Council decided to carry out a mid-term review of the measures by 15 December. As part of this review, the resolution expresses the Council's readiness to consider adjusting the measures, "including through modifying, suspending, lifting or strengthening", to

respond to the situation. An option would be to consider the 31 October report from the Secretary-General requested in resolution 2521 and decide on one of the three options presented to conduct the review. The Council could also consider adopting an outcome such as a presidential statement on the issue.

Council Dynamics

Council members agree that the formation of the Transitional Government of National Unity on 22 February was an important achievement. However, many members remain concerned about the delays in implementing key elements of the peace agreement (such as the transitional security arrangements or the establishment of a new Transitional National Legislative Assembly), ongoing intercommunal and political violence, and the economic and humanitarian crises that have been exacerbated by COVID-19.

There are stark divisions on the Council regarding the utility of UN sanctions on

South Sudan. While some members believe that the sanctions help to foster stability in the country, others have reservations about their helpfulness in the current context. When the Council last renewed the South Sudan sanctions in May, resolution 2521 was adopted with 12 votes in favour and with China, Russia and South Africa abstaining. Paragraph 5 on reporting and benchmarking was added before the text went under silence to allay concerns about the utility of the arms embargo. After silence was broken, further amendments were incorporated into the final text that called for the Council to review the targeted sanctions and the arms embargo by 15 December. (For more details, see our [What's in Blue](#) story of 28 May 2020.)

The US is the penholder on South Sudan. Ambassador Dang Dinh Quy (Viet Nam) chairs the 2206 South Sudan Sanctions Committee.

Briefing by the Outgoing Chairs of the Security Council's Subsidiary Bodies

Expected Council Action

Every December the outgoing chairs of subsidiary bodies provide a briefing on their experience. The six representatives of the five countries completing their two-year terms on the Council at the end of 2020 and their respective chairmanships are:

- Ambassador Philippe Kridelka (Belgium)—the 751 Somalia Sanctions Committee, the Committee on the Implementation of Security Council Resolution 2231 Concerning Iran, and the Working Group on Children and Armed Conflict;
- Ambassador José Singer Weisinger (Dominican Republic)—the 2374 Mali Sanctions Committee;
- Ambassador Christoph Heusgen (Germany)—the 1718 Democratic People's Republic of Korea (DPRK) Sanctions Committee;
- Deputy Permanent Representative Ambassador Günter Sautter (Germany)—the

1970 Libya Sanctions Committee;

- Ambassador Dian Triansyah Djani (Indonesia)—the 1267, 1989 and 2253 Islamic State in Iraq and the Levant (ISIL/Da'esh) and Al-Qaida Sanctions Committee, the 1540 Non-Proliferation Committee, and the 1988 Afghanistan Sanctions Committee; and
- Ambassador Jerry Matthews Matjila (South Africa)—the Ad Hoc Working Group on Conflict Prevention and Resolution in Africa.

Background

Established during the Colombian presidency of the Council in December 2002, the practice of briefings by the outgoing chairs of the subsidiary bodies is considered an important element in efforts to provide greater transparency to the work of the sanctions committees and working groups. Since not all subsidiary bodies produce an annual report, this

December briefing has also served over the years as a means of creating a publicly accessible institutional memory of a body's activities.

Key Recent Developments

At this briefing, all of the chairs will be able to review developments within the relevant committee or working group during their two-year term, assess their experience, suggest recommendations for improvements, and provide advice to their successors. All are likely to mention the impact of COVID-19. Because of the pandemic restrictions, chairpersons have been unable to take any trips to the countries under sanctions or other regions since March. Working methods also changed, with many meetings taking place under the "informal informal" format via videoconference.

Ambassador Philippe Kridelka (Belgium) chairs three subsidiary bodies: the 751 Somalia Sanctions Committee, the Committee on

UN DOCUMENTS ON SUBSIDIARY BODIES [Security Council Meeting Record S/PV.8688](#) (17 December 2019) was the previous briefing by the chairs of subsidiary bodies of the Security Council. [Note by the President of the Security Council S/2017/507](#) (30 August 2017) was the Note of the Security Council President containing the compendium of its working methods, including changes to the appointment of chairs of subsidiary bodies.

Briefing by the Outgoing Chairs of the Security Council's Subsidiary Bodies

the Implementation of Security Council Resolution 2231 Concerning Iran, and the Working Group on Children and Armed Conflict. The Council renewed elements of the Somalia sanctions regime through resolution 2551 on 12 November, though the adoption was marked by abstentions by China and Russia. The Working Group on Children and Armed Conflict has adopted nine sets of conclusions since Belgium assumed the chairmanship of the Working Group in January 2019. Five additional conclusions were being negotiated at the time of writing. Additionally, some new working methods have been instituted during the Belgian chairmanship of the Working Group. This includes a monthly briefing to the Working Group by the incoming president of the Council on the programme of work, which allows working group members to plan ahead for country-specific situations that may be of interest. With respect to Belgium's role as the facilitator of the 2231 process concerning Iran, Kridelka could choose to highlight some elements of Belgium's work which unfolded during a particularly sensitive time due to sharp divisions between the US and the rest of the Council on Iran.

Ambassador José Singer Weisinger (Dominican Republic) chairs the 2374 Mali Sanctions Committee. On 17 November, Singer Weisinger gave the annual briefing on the committee's work. The situation in Mali has been tumultuous: military officers overthrew President Ibrahim Boubacar Keïta and his government in an 18 August coup d'état. Less than two weeks after the coup, on 31 August, the Council adopted resolution 2541, extending the Mali sanctions regime for another year. Singer Weisinger may touch on the need to increase awareness about the sanctions measures and their purpose. During the Committee's last trip to Mali in 2019, it became apparent that there is a low level of

understanding about the sanctions regime on the ground in Mali.

When Germany joined the Council in January 2019, it divided chairmanship of its two subsidiary bodies between its permanent representative and its deputy permanent representative. This arrangement is the first of its kind, and it seems that at the time of writing Germany will give two separate statements at this briefing. For the 1718 Democratic People's Republic of Korea (DPRK) Sanctions Committee, Heusgen has been focusing in the past year on streamlining various aspects, including the varying conversion rate used for reporting on the amount of oil the DPRK receives. This issue has so far not been resolved, leading to a discussion under "any other business" at the 17 November consultations. Meanwhile, in the briefing on the 1970 Libya Sanctions Committee, Germany may speak of its experience of serving as co-pen-holder on the Libya sanctions issues, also the first such arrangement in Council practice.

Ambassador Dian Triansyah Djani (Indonesia) chairs three subsidiary bodies: the 1267, 1989 and 2253 Islamic State in Iraq and the Levant (ISIL)/Al-Qaida Sanctions Committee; the 1540 Non-Proliferation Committee; and the 1988 Taliban Sanctions Committee. The ISIL (Da'esh) and Al-Qaida Sanctions Committee added and amended several entries in 2020, which Djani may choose to highlight. For the 1540 Committee, Djani may highlight the upcoming comprehensive review required to be conducted by 25 April 2021, which is when the mandate of the committee is due to expire. Djani may also discuss how the situation has evolved for the 1988 committee, given the active peace and reconciliation discussions taking place in Afghanistan.

Ambassador Jerry Matthews Matjila (South Africa) chairs the Ad Hoc Working Group on Conflict Prevention and Resolution

in Africa. While active under Matjila's leadership, the Working Group struggled in 2020 to hold meetings due to COVID-19 restrictions. Nevertheless, several sensitive and prospective issues were discussed. These included security sector reform, a subject South Africa is continuing to highlight in a thematic meeting in December.

St. Vincent and the Grenadines, as chair of the Informal Working Group on Documentation and Other Procedural Questions (IWG), has been working on the selection of subsidiary body chairmanships for incoming elected members with the rotating permanent members' coordinator. On 1 November, China took over the role of the coordinator from France. The incoming members—India, Ireland, Kenya, Mexico, and Norway—have not yet received notification of their chairmanships. The appointments must be made by 1 January 2021.

Council Dynamics

After the elections to the Security Council were moved from October to June, there have been significant changes in the process of appointing chairs of the Council's subsidiary bodies. In July 2016, Council members agreed on a Note by the President 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. The Note established a more consultative process for the chairs' appointment, co-led by a permanent member and by the chair of the IWG, and stipulated that the appointments should be completed by 1 October. That deadline has so far not been met. The earliest decision was 9 October in 2017, and the latest 21 November in 2018.

As of 23 November, the new appointments had not been finalised.

Afghanistan

Expected Council Action

In December, the Security Council is scheduled to hold its quarterly meeting on

Afghanistan. Deborah Lyons, Special Representative of the Secretary-General for Afghanistan and head of the UN Assistance

Mission in Afghanistan (UNAMA), is expected to brief on the latest Secretary-General's report on the mission, due on 10 December.

UN DOCUMENTS ON AFGHANISTAN Security Council Resolutions S/RES/2543 (15 September 2020) renewed the mandate of UNAMA until 17 September 2021. S/RES/2513 (10 March 2020) was on the US-Taliban agreement and the joint declaration issued by the US and the Afghan government. **Secretary-General's Report S/2020/809** (18 August 2020) was the latest Secretary-General's report on UNAMA. **Security Council Letter S/2020/891** (8 September 2020) contained the record of the latest quarterly meeting on the situation in Afghanistan, held on 3 September. **Security Council Press Statements SC/14349** (5 November 2020) condemned the terrorist attack that took place at Kabul University on 2 November. **SC/14338** (27 October 2020) condemned the terrorist attack that took place near the Kawsar-e Danish educational centre in Kabul on 24 October.

Afghanistan

The Council will also be briefed by Ambassador Dian Triansyah Djani (Indonesia) in his capacity as chair of the 1988 Afghanistan Sanctions Committee and by Shkula Zadran, Afghanistan's Youth Representative to the UN. Additionally, the Security Council will need to renew the mandate of the Monitoring Team assisting the 1988 Afghanistan Sanctions Committee before its 17 December expiry.

The mandate of UNAMA expires on 17 September 2021.

Key Recent Developments

The situation in Afghanistan remains complex as the intra-Afghan peace talks between the Afghan government and the Taliban stall and high levels of violence continue to adversely affect civilians and erode trust between the parties. The intra-Afghan negotiations that started in Doha, Qatar, on 12 September, were lauded by many in the international community as a significant development in the peace process. To date, however, the negotiation teams of the Afghan government and the Taliban have not started discussing substantive matters as disagreements arose around the procedural rules for the talks.

The main areas of contention relate to the question of which interpretation of Islam should be used in legislation in post-conflict Afghanistan and the extent to which the contents of the 29 February US-Taliban agreement will serve as terms of reference in the negotiations. The Taliban has demanded that the Hanafi school of Sunni jurisprudence serve as the principal source of future legislation in Afghanistan while the Afghan government expressed concern that this could lead to discrimination against religious minorities in the country. Additionally, the Taliban has insisted that the rules of procedure for the talks state that the group is only negotiating with the Afghan government as part of the US-Taliban agreement, thus signalling its ongoing reluctance to recognise the Afghan government as a legitimate and independent governing entity.

The results of the US presidential election have also added uncertainty to the negotiation process. The US-Taliban agreement and the joint US-Afghanistan declaration were crucial in bringing the parties to the negotiating table. As such, questions relating to the implementation of assurances made by the US, such as the withdrawal of troops from Afghanistan and the removal of Taliban

members from UN sanctions designations, have a direct impact on the progress of the talks. Analysts have surmised that the parties would lack motivation to compromise until there is clarity regarding the policy of US President-elect Joe Biden on these matters. The intention of the outgoing Trump administration to accelerate the troop drawdown in Afghanistan also serves as a complicating factor in the negotiations. On 17 November, US Acting Secretary of Defense Chris Miller announced that the number of US troops in Afghanistan, currently approximately 4,500, would be reduced to 2,500 by 15 January.

On 21 November, outgoing US Secretary of State Mike Pompeo met with the negotiation teams of the Afghan government and the Taliban in Doha. According to a Taliban spokesperson, representatives of the militant group discussed with Pompeo the release of additional prisoners and the removal of Taliban members from UN sanctions designations.

As the peace talks fail to progress, civilians continue bearing the brunt of widespread violence across Afghanistan. The period between October and early November witnessed a series of deadly terror attacks and targeted assassinations in the capital Kabul and increased fighting in rural areas across the country. Tensions mounted after two attacks in Kabul—on 24 October near the Kawsar-e Danish educational centre and on 2 November at Kabul University—resulted in the death of at least 46 people and injured dozens, most of whom were students. Although the Islamic State in Iraq and the Levant (ISIL/Da'esh) claimed responsibility for both attacks, mutual recriminations between the Afghan government and the Taliban ensued as the government blamed the militant group for the assaults and the Taliban accused the government of sheltering ISIL terrorists. Members of the Security Council condemned the attacks in press statements issued on 27 October and 5 November, respectively, in which they called for a reduction in violence and stressed that attacks deliberately targeting education facilities are unacceptable.

Meanwhile, fighting between the Taliban and the Afghan National Security Forces in several provinces—including Helmand, Kandahar and Uruzgan—since early October has sparked widespread displacement. As at 18 November, OCHA had verified the displacement of more than 28,000 people in those

provinces, with 15,236 people displaced in Helmand alone. The US launched a series of airstrikes in response to the Taliban's offensive on Helmand province that started on 11 October, while claiming that the Taliban's actions were "not consistent" with the US-Taliban agreement and undermined the peace talks.

According to UNAMA's quarterly report on protection of civilians, issued on 27 October, there has been no reduction in civilian casualties caused by the parties to the conflict since the start of the intra-Afghan talks. During the reporting period of 1 January to 30 September, UNAMA documented the killing of 2,117 civilians, with 3,822 people injured. Afghanistan remains the deadliest conflict for children as child casualties constituted 31 percent of civilian casualties in the first nine months of 2020, with 553 children killed and 1,295 injured. Attacks against education facilities have continued unabated, with 45 incidents of attacks against schools and education-related personnel recorded during the reporting period of UNAMA's protection of civilians report. According to UNICEF, the ongoing insecurity around education facilities contributes to Afghanistan's having one of the world's highest rates of children who are out of school, as 3.7 million children were already believed not to have been enrolled in school before the start of the COVID-19 pandemic and an additional 7.5 million children left school due to the pandemic.

On 20 November, a high-level Arria-formula meeting was held via videoconference on: "What can the Security Council do to support the peace process in Afghanistan?". The meeting was chaired by the Minister of Foreign Affairs of the Republic of Estonia, Urmas Reinsalu, and President Ashraf Ghani of Afghanistan was the keynote speaker. The briefers were Lyons; Fatima Gailani, member of the Afghan government negotiating team; and Laurel Miller, Asia Director at the International Crisis Group. At the meeting, speakers emphasised the importance of preserving and building upon the gains made in the past 19 years in the country, including the human rights and constitutional rights of women, girls and minorities. They further reaffirmed their support for the participation of women in the Afghan peace process and for the promotion and safeguarding of their rights in an eventual peace agreement.

Afghanistan

Key Issues and Options

The immediate issue for the Council is the renewal of the mandate of the Monitoring Team assisting the 1988 Afghanistan Sanctions Committee. The practice in previous years has been to renew the mandate of the Monitoring Team for two years. However, in 2019 the US, the penholder on the Afghanistan sanctions file, requested a shorter period for the mandate, resulting in a one-year mandate renewal resolution. Council members may choose to renew the mandate of the Monitoring Team for a period that, in their view, will correspond to developments in the peace talks.

With regard to the intra-Afghan talks, the Council could request that Zalmay Khalilzad, the US Special Representative to Afghanistan, brief members on recent developments in an informal interactive dialogue. Such a meeting would give Council members the opportunity to seek advice on how the Council can best support negotiating efforts.

Council members may choose to implement proposals that were presented by the briefers at the 20 November Arrria-formula meeting on the peace process in Afghanistan. One such proposal, suggested by Miller, is for the Council to consider appointing an impartial mediator for the talks who could assist the sides with reaching compromise on difficult issues.

The prevalent violence in Afghanistan,

including its adverse effect on children and youth and their right to education, is also a matter of concern for the Council. In this regard, Council members can raise awareness of the importance of incorporating child protection considerations in the intra-Afghan talks and encourage those involved in the negotiations to use the “Practical guidance for mediators to protect children in situations of armed conflict”—a UN-wide guidance document developed through a process led by the Office of the Special Representative for Children and Armed Conflict to provide mediators with tools to prioritise the protection of children. Council members can also urge the parties to agree on child protection measures as early confidence-building measures in the negotiations. Such measures can include an agreement to cease attacks on schools and hospitals, release and reintegrate child recruits and detainees, and designate areas for humanitarian demining to protect children from the impact of explosive remnants of war.

Council Dynamics

Council members are united in their support for the peace process in Afghanistan and for UNAMA’s work. However, issues have arisen in the past around matters relating to the 1988 sanctions regime. It appears that during last year’s negotiations on the renewal of the mandate of the 1998 Monitoring Team, the

US requested that the mandate of the team be renewed for three months. The US circulated the draft resolution three days before the expiry of the monitoring team’s mandate, which limited the timeframe for discussions. A compromise was reached to renew the mandate for one year. It is possible that the impetus for the US’s proposal for a shorter mandate was its desire to facilitate progress in the negotiations it was holding with the Taliban at the time.

The US-Taliban agreement states that once the intra-Afghan negotiations commence, the US will engage with members of the Security Council and Afghanistan to remove Taliban members from the 1988 UN sanctions list. At the time of writing, the US has not submitted any de-listing requests in this regard. Other Council members, who are not signatory to the US-Taliban agreement, have been emphasising that the issue of de-listing should be approached on a case-by-case basis, in line with resolution 2513 that calls for considering the de-listing of Taliban members based on their action, or lack thereof, to reduce violence or advance the intra-Afghan negotiations.

Germany and Indonesia are the co-penholders on Afghanistan, and Ambassador Dian Triansyah Djani (Indonesia) chairs the 1988 Afghanistan Sanctions Committee. The US is the penholder on the sanctions file.

International Court of Justice

Expected Council Action

In December, the Council will hold a briefing on “the promotion and strengthening of the rule of law, focusing on strengthening the cooperation between the Security Council and the International Court of Justice (ICJ)”. The president of the ICJ, Abdulqawi Ahmed Yusuf, is expected to brief. The briefing is an initiative of South Africa as president of the Security Council in December. A presidential statement is a possible outcome.

Background

The ICJ was established in 1945 by the same

constitutive instrument as the Security Council, the UN Charter, to act as the principal judicial organ of the UN. The Statute of the Court is annexed to the Charter itself, meaning that all UN member states are automatically parties to the statute. The ICJ is mandated to settle contentious legal disputes submitted by states against other states in accordance with international law. Judgments given in contentious cases between states are binding on the parties. The Court also gives advisory opinions to the Council, the General Assembly, and other authorised bodies on legal questions referred to it by these entities.

One of the tools available to the Council to peacefully settle international disputes affecting international peace and security is to make use of the ICJ’s jurisdiction in such cases under Article 36(3) of the UN Charter or to ask it to provide advisory opinions on legal questions that arise in the Council’s work, as provided in Article 96(1) of the Charter. At the same time, Article 94(2) also gives the Council responsibility for addressing instances of non-compliance by states with the Court’s judgments when these are brought before the Council. To date, the Council has only recommended that states

UN DOCUMENTS ON THE INTERNATIONAL COURT OF JUSTICE Security Council Meeting Records S/PV.8773 (11 and 12 November 2020) was the election of five judges to the ICJ. S/PV.8262 (17 May 2018) was an open debate on “Upholding international law within the context of the maintenance of international peace and security”. **General Assembly Document A/75/4** (1 August 2020) was the annual report of the ICJ.

International Court of Justice

refer their dispute to the ICJ under Article 36(3) on one occasion, the Corfu Channel Case, which was the first proceeding of the ICJ. Resolution 22 of 9 April 1947 recommended that Albania and the UK immediately refer their dispute to the Court. The 11-member Council adopted the resolution with eight votes in favour and two abstentions (Poland and the USSR) while the UK, as a party to the dispute, abstained from voting in accordance with Article 27(3) of the Charter. Similarly, the Council has requested only one advisory opinion from the Court, in resolution 284 of 29 July 1970, which asked for an advisory opinion on the legal consequences for states of South Africa's continued presence in Namibia. As for non-compliance, the Council has yet to use its powers under Article 94(2) to enforce a judgment. However, one attempt to make the Council exercise that authority was when Nicaragua requested, in a letter to the president of the Council on 17 October 1986, an emergency meeting to consider the failure of the US to execute the ICJ's judgment of 27 June 1986 against it in the Military and Paramilitary Activities in and against Nicaragua Case. On 28 October 1986, the US vetoed a draft resolution calling for full and immediate compliance with the ICJ judgment.

Since 2000, the president of the ICJ has briefed the Council annually in a private meeting. The most recent such briefing took place on 28 October. The briefing normally coincides with the presentation of the annual report of the ICJ to the General Assembly, which this year occurred on 2 November. The report, covering 1 August 2019 to 31 July, was released on 1 August. A communiqué is issued after the annual private meeting instead of a verbatim record. It does not include reference to the substance of the meeting, only that it took place and that there was "an exchange of views".

The Council and the General Assembly jointly elect the 15 ICJ judges, who serve nine-year terms. Five seats come up for election every three years. Most recently, on 12 November, the Council re-elected five judges (in the second round of voting) to the ICJ for terms beginning on 6 February 2021. (After the first round of voting on 11 November, no candidate obtained enough votes in each organ for election to the Court.)

On 17 May 2018, the Council held an open debate under Poland's presidency on "Upholding international law within the

context of the maintenance of international peace and security". One of the briefers was then Judge Hisashi Owada of the ICJ who briefed on behalf of the president of the court.

Council Dynamics

The UN Charter envisioned a symbiotic relationship between the Security Council and the ICJ, as the principal judicial organ of the UN. However, the Council has scarcely made use of the ICJ as an instrument, or tool, in the exercise of its responsibility for the maintenance of international peace and security. The five permanent members have at times perceived the Court's jurisprudence as contrary to their interests. The US and France withdrew their acceptance of the compulsory jurisdiction of the Court. China and Russia, for their part, take a position of principle that states should resolve their differences through bilateral negotiations, not third-party dispute settlement procedures. Yet a more prominent role for the Court could serve to strengthen the effectiveness and legitimacy of the Council as an institution. (See the Security Council Report research report on the rule of law of 20 December 2016, which examines the relationship between the Security Council and the ICJ, including options for enhancing that relationship to assist the Council in its work, available at https://www.securitycouncilreport.org/atf/cf/%7B65BF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/research_report_5_rule_of_law_2016.pdf.)

While the annual private meeting with the president of the ICJ has become accepted practice, there has been limited appetite to deepen the relationship further or for the Council to make greater use of its ability to request advisory opinions. The briefing in December could be an opportunity to further explore the relationship between the two bodies as well as ways for strengthening cooperation. It will also allow for members to exchange views, in a more open format, on the issue.

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