

# **Monthly Forecast**

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## 1 April 2024

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## **Overview**

In April, Malta will hold the presidency of the Security Council.

Malta is expected to organise a debate on the role of young people in addressing security challenges in the Mediterranean under the "Maintenance of international peace and security" agenda item. Ian Borg, Malta's Minister for Foreign, Trade and European Affairs, is expected to chair the meeting. A UN Secretariat official, Secretary General of the Union for the Mediterranean Nasser Kamel, and a civil society representative are expected to brief.

Malta will also organise a briefing on Children and Armed Conflict in April. Special Representative of the Secretary-General for Children and Armed Conflict Virginia Gamba, UNICEF Deputy Executive Director Ted Chaiban, and a civil society representative are expected to brief.

The annual open debate on conflict-related sexual violence (CRSV) will be held this month. Maltese Deputy Prime Minister Christopher Fearne will chair the meeting, which is expected to focus on preventing CRSV through demilitarisation and gender-responsive arms control. Special Representative of the Secretary-General on Sexual Violence in Conflict Pramila Patten and a civil society representative are the anticipated briefers.

The quarterly open debate on "The situation in the Middle East, including the Palestinian question" will also be held in April. Borg is expected to chair the meeting, which will include a briefing by Secretary-General António Guterres.

In April, the annual briefing on the Organization for Security and Co-operation in Europe (OSCE) will take place. Borg will brief in his capacity as the OSCE Chairperson-in-Office.

Several African issues are on the programme in April, including:

• Western Sahara, meeting on the UN

- Mission for the Referendum in Western Sahara (MINURSO);
- Libya, meeting on the UN Support Mission in Libya (UNSMIL) and the work of the 1970 Libya Sanctions Committee;
- South Sudan, the mandate renewal of the UN Mission in South Sudan (UNMISS); and
- Great Lakes Region, meeting on the implementation of the 2013 Peace, Security, and Cooperation Framework for the Democratic Republic of the Congo (DRC) and the Great Lakes region.

In addition to the quarterly open debate on "The situation in the Middle East, including the Palestinian question", other issues related to the Middle East on the programme in April will be:

- Yemen, monthly meeting on developments;
- Syria, monthly meeting on political and humanitarian issues; and
- Middle East, a briefing from Senior Humanitarian and Reconstruction Coordinator Sigrid Kaag in accordance with resolution 2720.

Two issues on the Americas will be on the programme:

- Colombia, meeting on the UN Verification Mission in Colombia; and
- Haiti, meeting on the UN Integrated Office in Haiti (BINUH).

Regarding European issues, a briefing is planned on the work of the UN Interim Administration Mission in Kosovo (UNMIK).

As in past months, there may be one or more meetings on Ukraine, as well as additional meetings on the conflict between Israel and Hamas.

Other issues could be raised during the month, depending on developments.

# In Hindsight: The Escalating Conflict in Eastern DRC and UN Support of Regional Forces

## **Background**

In June, the Secretary-General is expected to submit a report and recommendations on possible UN support to regional forces in the Democratic Republic of the Congo (DRC) pursuant to resolution 2717 of 19 December 2023. Security Council members may consider a product in response. But there are indications that the DRC may want the Council to act sooner. The AUPSC recently endorsed the December 2023 deployment to the DRC of a Southern African Development Community (SADC) force, known as SAMIDRC. In its 4 March communiqué, the AUPSC asked the Security Council to "provide the required material and financial resources to enable SAMIDRC to effectively discharge its mandate". The Chair of the AUPSC formally communicated its decision to the President of the Security Council in a letter of 13 March, expressing the hope that the AUPSC's request would be favourably considered.

Rwanda, which the Congolese government accuses of supporting the Mouvement du 23 mars (M23) rebel group, has questioned the neutrality of SAMIDRC and warned the AU and the UN against endorsing the mission's deployment and giving it support. In recent years, the challenges faced by larger UN peacekeeping operations in Africa have prompted a growing interest in the potential role of regional forces. As a result, the Security Council adopted resolution 2719 of 21 December 2023, regarding the financing of AU-led Peace Support Operations (AUPSOs) from UN assessed contributions on a case-by-case basis. The implementation of this landmark resolution will be a focus of discussion by Council members over the coming months and years. SAMIDRC could be among the possible cases to be presented to the Council for authorisation. (For background, see the *In Hindsight* in our February 2024 *Monthly Forecast*.)

### Request for UN Support of Regional Forces

The security situation in eastern DRC has deteriorated significantly in recent months. Fighting between the Congolese Armed Forces (FARDC) and the M23 has intensified in North Kivu, the epicenter of the conflict. Armed militias known locally as "wazalendo" (patriots) have reportedly joined forces with the FARDC in the conflict. The UN Organization Stabilization Mission in the DRC (MONUSCO) has provided support to the government's military operations in North Kivu as part of Operation Springbok, which was launched in November 2023 to halt the M23's advance towards Goma, the provincial capital. Simultaneously, MONUSCO is implementing its own disengagement plan, as agreed with the Congolese government and endorsed by the Security Council pursuant to resolution 2717 of 19 December 2023.<sup>3</sup>

In recent years, several regional forces have deployed in eastern DRC alongside MONUSCO, which has operated in the area for over two decades. The East African Community Regional Force

(EACRF) was stationed in eastern DRC for a year as part of the Nairobi process, a regional initiative led by the East African Community (EAC). However, the Congolese government seemed dissatisfied with the force's inability to neutralise the M23, and EACRF ceased operations when its mandate expired on 8 December 2023. Even before EACRF's withdrawal, the Congolese government sought support from SADC, which on 8 May 2023, decided to deploy SAMI-DRC in eastern DRC. <sup>4</sup>The SAMIDRC deployment in North Kivu, which only began in December 2023, consists of 5,000 troops from Malawi, South Africa, and Tanzania. The mission has an offensive mandate in support of the Congolese government's military operations. Burundi and Uganda also have forces in eastern DRC under bilateral arrangements with the Congolese government.

In the Council, there is serious concern with the growing number of actors involved in eastern DRC and the potential for the conflict to escalate into a regional crisis. Regional forces' compliance with international humanitarian law (IHL) and human rights law (IHRL), including the protection of civilians, remains a live concern, and one that the Council stressed in resolution 2717.<sup>5</sup> This resolution also emphasised the importance of coordinating information-sharing and deconflicting operations.

Both the EAC and SADC have sought UN logistical and operational support for their forces in the DRC. On 27 September 2023, EAC Secretary General Peter Mutuku Mathuki put this request to Council members at an informal meeting in New York. However, some Council members, particularly the US, were cautious, urging the Council "to avoid endorsing greater support by MONUS-CO for the EAC without appropriate safeguards to address human rights, accountability, and command-and-control concerns". On 22 November 2023, SADC formally asked the Secretary-General for UN support for the SAMIDRC deployment, including facilities, equipment, air asset services, medical support, and information and intelligence-sharing.

The Council has yet to authorise MONUSCO to provide regional forces with operational and logistical support. Renewing MONUSCO's mandate on 19 December 2023, the Council indicated that it would evaluate the circumstances under which "limited logistical and operational assistance could be provided to an AU-mandated regional force deployed within MONUSCO's operational area, in alignment with MONUSCO's mandate and within existing resources". It further requested the Secretary-General to submit a report in June, including recommendations. Resolution 2719 on the financing of AU-led Peace Support Operations (AUPSOs), adopted just two days later, also stresses the need for regional forces to come under the AU's direct and effective command and control to receive support from UN assessed contributions.

Direct and effective AU command and control as a prerequisite

<sup>1</sup> African Union, "Communique of the 1203rd meeting of the PSC held on 4 March 2024, on Consideration of the Situation in the Eastern Democratic Republic of Congo (DRC) and the Deployment of the Southern African Development Community Mission in the DRC (SAMIDRC) -African Union - Peace and Security Department (peaceau.org)" 9 March 2024.

<sup>2</sup> United Nations Security Council, "Letter from the Permanent Representative of Mozambique to the United Nations addressed to the President of the Security Council", 13 March 2024

<sup>3</sup> United Nations Security Council, "UN Security Council Resolution 2717." 19 December 2023.

<sup>4</sup> Southern African Development Community, "Communiqué of the Extra-Ordinary Organ Troika Summit, Plus SADC Troika and Force Intervention Brigade (FIB) Troop Contributing Countries (TCCS)." 8 May 2023.

<sup>5</sup> United Nations Security Council, "UN Security Council Resolution 2717." 19 December 2023.

<sup>6</sup> United Nations Security Council, "Meeting record of the 9427th meeting on the situation in the Democratic Republic of Congo." 28 September 2023.

<sup>7</sup> Amani Africa, "Briefing on the situation in Eastern DRC and deployment of the SADC Mission in the DRC (SAMIDRC)." 3 March 2024.

United Nations Security Council, "UN Security Council Resolution 2717." 19 December 2023.

<sup>9</sup> United Nations Security Council, "UN Security Council Resolution 2719." 21 December 2023.

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for support from the UN may complicate support to SAMIDRC. That the AUPSC endorsed SAMIDRC's deployment does not mean that it has mandated the mission. According to AU doctrine, "AU-mandated" peace support operations entail direct command, control, and management by the AU. In "AU-endorsed" or "-authorised" peace support operations, on the other hand—such as those carried out by sub-regional organisations—the AU does not exercise direct command and control, but instead provides support through cooperation agreements or other legal frameworks.

## The Council's upcoming discussions on DRC and MONUSCO's disengagement

Over the coming months, the Council's discussion on DRC is likely to focus on three major issues: addressing the deteriorating security situation in eastern DRC, de-escalating regional tensions, and facilitating MONUSCO's disengagement process. Council members agree that there are no military solutions to the situation in eastern DRC and can be expected to support the regional initiatives' pursuit of a political solution. They will also support efforts to harmonise existing regional initiatives through the quadripartite process under AU auspices, which involves the EAC, the Economic Community of Central African States (ECCAS), the International Conference on the Great Lakes Region (ICGLR), and SADC.

In terms of the broader regional dynamics, all Council members agree on the need to de-escalate the tensions between DRC and Rwanda, while some members, including France and the US, have taken a strong stance against Rwanda's reported role in eastern DRC. All are also supportive of a regional approach to de-escalating tensions within the framework of the 2013 Peace, Security, and Cooperation Framework for DRC and the Region (PSC-F) and the ongoing discussions on revitalizing the PSC-F.

The Council's upcoming discussion, and decisions on the next steps of MONUSCO's drawdown and withdrawal, will be informed by the joint report of the UN and DRC on the implementation of the disengagement plan, expected by the end of June. As recently as January, the Congolese government apparently took the view that MONUSCO should leave by the end of 2024, with the foreign minister describing 31 December as "the end of the withdrawal process". <sup>10</sup> His remarks were a surprise, as the Council had intentionally avoided an artificial timeline for the mission's exit. Following discussions with MONUSCO, and perhaps reflecting the mission's critical support to the FARDC in light of the deteriorating security situation in North Kivu, this position appears to have been walked back.

## Options for support of regional forces

As Council members consider the matter of support for SAMIDRC, there appear to be three options. Given the doubts some Council members have expressed about the capacity of Congolese and regional security forces to address the security challenges in eastern

DRC, one option could be to maintain the status quo, namely continuing the existing cooperation between MONUSCO and regional forces. The mission provided various types of assistance to EACRF and is now extending the same to SAMIDRC in line with resolution 2666 of 20 December 2022<sup>11</sup>, which encouraged support to regional forces. However, Council members may still want to see MONUSCO and regional security forces strengthen their coordination and information sharing to enhance the protection of civilians and promote the safety and security of its peacekeepers.

A second option is explicitly to authorise limited operational and logistical support to SAMIDRC through MONUSCO. While similar to option one, it would represent a more formal authorisation from the Council that would strengthen the Secretariat's hand in considering specific requests for assistance from SADC and the AU. In his 2 August 2023 report on options for MONUSCO's reconfiguration, the Secretary-General urged the Council "to provide MONUSCO with a clear mandate to leverage its operational and logistical capabilities" in support of regional forces. 12 With MONUSCO already providing limited support to regional forces, this option is likely to garner support from several Council members. In this regard, the Council can formally authorise the mission to provide logistical and operational support to SAMIDRC as requested by SADC in full compliance with the UN's human rights due diligence policy. However, this leaves open whether the AUPSC's endorsement of SAMI-DRC's deployment will suffice, or whether some members will insist on the resolution 2717 requirement that regional forces be "AUmandated", under direct and effective AU command and control.

The discussion on this issue will certainly be affected by other geopolitical considerations. The US, in particular, may baulk at the prospect of UN assessed contributions being accorded to a mission led by South Africa, given its displeasure with South Africa's position on other pressing international peace and security issues such as the situations in Ukraine and Gaza. On the other hand, the US has taken a firm stance on the situation in eastern DRC and the resulting regional tensions and may wish to see action taken in coordination with regional actors.

A third option is to consider the SADC/AU request under resolution 2719 on the financing of AUPSOs. In addition to the persistent question of SAMIDRC eligibility in the absence of direct and effective AU command and control of the mission, all the conditions set out in paragraph 3 of the resolution on decision-making and authorisation will also have to be fulfilled, including the conduct of a joint strategic assessment and other processes.

SADC's request in its 24 November 2023 letter to the UN was mainly operational and logistical, including facilities, equipment, air asset services, medical support, and information and intelligence-sharing; its letter did not seek financial support. Although financial details about SAMIDRC's deployment are not publicly available, the Congolese government has expressed commitment to supplementing the

<sup>10</sup> In a joint press conference with Special Representative and Head of MONUSCO Bintou Keita on 13 January, DRC Minister of Foreign Affairs and Francophonie Christophe Lutundula said that his government is "fighting for everything to be done by the end of this year". United Nations Organization Stabilization Mission in the Democratic Republic of the Congo, "Transcript of Special Representative of the Secretary-General Bintou Keita – Ministry of Foreign Affairs Joint Press Conference Christophe Lutundula," 13 January 2024.

11 United Nations Security Council. "UN Security Council Resolution 2666." 20 December 2022.

<sup>12</sup> United Nations Secretary General, "Report of the Secretary-General on Options for adapting the configuration of the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo and the future United Nations configuration in the country beyond the current mandat." 2 August 2023.

<sup>13</sup> A bill calling for a review of US-South African bilateral relations has been tabled at the US House of Representatives, and refers to the South African government's inconsistency in pursuing its non-alignment policy on international affairs.) U.S. House of Representatives, "H.R.7256 – 118th Congress (2023-2024): U.S.-South Africa Bilateral Relations Revew Act." 6 February 2024.

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SADC budget for SAMIDRC<sup>14</sup>, and South Africa has also reportedly allocated two billion South African Rand (equivalent to \$106 million) to cover the costs of its SAMIDRC contingent.<sup>15</sup>

Security Council members do not seem to expect MONUSCO to shut down any time soon, given the security challenges in eastern DRC: several members have cautioned against leaving a security vacuum. Given the recent experiences of peacekeeping mission closures, however, MONUSCO will need contingency plans in the event of the Congolese government insisting on its departure by year-end. In such a scenario, SADC's desire appears to be to take over MONUSCO's facilities and equipment. The disposition of MONUSCO's assets is likely to be guided by the UN's financial rules and regulations on this issue, the status of forces agreement signed with the host country, and other contractual arrangements with troop-contributing countries on contingent-owned equipment.

### **Observations**

Council members face a dilemma in deciding on possible support for SAMIDRC. All members continue to reiterate their support for the sovereignty and territorial integrity of the DRC, emphasising the need to respect the principles of non-interference, good neighbourliness, and regional cooperation. On the other hand, they acknowledge the potential for the conflict to escalate into a regional crisis, given the growing number of actors involved in eastern DRC. This will certainly affect MONUSCO and the safety and security of its peacekeepers. A recent incident, where eight peacekeepers were wounded during clashes between the FARDC and M23 in the vicinity of Sake, situated 20 kilometers from Goma, further underscores these concerns.

In her 27 March briefing to the Council, Special Representative and Head of MONUSCO Bintou Keita noted the deteriorating security situation in eastern DRC and underscored that there is no sustainable military solution to the conflict. Regardless of the decisions the Council makes regarding SAMIDRC, sustainable peace will be achieved in the DRC at the negotiating table, not on the battlefield, an argument for the Council and other international actors to step up their support for political dialogue through the regional initiatives.

## **Status Update since our March Forecast**

### **International Criminal Tribunals**

On 4 March, the Security Council adopted a presidential statement (S/PRST/2024/1) requesting the International Residual Mechanism for Criminal Tribunals (IRMCT) to submit a report on the progress of its work since the last review of the IRMCT, which was conducted in June 2022.

#### Afghanistan

On 6 March, the Security Council held an open briefing on the situation in Afghanistan (S/PV.9565). Special Representative of the Secretary-General and Head of the UN Assistance Mission in Afghanistan (UNAMA) Roza Otunbayeva briefed on recent developments and the Secretary-General's latest 90-day report on the mission (S/2024/196). The Council was also briefed by Fatima Gailani, Chair of the Afghanistan Future Thought Forum, which comprises employees of the former Afghan government as well as representatives of civil society and academia. On 15 March, the Security Council unanimously adopted resolution 2727, extending UNAMA's mandate for another year, until 17 March 2025.

#### Sudan

On 7 March, the Security Council convened for an open briefing (S/PV.9567), followed by closed consultations, on the Secretary-General's report on "UN efforts to support Sudan on its path towards peace and stability" (S/2024/204), submitted in accordance with resolution 2715 of 1 December 2023, which terminated the mandate of the UN Integrated Transition Assistance Mission in Sudan (UNITAMS). The

report covered developments between 1 December 2023 and 20 February 2024. Secretary-General António Guterres briefed in the open chamber, while Personal Envoy of the Secretary-General for Sudan Ramtane Lamamra briefed during the closed consultations.

On 8 March, the Security Council adopted resolution 2724, calling for an immediate cessation of hostilities in Sudan during the Muslim holy month of Ramadan and for all warring parties to seek a sustainable resolution to the conflict through dialogue. It was adopted with 14 votes in favour and one abstention (Russia).

On the same day (8 March), the Security Council adopted resolution 2725, renewing the mandate of the Panel of Experts assisting the 1591 Sudan Sanctions Committee for another year, until 12 March 2025. The resolution expresses the Council's intention to review the panel's mandate and take appropriate action regarding a further extension by 12 February 2025. The resolution contains new language encouraging all parties and all member states, as well as international, regional, and subregional organisations, to ensure continued cooperation with the Panel of Experts assisting the 1591 Sudan Sanctions Committee, and the safety of its members. This year's resolution also takes note of the panel's reporting on the complex financing schemes established by armed groups active in Darfur and requests the panel to further investigate all relevant funding sources-including local, national, and international-of these armed groups. It was adopted with 13 votes in favour and two abstentions (China and Russia).

On 20 March, the Security Council held a briefing on food insecurity in Sudan under the "Protection of civilians in armed conflict"

<sup>14</sup> Southern African Development Community, "Communiqué of the Extra-Ordinary Summit of the Heads of State and Government of the SADC Organ Troika." 12 July 2023.

President of South Africa, "Statement on X, formerly Twitter, on contribution of troops to SADC mission to the Democratic Republic of Congo." 12 Feb 2024

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agenda item (S/PV.9582). (See the Conflict Prevention status update for more information.)

#### Ukraine

On 8 March, Ukraine, supported by Ecuador, France, and the UK, requested a briefing (S/PV.9570) to discuss intensified Russian missile attacks earlier this month, including a lethal strike on 6 March in the city of Odesa during a visit by Ukrainian President Volodymyr Zelenskyy and Greek Prime Minister Kyriakos Mitsotakis. Assistant Secretary-General for the Middle East, Asia and the Pacific Mohamed Khaled Khiari and Lisa Doughten, the Director of Financing and Partnerships of the Office for the Coordination of Humanitarian Affairs (OCHA), briefed.

On 14 March, Council members held a meeting under "any other business" at Russia's request to discuss developments pertaining to the domestic investigations conducted by Denmark, Sweden, and Germany into the 26 September 2022 explosions that caused physical damage to the Nord Stream pipelines in the Baltic Sea. Assistant Secretary-General for Europe, Central Asia and the Americas Miroslav Jenča briefed.

On 15 March, the Security Council convened for a briefing on the situation in Ukraine (S/PV.9578). The meeting—which was requested by Ukraine and supported by Slovenia—focused on the presidential elections that Russia was organising between 15 and 17 March in Crimea and in parts of the Donetsk, Luhansk, Kherson, and Zaporizhzhia regions in Ukraine. Under-Secretary-General for Political and Peacebuilding Affairs Rosemary DiCarlo briefed.

On 22 March, the Security Council convened for an open briefing under the "Threats to international peace and security" agenda item (S/PV.9585). Russia requested the meeting to discuss the supply of Western weapons to Ukraine. High Representative for Disarmament Affairs Izumi Nakamitsu and political analyst Matthew Hoh briefed the Council.

## **Working Methods**

On 11 March, the Security Council convened for its annual open debate on its working methods (S/PV.9571 and Resumption I). Ambassador Kazuyuki Yamazaki (Japan), the Chair of the Informal Working Group on Documentation and Other Procedural Questions (IWG), and Executive Director of Security Council Report (SCR) Karin Landgren were the briefers. Yamazaki briefed on the work of the IWG so far in updating Note 507. Landgren covered the importance of working methods in the context of conflict prevention and suggested ways in which the Council could make greater use of some of its tools including engaging with UN regional offices and regional organisations. The elected members (E10) made a joint statement for the seventh time at the annual working methods open debate. It was delivered by Mozambique, the E10 coordinator for March. 44 member states spoke during the debate. Among the issues raised were Article 27 (3), the annual report of the Security Council, and the use of the veto.

## Arria-formula Meeting on the Synergies between the CEDAW and WPS Agenda

On 12 March, Switzerland convened a Security Council

Arria-formula meeting on leveraging the synergies between the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and the Women, Peace and Security (WPS) framework. President of the Swiss Confederation Viola Amherd provided opening remarks. Council members were briefed by UN Women Executive Director Sima Sami Bahous and the Chair of the Committee on the Elimination of Discrimination against Women (CEDAW Committee), Ana Peláez Narváez. Civil society representative Moon Nay Li of the Women's League of Burma also briefed.

## **EU-UN** Cooperation

On 12 March, the Security Council held its annual meeting on EU-UN cooperation under the agenda item "Cooperation between the United Nations and regional and subregional organizations in maintaining international peace and security" (S/PV.9573). At the meeting, EU High Representative for Foreign Affairs and Security Policy Josep Borrell briefed Council members on strengthening the EU-UN partnership.

### **Conflict Prevention**

On 20 March, the Security Council held a briefing on food insecurity in Sudan under the "Protection of civilians in armed conflict" agenda item (S/PV.9582). Guyana and Switzerland, the Council's co-focal points on conflict and hunger, joined by Sierra Leone and Slovenia, requested the meeting after OCHA sent a white note to Council members on food insecurity in Sudan, dated 15 March. The white note estimated that nearly 18 million people across Sudan are currently facing acute food insecurity, described by the Integrated Food Security Phase Classification (IPC)—used by relief agencies to measure hunger levels—as crisis level conditions or worse (IPC Phase 3 or above). OCHA Director of Operations and Advocacy Edem Wosornu, Food and Agriculture Organization (FAO) Deputy Director-General Maurizio Martina, and World Food Programme (WFP) Deputy Executive Director and Chief Operating Officer Carl Skau briefed. Sudan participated in the meeting under rule 37 of the Council's provisional rules of procedure.

## Non-Proliferation

On 26 March, Council members convened for a briefing on the activities of the 1540 Committee (S/PV.9589). Ambassador José Javier De La Gasca (Ecuador) briefed the Council in his capacity as chair of the 1540 Committee. At the briefing, he discussed the latest developments since the Committee's previous report to the Council. He emphasised that the Committee approved the appointment of five candidates to its Group of Experts in February 2024, allowing the group to be better resourced to assist the Committee in its work.

### Lebanon

On 19 March, Council members received a briefing in consultations on the Secretary-General's report on the implementation of resolution 1701. Special Coordinator for Lebanon Joanna Wronecka and Under-Secretary-General for Peace Operations Jean-Pierre Lacroix briefed.

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## Arria-formula Meeting on Unilateral Coercive Measures and Counter-Terrorism

On 25 March, Russia convened an Arria-formula meeting on the impact of unilateral coercive measures (UCMs) on global counterterrorism efforts. The briefers were Under-Secretary-General for Counter-Terrorism and Head of the UN Office of Counter-Terrorism (UNOCT) Vladimir Voronkov; UN Special Rapporteur on the negative impact of unilateral coercive measures on the enjoyment of human rights Alena Douhan; and Alfred-Maurice de Zayas, a lawyer and former UN Independent Expert on the promotion of a democratic and equitable international order. In addition to Council members, participants included Venezuela on behalf of the Group of Friends in Defense of the UN Charter, as well as Cuba, Iran, Sri Lanka, and Syria.

## **Democratic Republic of the Congo**

On 27 March, the Security Council held a briefing and consultations on the situation in the Democratic Republic of the Congo (DRC), including the work of the UN Organization Stabilization Mission in the DRC (MONUSCO) (S/PV.9590). Special Representative of the Secretary-General in the DRC and Head of MONUSCO

Bintou Keita and a civil society representative briefed. Burundi, the DRC and Rwanda participated in the meeting under rule 37 of the Council's provisional rules of procedure.

### **UNDOF** (Golan)

On 27 March, Council members received a briefing in closed consultations on the Secretary-General's latest 90-day report (S/2024/242), dated 18 March, on the activities of the United Nations Disengagement Observer Force (UNDOF) and the implementation of resolution 338 of 22 October 1973. The report covered the activities of UNDOF from 21 November 2023 to 20 February 2024. Under-Secretary-General for Peace Operations Jean-Pierre Lacroix briefed.

## Democratic People's Republic of Korea (DPRK)

On 28 March, the Security Council voted on a draft resolution extending the mandate of the Panel of Experts (PoE) assisting the 1718 Democratic People's Republic of Korea (DPRK) Sanctions Committee. The draft text failed to be adopted owing to a veto cast by Russia. All other members—except China, which abstained—voted in favour of the text.

## **Children and Armed Conflict**

## **Expected Council Action**

In April, Malta will convene a briefing on children and armed conflict titled "Addressing the consequences of the denial of humanitarian access for children". Malta, which chairs the Working Group on Children and Armed Conflict, is organising the meeting as one of the signature events of its Council presidency. The expected briefers are Special Representative of the Secretary-General for Children and Armed Conflict Virginia Gamba, UNICEF Deputy Executive Director for Humanitarian Action and Supply Operations Ted Chaiban, and a civil society representative.

Malta plans to prepare a summary of the meeting as an outcome.

### **Background and Recent Developments**

Denial of humanitarian access is one of the six grave violations monitored by the UN-led Monitoring and Reporting Mechanism (MRM) on grave violations against children in situations of armed conflict established by resolution 1612 of 26 July 2005. (The six grave violations, as determined by the Security Council, are child recruitment and use; killing and maiming; rape and other forms of sexual violence; attacks on schools and hospitals; abductions; and the denial of humanitarian access.)

The MRM field manual, issued in June 2014, describes denial of humanitarian access as "the intentional deprivation of or impediment to the passage of humanitarian assistance indispensable to children's survival" by parties to the conflict. This includes "wilfully impeding relief supplies" and "significant impediments to the ability of humanitarian or other relevant actors to access and assist" children in situations of armed conflict. A June 2022 policy note

published jointly by the non-governmental organisation (NGO) Watchlist on Children and Armed Conflict and Fordham University notes that denial of humanitarian access can take several forms, including attacks against relief workers and convoys, bureaucratic and administrative impediments, and suspension or diversion of aid.

For several years, the Secretary-General's annual reports on children and armed conflict have been warning about a substantial increase in the incidence of denial of humanitarian access. Numbers peaked in 2019 at some 4,400 incidents and have since remained high, with the most recent annual report, which was issued on 5 June 2023, documenting 3,931 verified instances of denial of humanitarian access in 2022, most of which were perpetrated by government forces. The highest numbers of incidents were recorded in Gaza (1,861 cases committed by Israeli forces), Yemen (a total of 901 incidents, including 601 cases committed by the Houthi rebel group, 210 by unidentified perpetrators, and 68 by the Yemen Armed Forces), and Afghanistan (a total of 718 incidents, including 706 committed by the Taliban). The report warns that the situation of humanitarian access is expected to worsen in light of "the adoption of restrictive laws, decrees and regulations increasing control over humanitarian work and workers, notably in Afghanistan, Myanmar and parts of Yemen".

The Security Council often addresses the issue of humanitarian access in both its thematic and country-specific meetings. It was the focus, for instance, of the Council's 2022 annual debate on the protection of civilians in armed conflict, held under the US' May Council presidency. Humanitarian access has become a prominent issue of concern in the past year in light of severe escalations of violence

UN DOCUMENTS ON CHILDREN AND ARMED CONFLICT Secretary-General's Report S/2023/363 (5 June 2023) was the annual report on children and armed conflict.

## **Children and Armed Conflict**

in places such as Gaza and Sudan. Council members have also frequently expressed concern about the detrimental effects of policies restricting women's participation in humanitarian efforts, including the Taliban's decisions to ban Afghan women from working for NGOs and the UN, as well as the Houthis' enforcement of mahram, requiring Yemeni women aid workers to be accompanied by male guardians. Although the situation of children is frequently raised in such discussions, members rarely frame the denial of humanitarian access as a grave violation that should be addressed through the tools of the children and armed conflict mandate.

## **Developments in the Working Group on Children and Armed Conflict**

Since February 2023, when Malta assumed the chairmanship of the Working Group on Children and Armed Conflict, the working group has adopted conclusions on the Secretary-General's reports on children and armed conflict in South Sudan, Nigeria, and Mali. Between 10 and 13 July 2023, the working group conducted a visiting mission to Nigeria, its first country visit since 2019, when working group members travelled to Mali.

In the past several years, difficult Council dynamics on several country situations have prevented agreement on the conclusions, which require consensus. When Malta assumed the chairmanship in 2023, it inherited five sets of pending conclusions: three (Afghanistan, Myanmar, and Syria) about Secretary-General's reports that were presented in 2021 and two about reports presented in 2022 (Nigeria and Somalia). Of these five, the working group has only been able to adopt conclusions on Nigeria; it seems that the visit to the country may have reinvigorated the negotiation process. In an unprecedented development, the working group failed to adopt conclusions on the three reports submitted in 2021. In line with the two-year reporting cycle, the Secretary-General recently presented country reports on Afghanistan and Syria, and is soon expected to issue a report on Myanmar. The working group is currently negotiating its conclusions on the new Afghanistan and Syria reports. The proposed draft conclusions apparently include text acknowledging that conclusions were not adopted on the preceding reports.

It seems that some members are increasingly interested in formalising the working practices of the working group that have hitherto been informal, such as conducting videoconference (VTC) meetings with UN country task forces on monitoring and reporting on grave violations against children (CTFMRs). The working group began conducting such VTC meetings in 2017, under Sweden's chairmanship, and it has become a recurring practice since Belgium's 2019-2020 chairmanship. Formalising its practices could, however, curtail the working group's flexibility to adapt its working methods to address evolving circumstances.

## **Key Issues and Options**

Malta has circulated a concept note (S/2024/265) ahead of April's meeting, which notes that the briefing will allow Council members to examine the key issue of the impact of the denial of humanitarian access on children and to propose solutions to facilitate humanitarian access to all those in need. Another key issue highlighted in the concept note is how MRM data on denial of humanitarian access

could inform the Council's approach to this issue.

An overarching priority for the Council is to make full use of the tools of the children and armed conflict agenda to end and prevent the denial of humanitarian access. A crucial issue in this regard is the working group issuing conclusions in a timely manner, as they play an important role in promoting accountability and encouraging conflict parties to take specific actions to prevent and end violations against children. Enhancing the transparency of the work carried out by the working group may assist in this regard. An option would be to request the chair to provide the Security Council a periodic report on developments related to the working group, similar to periodic briefings provided by the chairs of sanctions committees. Such briefings could indicate which conclusions are pending agreement. (For more options, see the brief on children and armed conflict in our July 2023 Monthly Forecast.)

Denial of humanitarian access is the only grave violation that does not trigger a listing in the annexes to the Secretary-General's annual report on children and armed conflict. There appears to be little appetite among Council members for a resolution that would make denial of humanitarian access a trigger violation, particularly as some permanent Council members have sensitivities about some country situations where this violation is prevalent. In light of the difficult dynamics within the working group, and in the Council in general, members do not appear to see this as an opportune moment to pursue such a product.

Civil society organisations, including those providing humanitarian assistance, do not have a unified position on whether denial of humanitarian access should become a trigger violation. The joint Watchlist/Fordham University June 2022 policy note outlines several risks and opportunities in this regard. It also notes that there are some challenges to monitoring and reporting on the denial of humanitarian access that should be addressed before this question can be examined. Notably, it says that the current definition of this violation is too broad, resulting in "varying and inconsistent interpretations on which incidents of denial of humanitarian access should be reported through the MRM". In October 2023, the Office of the Special Representative for Children and Armed Conflict began developing a guidance note on the denial of humanitarian access in cooperation with several stakeholders, including UNICEF, and will continue this work in 2024.

Council members could seek to bring more visibility to the issue of denial of humanitarian assistance. One option would be to organise an Arria-formula meeting to discuss the guidance note on the issue once it is published. Members could also highlight in their statements in country-specific meetings the effects on children of denial of humanitarian access, while emphasising that this constitutes a grave violation. Regular VTC meetings with CTFMRs could also help the working group to better understand the challenges in monitoring and reporting on the denial of humanitarian assistance.

### **Council Dynamics**

The children and armed conflict agenda, including its robust normative framework established through 13 thematic resolutions adopted over the years, enjoys broad general support among Council members. The fact that the first resolution that the Council was able

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to adopt on the war between Israel and Hamas after several failed attempts—resolution 2712 of 15 November 2023—references child protection issues throughout, attests to the importance that members attach to the issue. (For more on resolution 2712, which was authored by Malta, see our *What's in Blue* story of 15 November 2023.)

However, political sensitivities in the Council on files such as Syria and Myanmar are also evident at the subsidiary body level, resulting in protracted negotiations before consensus can be reached on some

conclusions in the working group. There have also been disagreements during these negotiations regarding references to the "UN guiding principles" of humanitarian assistance. China and Russia have increasingly sought to include this formulation, which is viewed as giving greater weight to state sovereignty and the consent of the country concerned. Other Council members prefer references to the delivery of humanitarian assistance in accordance with the humanitarian principles of humanity, neutrality, impartiality, and independence.

## The Middle East, including the Palestinian Question

## **Expected Council Action**

In April, the Security Council expects to hold its quarterly open debate on "The situation in the Middle East, including the Palestinian question". Maltese Foreign Minister Ian Borg is expected to chair the meeting, which is one of the signature events of Malta's April presidency. Secretary-General António Guterres is the anticipated briefer.

During the month of April, the Security Council also expects to receive a briefing from Senior Humanitarian and Reconstruction Coordinator (SHRC) for Gaza Sigrid Kaag. Resolution 2720 of 22 December 2023 mandated the SHRC to report to the Security Council within 20 days of her appointment and thereafter every 90 days until 30 September.

Council members may convene additional meetings during the month depending on developments.

#### **Key Recent Developments**

Following the 7 October 2023 large-scale attacks against Israel led by Hamas, the Israel Defense Forces (IDF) have carried out massive airstrikes on the Gaza Strip. On 27 October 2023, the IDF also launched a ground operation initially focused on northern Gaza and later extended to most other areas of the Gaza Strip. Figures provided by Palestinian officials in Gaza cited by OCHA indicate that, as at 27 March, at least 32,490 Palestinians had been killed. Up to 1.7 million people are estimated to be displaced across the Gaza Strip, the majority of them multiple times. Large areas of Gaza, including critical infrastructure, have been bombed to the ground, with analysts identifying Israel's offensive as one of the deadliest and most destructive military campaigns in recent history.

According to figures provided by Israeli authorities cited by OCHA, more than 1,200 Israelis and foreign nationals have been killed in Israel, the vast majority on 7 October 2023. As at 21 February, an estimated 134 Israelis and foreign nationals remain captive in Gaza.

The humanitarian situation in Gaza is abysmal, with World Health Organization (WHO) Director-General Tedros Adhanom Ghebreyesus recently describing the conditions in which people in Gaza are living and receiving health care as "inhumane".

An 18 March Integrated Food Security Phase Classification (IPC) report said that famine is "imminent in the northern governorates of the Gaza Strip and projected to occur anytime between

mid-March and May 2024", with the entire population of Gaza facing high levels of acute food insecurity. In a 19 March statement, UN High Commissioner for Human Rights Volker Türk said that "[t]he situation of hunger, starvation and famine is a result of Israel's extensive restrictions on the entry and distribution of humanitarian aid and commercial goods, displacement of most of the population, as well as the destruction of crucial civilian infrastructure". Noting that the report found that over half of all Palestinians in Gaza, 1.1 million people, have completely exhausted their food supplies and are facing catastrophic hunger—the highest such number ever recorded by the IPC system anywhere, anytime—Guterres said that the report is clear evidence for "the need for an immediate humanitarian cease-fire" and called on Israel to "ensure complete and unfettered access for humanitarian goods throughout Gaza".

In a 24 March post on X (formerly Twitter), UN Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) Commissioner-General Philippe Lazzarini said that Israeli authorities had informed the UN that they will no longer approve any UNRWA food convoys to northern Gaza, a situation which Lazzarini said would lead to the clock ticking "faster towards famine". (Israel has presented reportedly uncorroborated information since 18 January that 12 UNRWA employees played a role in the 7 October attacks. Israeli news outlets reported in March that the IDF had decided to work to dismantle UNRWA in Gaza.) According to a 27 March UNRWA update, five UNRWA food convoy requests to access the north have been denied by Israeli authorities since 22 March.

Non-governmental organisations such as Amnesty International, Human Rights Watch, and the International Commission of Jurists have stressed that Israel has failed to comply with the 26 January order issued by the International Court of Justice (ICJ) indicating provisional measures in South Africa's proceedings against Israel concerning alleged violations in the Gaza Strip of obligations under the 1948 Convention on the Prevention and Punishment of the Crime of Genocide ("Genocide Convention"). Among other measures, the ICJ said that Israel must "take all measures within its power" in relation to Palestinians in Gaza to prevent the commission of acts within the scope of Article 2 of the convention, including killing and causing serious bodily or mental harm, and ensure that its military forces do not commit any of these acts. The ICJ order also says that "Israel must take immediate and effective measures to enable

UN DOCUMENTS ON THE MIDDLE EAST, INCLUDING THE PALESTINIAN QUESTION Security Council Resolutions S/RES/2720 (22 December 2023) requested the Secretary-General to appoint a SHRC tasked with establishing a UN mechanism for accelerating humanitarian consignments to Gaza. S/RES/2712 (16 November 2023) called for "urgent and extended humanitarian pauses and corridors throughout the Gaza Strip for a sufficient number of days" to enable unknindered humanitarian access. S/RES/2728 (25 March 2024) demanded an immediate ceasefire for the month of Ramadan leading to a lasting sustainable ceasefire and the immediate and unconditional release of all hostages.

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the provision of urgently needed basic services and humanitarian assistance to address the conditions faced by Palestinians in Gaza".

Following a 6 March request by South Africa for the indication of further provisional measures, on 28 March the ICJ ordered that Israel shall, among other actions, take all necessary measures "to ensure, without delay, in full co-operation with the United Nations, the unhindered provision at scale by all concerned of urgently needed basic services and humanitarian assistance, including food, water, electricity, fuel, shelter, clothing, hygiene and sanitation requirements, as well as medical supplies and medical care to Palestinians throughout Gaza".

On 9 February, Israeli Prime Minister Benjamin Netanyahu announced that he had ordered the preparation of a "combined plan" to evacuate civilians and to destroy Hamas' forces in Rafah. Since that announcement, key international interlocutors—including senior UN officials and humanitarian and human rights organisations—have repeatedly warned of the catastrophic consequences of an offensive targeting Rafah, where over a million displaced Palestinians are currently present.

Since 7 October 2023, Council members have voted on ten draft resolutions, adopting three of these texts: resolution 2712 of 15 November 2023, resolution 2720 of 22 December 2023, and resolution 2728 of 25 March. (For background, see our What's in Blue stories of 15 November 2023, 20 December 2023, and 26 March.) Resolution 2728 was the first of these resolutions to demand a ceasefire, albeit a time-limited one. The Security Council had been coming under increasing criticism for its failure to adopt such a measure, with Médecins Sans Frontières Secretary General Christopher Lockyear stressing during his briefing at the 22 February Council meeting on "The situation in the Middle East, including the Palestinian question" that "[m]eeting after meeting, resolution after resolution, this body has failed to effectively address this conflict".

Resolution 2728, which was put forward by the Council's ten elected members (E10), was adopted with 14 votes in favour and one abstention from the US. The resolution:

- · demands an immediate ceasefire for the Muslim holy month of Ramadan leading to a "lasting sustainable ceasefire" (Ramadan started on 10 March and will end around 9 April);
- · demands the immediate and unconditional release of all hostages and that the parties comply with their international law obligations in relation to all persons they detain; and
- emphasises the urgent need to expand humanitarian assistance and reinforce the protection of civilians in the Gaza Strip.

With the exception of provisions focused on the appointment of the SHRC and UN reporting, resolutions 2712, 2720, and 2728 remain unimplemented.

Regarding the situation in the West Bank, a 4 March report by the UN High Commissioner for Human Rights on the human rights situation in the Occupied Palestinian Territory, covering the period from 1 November 2022 to 31 October 2023, noted that the human rights situation in the West Bank was "already grave prior to 7 October 2023". State and settler violence against Palestinians increased markedly after 7 October, "entrenching the long-standing discriminatory system under which Israel exercises control over Palestinians", according to the report. The report also said that "Israel escalated the use of lethal force against Palestinians across the West Bank, including East Jerusalem, often in situations in which its use constituted arbitrary deprivation of life".

According to the latest Secretary-General's report on the implementation of resolution 2334, which was delivered orally at the 26 March Security Council meeting on "The situation in the Middle East, including the Palestinian question" and covered the period from 8 December 2023 to 18 March, during the reporting period, 159 Palestinians were killed by Israeli security forces, one Palestinian was killed by Israeli settlers "and another was killed either by Israeli forces or by settlers". Ten Israelis were killed by Palestinians during the same period, according to Israeli sources cited in the report.

The report noted that settlement activity in the West Bank and East Jerusalem has continued and intensified, with approximately 4,780 housing units being advanced or approved during the period covered by the report. Demolitions and seizures of Palestinian-owned structures have continued too, with Israeli authorities demolishing, seizing, or forcing people to demolish 300 structures, displacing 314 people. The report further notes that, in a continuing trend, 35 Palestinians "left their West Bank communities citing violence and harassment by settlers and shrinking grazing land".

#### **Human-Rights Related Developments**

According to a 25 March report by the Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967, Francesca Albanese, which analyses Israel's operations in Gaza since 7 October 2023 with reference to the Genocide Convention, there are "reasonable grounds to believe that the threshold indicating Israel's commission of genocide is met". Amnesty International has welcomed the report, saying that it "must serve as a vital call to action", adding that states "must apply political pressure on the warring parties" to implement resolution 2728 and "must impose a comprehensive arms embargo against all parties to the conflict".

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According to a 1 March press release by UN Women, 9,000 women have reportedly been killed by Israeli forces during the war. The update says that, according to data collected by UN Women, more than four out of five women in Gaza "report that their family eats half or less of the food they used to before the war began, with mothers and adult women being those tasked with sourcing food, yet eating last, less, and least than everyone else". A 21 February statement issued by UN independent experts stressed the "urgent and growing need to address the near total disruption of schooling, massive destruction of housing, lack of access to sexual and reproductive health care and supplies, and heightened risk of arbitrary detention and violence, including gender-based violence, faced by women and girls in Gaza and the West Bank".

On 11 March, the Security Council held a meeting on conflict-related sexual violence (CRSV) under "The situation in the Middle East, including the Palestinian question" agenda item. France, the UK, and the US, joined by Ecuador and Slovenia, called for the meeting following a request by Israel. The meeting followed a mission by Special Representative of the Secretary-General on Sexual Violence in Conflict Pramila Patten to Israel to gather, analyse, and verify information on CRSV during the 7 October 2023 attacks and the issuance on 4 March of a report presenting her findings. The report says that there are reasonable grounds to believe that CRSV, including rape and gang rape, was perpetrated "in at least three locations" during the 7 October attacks. The mission also found "clear and convincing information" that some of the hostages that were taken into Gaza during the attacks have been subjected to various forms of CRSV, and that there are "reasonable grounds to believe that such violence may be ongoing". Patten's mission included a short visit to the city of Ramallah in the West Bank, where, according to her

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report, "[s]takeholders raised concerns about cruel, inhuman and degrading treatment of Palestinians in detention, including the increased use of various forms of sexual violence".

## **Key Issues and Options**

The prospects for a two-state solution were waning even before the current escalation, and the longer the war continues, the more difficult it will be to establish a political horizon for such negotiations. Determining how the Council can facilitate the resumption of political negotiations between Israelis and Palestinians to move towards a resolution of the conflict and achieve a two-state solution remains a fundamental issue for the Council.

The lack of implementation of resolutions 2712, 2720, and 2728 is also a key issue for the Security Council. As the body mandated by the UN Charter to decide on measures to give effect to judgments of the ICJ, the non-implementation of the ICJ order is also an issue for the Security Council. Council members could evaluate the space for imposing measures not involving the use of force under Article 41 of the Charter to advance the implementation of the Council's resolutions and the ICJ order.

If Council dynamics impede the adoption of such measures, another option would be for the Council to request a briefing from the ICJ president on the provisional measures the Court has rendered.

In a 23 February statement, over 30 UN independent experts said that "[a]ny transfer of weapons or ammunition to Israel that would be used in Gaza is likely to violate international humanitarian law and must cease immediately". The statement notes that the 1949 Geneva Conventions and customary international law require that all states "ensure respect" for international humanitarian law by conflict parties. States that are parties to the Arms Trade Treaty (ATT) have additional obligations. Although any agreement on a Council product on this issue is unlikely, given that the US remains the largest arms exporter to Israel, an option could be for Council members to invite some of the experts who issued the statement to

brief the Council on the legal consequences of weapons and ammunition transfer when there is a clear risk that such weapons may be used in violation of international humanitarian law.

## **Council Dynamics**

Before 7 October 2023, Council dynamics precluded effective action in response to the non-implementation of Security Council resolutions as well as a shared strategy to restart a political process between Palestinians and Israelis, with the US maintaining that the circumstances were not ripe for the reignition of such a process.

Difficult dynamics have characterised the Council's response to the war, which has been marked by contentious and prolonged negotiations, with multiple failed adoptions.

The US, which has provided Israel with political and military support throughout the war, has until recently opposed demands for an immediate ceasefire—including by vetoing two draft resolutions that called directly for this measure and a draft text calling for humanitarian pauses. While the US still opposes unconditional demands for an immediate ceasefire, it recently introduced a qualified use of this term during negotiations at the Security Council and in its political messaging. The US abstained on the vote on resolution 2728, allowing this resolution, which received favourable votes from all other Council members, to be adopted. Nevertheless, following the adoption, the US has downplayed the importance of resolution 2728 in its public remarks, and has stressed the primacy over the resolution of the indirect talks between Israel and Hamas it is co-facilitating with Egypt and Qatar in delivering results on the ground.

Resolution 2728 was co-sponsored by the E10 after overcoming diverging positions among this group during negotiations on some aspects of the resolution. (For background, see our *What's in Blue* story of 26 March.) In its intervention after the adoption of resolution 2728 and at the 26 March meeting on "The situation in the Middle East, including the Palestinian question", France said that it will seek a further Security Council product on this issue.

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## **Expected Council Action**

In April, the Security Council is scheduled to hold its annual open debate on conflict-related sexual violence (CRSV). Maltese Deputy Prime Minister Christopher Fearne will chair the meeting, which is expected to focus on preventing CRSV through demilitarisation and gender-responsive arms control. Special Representative of the Secretary-General on Sexual Violence in Conflict Pramila Patten and a civil society representative are the anticipated briefers.

No outcome is expected.

### **Key Recent Developments**

The Secretary-General's annual reports define CRSV as "rape, sexual slavery, forced prostitution, forced pregnancy, forced abortion, enforced sterilization, forced marriage, and any other form of

sexual violence of comparable gravity perpetrated against women, men, girls or boys that is directly or indirectly linked to a conflict". The reports say that it "also encompasses trafficking in persons for the purpose of sexual violence and/or exploitation, when committed in situations of conflict".

This year's report on CRSV will cover the period from January to December 2023 and will provide the basis for the April open debate. As mandated by resolution 1960 adopted in 2010, this year's report will again include an annex listing "parties credibly suspected of committing or being responsible for patterns of rape or other forms of sexual violence in situations of armed conflict on the agenda of the Security Council".

Despite the existence of a comprehensive legal and normative framework on CRSV, awareness campaigns, research and advocacy,

UN DOCUMENTS ON WOMEN, PEACE AND SECURITY Security Council Resolutions S/RES/2467 (23 April 2019) was on sexual violence in conflict, passed with 13 votes in favour and two abstentions (China and Russia). S/RES/1960 (16 December 2010) requested the Secretary-General to add an annex to the annual report on CRSV listing conflict parties credibly suspected of committing or being responsible for patterns of CRSV. Secretary-General's Report S/2023/413 (22 June 2023) was the Secretary-General's annual report on CRSV.

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CRSV remains prevalent. Several situations on the Security Council's agenda are likely to be discussed in this year's Secretary-General's report on CRSV.

Sexual violence, including rape, continues to be reported in the context of the conflict between the Sudan Armed Forces (SAF) and the Rapid Support Forces (RSF) in Sudan, with some reported rapes appearing to be "ethnically and racially motivated", according to UN independent experts. In her October 2023 briefing to the Security Council, Hala Al-Karib—the Regional Director of the Strategic Initiative for Women in the Horn of Africa, a network of around 100 women's organisations from across the region—described several reports of atrocities, including rape, torture and trafficking, perpetrated by the RSF, while noting that both the SAF and the RSF have committed "serious violations of international human rights and humanitarian law". In May 2023, Patten urged the conflict parties to "instantly issue strict command orders that prohibit sexual violence" and put in place mechanisms to monitor the conduct of all armed elements they control, a message reiterated in a 29 January joint statement by the members of the Security Council that have signed on to the Shared Commitments on Women, Peace and Security (WPS)—Ecuador, France, Guyana, Japan, Malta, the Republic of Korea, Sierra Leone, Slovenia, Switzerland, the UK, and the US.

In Haiti, sexual violence, including rape, continues to be perpetrated by rival armed gangs in the context of the acute crisis affecting the country, characterised by extreme violence, political deadlock, and dire humanitarian conditions. The Secretary-General's latest report on Haiti, which was issued on 15 January and covers developments since 16 October 2023, notes that gangs continue to use sexual violence systematically to consolidate control over populations, targeting women and girls, and that "[s]ome are forced into exploitative sexual relations with gang members and face a brutal death if they refuse". Healthcare and psychosocial services for survivors and their dependents remain largely insufficient.

According to the summary letter of the 6 November 2023 meeting of the Informal Expert Group (IEG) on WPS on the situation in the Democratic Republic of Congo (DRC), continued violence and armed conflict "have a severe impact on women and girls, especially in Ituri, North Kivu and South Kivu", with internally displaced women and girls being at heightened risk of sexual violence, sexual slavery, abduction, forced marriage and exploitation, owing to, among other factors, the presence of armed groups in and around the sites for internally displaced persons. The letter adds that sexual and gender-based violence is prevalent beyond the conflict areas, noting that this is exacerbated by food insecurity and women's socioeconomic situation, and stresses the urgent need for "integrated multisectoral centres where survivors can receive medical, legal, psychological and socioeconomic support". In 2022, the DRC recorded the highest number of UN-verified CRSV incidents (701 cases).

CRSV remains a major concern as well in South Sudan. According to data cited in the reports of the Secretary-General on the situation in the country, between 16 February 2023 and 15 February 2024, the UN Mission in South Sudan documented and verified 96 CRSV cases affecting 138 survivors, including 80 women, five men, 50 girls and three boys. From 4 to 8 September 2023, Patten visited South Sudan, holding meetings with government officials and

survivors of CRSV. She emphasised the necessity of strengthening accountability mechanisms and the need to focus on preventive and restorative interventions, mental health support and rehabilitation for survivors.

Patten also recently conducted a mission to Israel to gather, analyse, and verify information on CRSV during the 7 October 2023 attacks against Israel led by Hamas. Following a request from Israel after the issuance on 4 March of Patten's report on her visit, the Security Council held a meeting on CRSV on 11 March under "The situation in the Middle East, including the Palestinian question" agenda item. According to the report, the objective of Patten's visit was to inform UN reporting by her office, including the Secretary-General's annual report on CRSV, "given the absence of relevant United Nations entities operating in Israel" and, consequently, of UN-verified information. The report says that there are reasonable grounds to believe that CRSV, including rape and gang rape, was perpetrated "in at least three locations" during the 7 October attacks. The mission also found "clear and convincing information" that some of the hostages that were taken into Gaza during the attacks have been subjected to various forms of CRSV, "including rape and sexualized torture and sexualized cruel, inhuman and degrading treatment and it also has reasonable grounds to believe that such violence may be ongoing". The report also notes that "at least two allegations of sexual violence widely repeated in the media" were determined to be unfounded.

Patten's mission included a short visit to Ramallah in the West Bank. Unlike her visit to Israel, this visit was not intended to verify information because of the presence of UN agencies in the occupied Palestinian Territory that will provide UN-verified data for the purposes of the Secretary-General's annual report on CRSV. Nevertheless, the report notes that "[s]takeholders raised concerns about cruel, inhuman and degrading treatment of Palestinians in detention, including the increased use of various forms of sexual violence, namely invasive body searches; threats of rape; and prolonged forced nudity". A 19 February statement by UN independent experts expressing alarm at allegations of human rights violations against Palestinian women and girls says that "[a]t least two female Palestinian detainees were reportedly raped while others were reportedly threatened with rape and sexual violence" while in detention. According to a recent update on the war in Gaza by the NGO Working Group on WPS, "[t]he constant bombardment of hospitals, combined with the Israeli government's restrictions on fuel, water and aid, has led to the collapse of the healthcare system, putting mothers and their newborns at risk of significant physical and mental harm and violating women's sexual and reproductive health and rights".

The situation in Colombia is also likely to be discussed in the Secretary-General's report. In September 2023, Patten commended the opening by the Special Jurisdiction for Peace of a dedicated case on sexual and gender-based violence, reproductive violence and other gender-based crimes on the basis of sexual orientation or gender identity during the armed conflict. The case will encompass three sub-cases focusing on violence perpetrated against civilians by members of the Fuerzas Armadas Revolucionarias de Colombia-Ejército del Pueblo (FARC-EP); violence committed by members of the state security forces against civilians; and violence committed

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within the ranks of both the FARC-EP and the state forces. At the same time, "violence in the communities has not stopped", noted civil society briefer Yolanda Perea during her 11 January briefing at the Security Council, adding that "[t]hose who have been reintegrated, in particular the boys and girls who were forced to take up arms, and who suffered sexual violence, remain at risk".

Other situations of concern that might be detailed in the Secretary-General's report include Afghanistan, the Central African Republic, Ethiopia, Iraq, Libya, Mali, Myanmar, Nigeria, Somalia, Syria, Ukraine, and Yemen.

#### **Peacebuilding Commission Developments**

On 31 January, the Peacebuilding Commission (PBC) convened an Ambassadorial-level meeting to discuss the needs and gaps in investing in women's full, equal, and meaningful participation throughout the peace continuum and how the Commission could help to address the challenges. During the meeting, some speakers spoke about the need to strengthen the protection of the human rights of women and to prevent all forms of sexual and gender-based violence, including by strengthening legal frameworks and improving access to justice, and of the importance of strengthening the protection of women peacebuilders to secure a safe and enabling environment for their participation.

Then-PBC Chair Ambassador Ivan Šimonović (Croatia) recommended in his summary of the meeting that the PBC strengthen the implementation of its Gender Strategy and Action Plan, including monitoring and measuring the impact of its engagements. The Commission should also continue to provide a platform for women peacebuilders to share the priorities and needs of women in peacebuilding and to integrate their recommendations into the PBC's advice to relevant UN bodies.

## **Key Issues and Options**

The holistic and substantive implementation of the Security Council's resolutions on WPS is the overarching issue. Regarding the topic of the open debate, the persistence of CRSV across conflict situations continues to be a key issue of concern.

Adopted in 2019, resolution 2467 recognised that CRSV occurs on a continuum of interrelated and recurring forms of violence against women and girls. To address CRSV from a structural perspective, including its political aspects and consequences, one option is to include in Council discussions of CRSV a focus on the theme of the continuum of violence and other intersecting forms of inequality that women and girls face both during conflict and in peacetime, as well as a focus on the nexus of protection and participation.

Members could support the deployment of women's protection advisers in peace operations, as well as in transition processes from peacekeeping operations to special political missions and country teams. In this regard, members may also support the maintenance of existing women's protection adviser positions in the context of the Fifth Committee and request the inclusion of enhanced capacity in contexts in which it is inadequate. A further option is to strengthen the gender and CRSV expertise informing the work of sanctions

committees and invite Patten to share information with these committees.

Politicisation and instrumentalisation of UN findings regarding CRSV is a further issue. In a 7 March interview with France 24, Patten said that her 4 March report "should not in any way be misused to justify the denial of a humanitarian ceasefire", nor should it be "instrumentalised in any way to continue with this bloodshed". An option is for members to clearly express in their remarks at the Security Council that they oppose any attempt to instrumentalise CRSV to legitimate further violence. For instance, at the 11 March Council meeting on "The situation in the Middle East, including the Palestinian question", Malta said that advancing the WPS agenda "means ensuring that the conflict-related sexual violence agenda is not instrumentalized", noting that this includes "respecting and safeguarding the identity and dignity of survivors".

## **Council Dynamics**

While notable implementation gaps persist, Council members are generally supportive of the WPS agenda, and their views converge on the need to eradicate CRSV. Nevertheless, Council dynamics on WPS remain difficult. For instance, during the recent negotiations of resolution 2725, which renewed the mandate of the Panel of Experts assisting the 1591 Sudan Sanctions Committee until March 2025, Switzerland proposed new language requesting the Special Representative of the Secretary-General on Sexual Violence in Conflict and the Special Representative of the Secretary-General for Children and Armed Conflict to share relevant information with the committee, and inviting the UN High Commissioner for Human Rights to do the same. However, owing to opposition from other Council members—including China, Russia, and the "A3 plus one" (Algeria, Mozambique, Sierra Leone, and Guyana)—the proposed language was not included in the resolution. Nevertheless, at the request of the "A3 plus one" members, resolution 2725 includes an operative paragraph requesting the panel to assess in its reports, among other things, progress towards the promotion of peace and stability in Darfur and violations of IHL or violations or abuses of human rights, including those related to sexual and gender-based violence.

Russia continues to oppose the term "CRSV" arguing that it leads to an improper blurring of crimes of a sexual nature that occur in peacetime and during armed conflict, therefore unduly expanding the purview of the Council's mandate; an argument that most other Council members and civil society groups working on women's rights reject. Russia has also objected to Patten briefing in sanctions committee meetings and opposed her participation in Council meetings.

The UK is the penholder on WPS, and the US is the penholder on CRSV. Sierra Leone and Switzerland are the co-chairs of the IEG on WPS.

## **Colombia**

## **Expected Council Action**

In April, the Security Council is expected to receive a briefing from Special Representative and Head of the UN Verification Mission in Colombia Carlos Ruiz Massieu on recent developments and the Secretary-General's latest 90-day report on the mission, which was circulated to Council members on 26 March. A civil society representative may also brief.

The verification mission's mandate expires on 31 October 2024.

#### **Key Recent Developments**

The Security Council conducted a visiting mission to Colombia between 7 and 11 February, which was co-led by the UK (the penholder on the file), Guyana, and Switzerland. (Security Council Report, which accompanied the Council on the visit, provided coverage of the visiting mission that can be found in our dispatches from the field, dated 7, 9, 12, and 14 February.) The visiting mission allowed Council members to assess progress and challenges in the implementation of the 2016 Final Agreement for Ending the Conflict and Building a Stable and Lasting Peace between the government of Colombia and the former rebel group Fuerzas Armadas Revolucionarias de Colombia-Ejército del Pueblo (FARC-EP). It also afforded them an opportunity to learn more about the "total peace" policy promoted by the administration of Colombian President Gustavo Petro Urrego, which entails the promotion of dialogue with armed groups operating in the country as well as the implementation of the 2016 agreement.

During their visit, Council members heard first-hand accounts from the actors at the heart of peacebuilding efforts in the country, including government officials, former FARC-EP combatants, human rights defenders, and representatives of women's and victims' organisations. This impressed upon members the ambitious and transformative nature of the 2016 accord—described by many interlocutors as a roadmap for the future of the country—as well as the tremendous scope of tasks to promote the agreement's implementation, as various issues need to be tackled simultaneously in a vast country, requiring a whole-of-government approach.

Several recurring themes from the visiting mission, which are also addressed in the Secretary-General's report, are likely to feature in the Council's upcoming engagement on Colombia. One longstanding issue is the persistent violence against communities (including indigenous and Afro-Colombian communities), former FARC-EP members, human rights defenders, and social leaders.

The Secretary-General's report says that the "roll-out of key security guarantees policies remained at a standstill, as the decrees setting normative, budgetary, and institutional frameworks were vet to be issued". This includes the public policy to dismantle illegal armed groups and criminal organisations, which was presented on 7 September 2023 by the National Commission on Security Guarantees (NCSG), a body established by the 2016 agreement. The report emphasises the continued relevance of the NCSG, including in providing guidance for the policy's implementation at the local level and promoting coherence with other peace and security policies.

Throughout the visiting mission, Council members heard views from civil society representatives about the government's dialogue process with armed groups operating in the country. Some expressed

concern about the persistent violence, including sexual violence, despite the observance of bilateral ceasefires between the government and the guerrilla group Ejército de Liberación Nacional (ELN) and the dissident group of the former FARC-EP that identifies itself as the Estado Mayor Central Fuerzas Armadas Revolucionarias de Colombia (EMC FARC-EP).

The Secretary-General's report notes that while the "ceasefires have produced concrete benefits", they are "preliminary, limited in scope, and temporary by nature". It emphasises that these negotiations have fostered expectations among many Colombian actors, who wish to see "outcomes that address many of the structural issues as soon as possible", noting that these aspirations need to be taken into consideration at the negotiating table.

The Secretary-General's report further underscores the importance of complementing the ceasefires with immediate measures for the benefit of communities. To that end, it calls on the Colombian government to ensure the prompt implementation of the security guarantees measures of the 2016 agreement and to strengthen the integrated presence of the state, especially in conflict-affected areas.

Recent months have witnessed both progress and setbacks in the government's dialogue efforts with armed groups operating in the country. On 5 February, the ELN and the government announced a six-month extension of their bilateral ceasefire. Shortly after, a crisis emerged following the announcement by the government of its intention to hold a regional dialogue in the Nariño department that would reportedly involve one of the ELN's regional fronts. The ELN's central command said that this decision was taken without its approval, and on 20 February announced the suspension of the dialogue with the government. After an emergency meeting held in Cuba between 24 and 26 February, which was attended by international guarantor countries and Ruiz Massieu, the sides agreed to continue implementing the ceasefire. They will meet for a seventh round of talks in Venezuela between 8 and 22 April.

In January, the government and the EMC FARC-EP decided to extend their bilateral ceasefire for a period of six months. The process faced an obstacle after the EMC carried out attacks on 16 and 17 March against indigenous communities in the Cauca department, resulting in the death of a traditional community leader. This led Petro to suspend the ceasefire as of 20 March in the departments of Cauca, Nariño, and Valle del Cauca.

Ahead of and during the visiting mission, Council members heard concerns from the Colombian government and former FARC-EP combatants about the work of the Special Jurisdiction for Peace (SJP), the judicial component of the transitional justice system established by the 2016 agreement. They also heard concerns from members of the SJP about the many pressures they face in their work, including challenges to their autonomy and security threats against magistrates as well as victims and those appearing before the court.

In a 6 February letter to Petro, sent shortly before the visit, signatories to the agreement raised concerns about pending amnesties for former combatants and argued that the SJP's decision to prosecute middle-ranking and rank-and-file former guerrillas has created legal uncertainty, among other issues. Following the visit, several leaders of the former FARC-EP suggested in a 24 February interview that an alternative justice mechanism could be considered, but then

## Colombia

clarified in an 8 March interview that they will continue appearing before the court. The Secretary-General called in his report for constructive dialogue among all relevant stakeholders to resolve such issues.

### **Human Rights-Related Developments**

On 1 March, UN High Commissioner for Human Rights Volker Türk issued an update on the human rights situation in Colombia. He stressed that while Colombia made significant strides in 2023, pressing issues remain. In 2023, his office verified 105 killings of human rights defenders; 98 massacres, in which 320 people were killed; 53 cases of gender-based violence; and 134 cases of recruitment or use of children by non-state armed actors. On the other hand, he also highlighted Colombia's commitments and actions to promote human rights, while welcoming the adoption of policies such as the public policy to dismantle illegal armed groups and criminal organisations.

In a 15 March statement issued after the conclusion of his ten-day visit to Colombia, UN Special Rapporteur on the rights of Indigenous Peoples Francisco Calí Tzay acknowledged the legal advances and the government's intention to strengthen indigenous people's rights. He deplored, however, the persistent challenges that threaten indigenous people, putting them at "imminent risk of physical and cultural extermination". He also expressed alarm at the plight of indigenous women and children, who face discrimination within and outside their communities in access to health, education, and food. He urged the Colombian government to implement the recommendations of his predecessors, made after their visits in 2004 and 2009, and called for "concrete measures to address the historical marginalization" of indigenous peoples. Calí Tzay's report to the Human Rights Council (HRC) will be available in September.

## **Key Issues and Options**

The overarching priority for the Council is to continue supporting the full implementation of the 2016 peace agreement. Throughout their visiting mission, Council members heard from interlocutors that the international community's attention has helped the agreement withstand changes in the country, including the priorities of different governments. The Council could continue providing such support through its regular messaging on Colombia, including in future products such as press statements and resolutions on the verification mission's mandate.

The Council heard consistent calls for the need to make 2024 "the year of implementation" by moving from the planning phase to advancement of policies, a message reiterated in the Secretary-General's most recent report. Council members could continue emphasising in their statements the need to do so, including by implementing such policies as the public policy to dismantle illegal armed groups and criminal organisations.

Promoting the implementation of the gender and ethnic chapters of the 2016 agreement, which has been slow, has become a key priority for the Council in recent years. This is evidenced in the frequent messaging by Council members and in the agenda of the visiting mission, as members held a working dinner with representatives of

women's organisations in Bogotá as well as Afro-Colombian and indigenous representatives in the city of Buenaventura. During the visit, Colombian Vice President Francia Elena Márquez Mina—who heads the Ministry of Equality, which oversees implementation of the two chapters—outlined institutional hurdles to progress on these issues, including complicated bureaucratic procedures and systemic racism in certain state institutions. In addition, the Secretary-General's report said that resource constraints continue to hamper the implementation of more than 100 gender-related provisions of the 2016 agreement, noting that the Vice Ministry of Women within the Ministry of Equality remains underfunded. Members could seek to bring more visibility to these issues, including by expressing support to Márquez' efforts and by continuing to invite women as well as Afro-Colombian and indigenous civil society representatives to brief the Council.

Supporting transitional justice efforts in the country is a long-standing priority for the Council. Members have emphasised the importance of upholding the SJP's autonomy on numerous occasions, including through their press statements on Colombia. They apparently also wish to see addressed concerns about legal uncertainty by those appearing before the court. It seems that several SJP magistrates are expected to visit New York ahead of the Council's April Colombia meeting. Council experts could meet informally with the magistrates to discuss the concerns raised about the SJP's work. This will also allow them to gain a better understanding of the court's preparations for the handing down of sentences, which is expected in 2024, a crucial—and potentially polarising—stage in the transitional justice process.

## **Council Dynamics**

Council members are united in their support for the peace process in Colombia and for the verification mission's work. It seems that Council members were encouraged by their recent visiting mission, as it demonstrated how the Council can exact important change on the ground when it speaks with one voice, which has become increasingly rare considering difficult dynamics on other situations, such as Ukraine and Gaza.

Council members have different views, however, about the appropriate level of Council support for the government's dialogue efforts with armed groups operating in the country. Some members, such as the US, apparently feel that a cautious approach is needed and advocate a case-by-case analysis of a possible UN role in such dialogue efforts. Other members would apparently like to see a more proactive approach from the Council in support of the dialogue processes. Council member Switzerland is an accompanying country in the dialogue process with the ELN and a guarantor country in the process with the EMC FARC-EP.

## Yemen

#### **Expected Council Action**

In April, the Security Council is expected to hold a briefing, followed by closed consultations, on Yemen. UN Special Envoy Hans Grundberg and a representative of OCHA are expected to brief. There may also be a civil society briefer. The head of the UN Mission to Support the Hodeidah Agreement (UNMHA), Major General Michael Beary, is expected to brief during consultations.

## **Key Recent Developments**

Attacks by the Houthi rebel group on commercial shipping following the outbreak of war between Israel and Hamas in October 2023 have continued, significantly disrupting trade routes in the Red Sea, and prompting retaliatory military strikes by the UK and the US since 11 January. The situation has also stalled—and risks upending—peace talks between the Houthis and Saudi Arabia and deliberations on a UN roadmap for an inter-Yemeni political process.

On 2 March, the Belize-flagged and UK-owned cargo ship Rubymar, which was struck by a Houthi anti-ship ballistic missile on 18 February, sank in the Red Sea. This was the first vessel to sink since the start of the crisis, and triggered environmental concerns as it was carrying approximately 21,000 metric tonnes of fertilisers that could cause ecological damage.

On 6 March, three crew members (two Filipino nationals and one Vietnamese citizen) of a Barbados-flagged merchant vessel were killed when the ship was hit by a missile in the Gulf of Aden. These were the first deaths caused by the Houthi attacks. The Houthis claimed that the vessel, called the True Confidence, was US-affiliated. According to media reports, the ship had been owned by the US private equity company Oaktree Capital but a new, non-US company had recently purchased it.

At the Council's 14 March briefing on Yemen, Grundberg observed that the longer the crisis continues, the more likely it is that Yemeni parties will "shift calculations and alter their negotiation agendas", adding that in a worst-case scenario they could decide to return to war. Amid this regional turmoil, Grundberg underscored the importance of the Council's maintaining its unity in support of a political process under UN auspices. OCHA Director of Operations and Advocacy Edem Wosornu, who recently visited the Yemeni governorates of Aden, Sana'a, and Amran, also briefed. Wosornu highlighted a "surge" in food insecurity and malnutrition in Yemen. Recent UNI-CEF and World Food Programme (WFP) assessments showed an 11 percent increase in food insecurity since November 2023, according to Wosornu. She indicated that this was partially a result of the WFP's suspension late last year of general food assistance in Houthi-held areas over differences with Houthi authorities about whom to prioritise for assistance. Wosornu said there had been progress in resolving the issue but that the resumption of assistance would require donor funding totalling \$230 million for the next five months.

During the briefing, the UK and the US raised concerns about recent reports that Iranian ships had entered Hodeidah port without receiving clearance by the UN Verification and Inspection Mechanism (UNVIM). Since 2016, commercial ships travelling to Yemeni ports not under the internationally recognised government's control

have been required to report to UNVIM, which conducts inspections of ships and clears them for continued transit. The system was set up to facilitate commercial imports into Yemen and to ensure compliance with the targeted arms embargo against the Houthis. Executive Director Jorge Moreira da Silva of the UN Office for Project Services (UNOPS), which manages UNVIM, briefed along with General Beary in closed consultations after the open session.

In an 18 March press statement, Council members condemned in the strongest terms Houthi attacks against commercial vessels in the Red Sea, including the attacks on the True Confidence and the Rubymar. Among other points, the statement called for "practical cooperation", including with the Yemeni government, to prevent the Houthis from acquiring the arms and related materiel necessary to carry out further attacks and reiterated that all UN member states must comply with the targeted arms embargo.

Meanwhile, Houthi leader Abdul Malik Al-Houthi announced in a televised address on 14 March that the group would expand its campaign to prevent ships linked with Israel from passing through the Indian Ocean towards Africa's Cape of Good Hope. Since last year, the Houthis have said that their attacks on Israeli-owned ships or ships travelling to Israel would continue until Israel ends its military campaign in Gaza and allows more humanitarian aid into the territory. That same day, Russian news agency RIA Novosti cited an unidentified official as saying that the Houthis had successfully tested a hypersonic missile. Other media outlets picked up on the report, though a US spokesperson rejected its accuracy. On 18 March, a Houthi cruise missile hit an open area near the southern Israeli city of Eilat, which was the first time the group struck Israeli territory. No damage or injuries were reported. Previous Houthi drones and missiles had struck neighbouring countries or been intercepted by air defences.

## **Key Issues and Options**

The Houthi threat to commercial shipping and the continued exchange of attacks by the Houthis on vessels and by US-led forces on Houthi targets is a key issue. Moreover, the crisis has complicated Omani-mediated talks between the Houthis and Saudi Arabia to reach a peace agreement and Grundberg's efforts to develop a road map for an inter-Yemeni political process.

Preserving progress that had been made in these mediation efforts prior to the start of the crisis and preventing even the possibility of a return to war between Yemeni parties is also an important issue. Fragile relations among the factions that form the Yemeni government's Presidential Leadership Council (PLC) and how a political process should address some PLC members' calls for a separate southern Yemeni state remain additional concerns related to political efforts.

If peace talks remain stalled, one option for Council members is to issue a press statement to encourage the parties to protect the progress that has been made and continue engaging with the Special Envoy to develop his roadmap. Such a statement could also call for parties to de-escalate the current Red Sea crisis and to refrain from provocative actions or rhetoric.

The humanitarian situation in Yemen remains a key issue.

UN DOCUMENTS ON YEMEN Security Council Resolution S/RES/2722 (10 January 2024) demanded that the Houthis immediately cease all attacks on merchant and commercial vessels and took note of the right of member states, in accordance with international law, to defend their vessels from attacks. Security Council Letter S/2024/155 (8 February 2024) was a Secretary-General's letter containing a report, in accordance with resolution 2722, on Houthi attacks on merchant and commercial vessels in the Red Sea covering the period 10 January to 6 February 2024. Security Council Meeting Record S/PV.9576 (14 March 2024) was a briefing on Yemen by UN Special Envoy Hans Grundberg and OCHA Director of Operations and Advocacy Edem Wosornu. Security Council Press Statement SC/15631 (18 March 2024) condemned in the strongest terms Houthi attacks against commercial vessels in the Red Sea, including the 6 March attack on the MV True Confidence, during which three sailors were killed

## Yemen

OCHA's 2024Yemen Humanitarian Response Plan (HRP), released in January, projects that 18.2 million people will need humanitarian assistance and protection services in 2024, compared to 21.6 million in 2023. The risk that regional conflict dynamics linked to the Houthi attacks on commercial shipping could reverse humanitarian gains and exacerbate needs is a key issue. Council members may highlight the need for donors to fully fund the HRP.

## **Council Dynamics**

Council members are united in their support for the various mediation efforts. They have welcomed the Houthi-Saudi talks and stress the ultimate need for an inclusive Yemeni political process under UN auspices to achieve a sustainable resolution of the conflict. Members have also condemned the Houthi attacks in the Red Sea and are concerned about the consequences for maritime security, freedom of navigation, and Yemen's peace process.

The Red Sea crisis, though, has created some Council divisions on the Yemen file. On 10 January, the Council adopted resolution 2722, which took note of the right of member states, in accordance with international law, to defend their vessels from attacks. However,

Algeria, Mozambique, Russia, and China abstained on the vote, and China and Russia have criticised the US and UK for strikes in Yemen without Council authorisation. The US and UK stress that their strikes are undertaken in self-defence under Article 51 of the UN Charter. In the Council, the US and Japan co-authored resolution 2722. They also co-drafted the 18 March press statement. The Houthis continue to hold the Japanese-operated cargo ship Galaxy Leader and its crew since capturing the vessel, linked to an Israeli businessman, in November 2023.

Russia, China, and the African Council members (Algeria, Mozambique, and Sierra Leone) and Guyana, which are known as the "A3 plus one", also highlight the importance of a Gaza ceasefire to end the Red Sea crisis, and in Council negotiations on products on the Houthi attacks they have argued for explicitly recognising the link between the two crises. A long-standing red line for Russia is identifying Iran as supplying the Houthis with arms in the Council's Yemen products.

The UK is the penholder on Yemen. Ambassador Joonkook Hwang (Republic of Korea) chairs the 2140 Yemen Sanctions Committee.

## Libya

## **Expected Council Action**

In April, the Security Council will hold its bimonthly briefing on the situation in Libya. Special Representative and head of the UN Support Mission in Libya (UNSMIL) Abdoulaye Bathily will brief the Council on recent political, security, and humanitarian developments in the country and the Secretary-General's latest report on UNSMIL. The chair of the 1970 Libya Sanctions Committee, Ambassador Yamazaki Kazuyuki (Japan), will also brief on the committee's activities.

## **Key Recent Developments**

The political impasse in Libya continues between the UN-recognised Government of National Unity (GNU), based in Tripoli and led by Prime Minister Hamid Mohammed Dbeibah, and the eastern-based Government of National Stability (GNS), led by Prime Minister Osama Hamad and aligned with the House of Representatives (HoR) and the self-styled Libyan National Army (LNA) under the command of General Khalifa Haftar. The prolonged stalemate involving the rival governments—which has persisted since the indefinite postponement of elections that had been scheduled for December 2021—is a key driver of Libya's political, security, and economic instability.

In this context, both the UN and national actors have concentrated efforts on facilitating agreement on a new roadmap for national elections to unify the country's divided governments. In March 2023, the HoR and the GNU-aligned High State Council (HSC) established a "joint 6+6 committee"—composed of six representatives from each body—to draft electoral laws to enable elections. In June 2023, the committee announced that it had reached agreement on

draft legislation, which the HoR and HSC subsequently approved.

The proposed legislation proved to be controversial, with various political factions contesting several of its provisions and both UNSMIL and Libya's High National Elections Commission (HNEC) identifying technical shortcomings. In September 2023, the 6+6 committee submitted to the HoR an amended version of the draft legislation, which the HoR approved on 2 October. Subsequently, it was sent to the HNEC for implementation, and the commission confirmed that the revised legislation was technically feasible. On 4 October, however, the HSC rejected the revised legislation, instead endorsing the 6+6 committee's previous version and withdrawing its members from the committee.

In an attempt to break the impasse, UNSMIL announced in a 23 November 2023 statement that Bathily had invited key Libyan institutional stakeholders to a meeting to facilitate a settlement on the politically contested electoral issues. The statement said that Bathily had requested the HoR, HSC, LNA, and Presidential Council (established under the 2015 Libyan Political Agreement to serve as the country's head of state) to designate representatives to attend a preparatory meeting to discuss the date, venue, and agenda of the meeting of their principals. The parties have not been able to agree on the parameters of the initiative, however, setting different and partially conflicting conditions for participation. At the Council's 15 February briefing on Libya, Bathily explained that the HoR has insisted that the main issue on the agenda should be the formation of a new unified government to organise elections, while Dbeibah has contended that the GNU will supervise the coming electoral process, meaning he will step down only after elections have been held. The

UN DOCUMENTS ON LIBYA Security Council Resolution S/RES/2702 (30 October 2023) extended UNSMIL's mandate until 31 October 2024. Secretary-General's Report S/2023/967 (7 December 2023) covered developments in Libya between 8 August and 7 December 2023.

## Libya

HSC has pushed for the discussion to focus on reverting to the initial version of the 6+6 committee's draft legislation.

At the 15 February briefing, Bathily reiterated that progress on holding credible national elections is not possible without a political settlement among Libya's main institutional stakeholders, and he called on them to "put their self-interests aside" and negotiate all contested issues in good faith. He also stressed the Council's "critical role" in exerting pressure on Libyan leaders to this end, as well as the importance of a unified and coordinated approach by all members of the international community. In this context, Bathily said that "parallel initiatives" are useful only if they support UN efforts. Otherwise, Libyan actors may use them "as a means to perpetuate the status quo".

Following the briefing, Council members issued a press statement on 27 February reaffirming their commitment to an inclusive, Libyan-led and Libyan-owned political process, facilitated by the UN, which builds on the updated electoral laws agreed by the 6+6 committee and which will enable free and fair national elections to be held "as soon as possible". The statement also called on all key stakeholders to engage fully with Bathily "in good faith and without preconditions and make the compromises necessary to move the country forward towards elections".

On 10 March, the heads of the HoR, HSC, and Presidential Council met in Cairo under the auspices of the Arab League. In a joint statement following the meeting, the leaders said that they had agreed on the need to establish a unified government to organise elections and had decided to set up a technical committee "within a specified period of time" to build consensus on the 6+6 committee's legislation, consider amendments, and resolve contested issues. The statement further called on UNSMIL and the international community to support the process to ensure its success. In an 11 March post on X (formerly Twitter), Bathily said that Presidential Council President Mohamed Menfi had informed him of the outcome of the Cairo meeting and that they had agreed to follow up on its conclusions. Neither Dbeibah nor Haftar attended the meeting, however, and some independent analysts have questioned the initiative's chances of success.

The AU has continued to support efforts to convene a national reconciliation conference in Libya. On 5 February, the AU High-Level Committee on Libya, which is chaired by Republic of Congo President Denis Sassou Nguesso, held a summit in Brazzaville, resulting in an outcome declaration that welcomed the recent decision of the Preparatory Committee for the Inclusive Conference on National Reconciliation—a joint planning entity comprising AU and Libyan representatives that is led by Libya's Presidential Council—to hold the conference on 28 April in the city of Sirte.

Regarding the security situation, Bathily said during his 15 February Council briefing that no violations of the 2020 ceasefire agreement had been recorded during the reporting period. He cautioned, however, that the political stalemate continued to impede progress on implementing the agreement's outstanding provisions, particularly the withdrawal of foreign forces. He also noted that competition between semi-governmental armed groups—which are affiliated with different factions of the GNU-to control strategic areas in Tripoli continued to threaten the city's "fragile security". On 22 February, GNU Interior Minister Imad Trabelsi announced that the groups had agreed to

transfer regular security duties in Tripoli to the police and would cease street patrols by the end of Ramadan on 9 April.

On 19 March, armed clashes broke out at the Ras Idir border crossing into Tunisia, which the GNU subsequently closed. The violence reportedly occurred after Trabelsi signed a decree mandating GNU security forces to "combat smuggling" and "maintain security" at the border crossing, which is in a region inhabited by the Amazigh—Libya's largest ethnic minority—and under the de facto control of their governing body, known as the Amazigh Supreme Council. The GNU attempted a similar military operation at Ras Jdir in November 2023. Some analysts have cited control over the illicit economic activities taking place at the border crossing as the main cause of the ongoing dispute.

At the Council's February briefing, Bathily reiterated his concern about the country's human rights situation, particularly for migrants and refugees. He described an increase in Sudanese refugees entering Libya, to which UN agencies have limited access, and criticised the forced expulsion of refugees to Libya's neighbouring countries, which violates international law. He also repeated his call for full access and independent investigations into alleged violations and abuses in Libyan detention facilities, where conditions are "particularly dire". Illustrating the severe situation facing migrants and refugees in Libya, up to 60 people reportedly drowned on 13 March when a rubber dinghy that departed from north-western Libya deflated in the central Mediterranean. Some days later, on 22 March, the International Organization for Migration announced the discovery of a mass grave in south-western Libya containing the bodies of at least 65 migrants who are believed to have died while being smuggled through the desert.

## **Key Issues and Options**

Supporting political momentum towards national elections to unify Libya's divided governments remains the key issue for the Security Council. In this context, an important objective for the Council is to help foster common political ground between the country's rival legislatures to agree on electoral laws—a goal that Bathily has repeatedly urged Council members to support by wielding their influence on national stakeholders.

At April's meeting, members are likely to reiterate their call on Libyan actors to partake in good faith negotiations to finally achieve consensus on outstanding political issues. In this regard, some members may stress the importance of fully engaging with Bathily's mediation efforts and caution against competing initiatives that fail to deliver tangible progress toward elections, thereby prolonging the status quo. They might also welcome the AU-supported reconciliation conference in April as an important milestone that could help facilitate political agreement. The Council could consider adopting a presidential statement delivering these messages.

## **Council Dynamics**

Council members remain united on the need for a Libyan-led, inclusive political process resulting in elections that will help to restore political, security, and economic stability to the country. They also remain broadly supportive of the UN's mediation role in this regard.

Broader geopolitical tensions still influence Council dynamics

## Libya

with respect to Libya, however. The US and other Western members remain concerned about the presence of the Wagner Group—the private Russian security company—in the eastern part of the country under Haftar's control. For its part, Russia routinely blames

Libya's current instability on the NATO-led military intervention in 2011 and accuses Western countries of seeking to exploit Libya's oil reserves for economic gain.

The UK is the penholder on Libya.

## Western Sahara

## **Expected Council Action**

In April, Security Council members are expected to receive a briefing in closed consultations on the UN Mission for the Referendum in Western Sahara (MINURSO). The Special Representative for Western Sahara and Head of MINURSO, Alexander Ivanko, and the Personal Envoy of the Secretary-General, Staffan de Mistura, are the anticipated briefers.

## **Background and Key Recent Developments**

On 30 October 2023, the Security Council adopted resolution 2703, renewing the mandate of MINURSO for another year until 31 October, with 13 votes in favour and two abstentions (Mozambique and Russia). The resolution introduced new language that welcomed the convening by de Mistura of informal consultations with Morocco, the Polisario Front (the entity representing the inhabitants of the Western Sahara region, known as Sahrawis), Algeria, and Mauritania, as well as with members of the Group of Friends of Western Sahara—France, Russia, Spain, the UK, and the US—from 27 to 31 March 2023 in New York.

The Secretary-General's most recent report on MINURSO, dated 3 October 2023, noted that these informal bilateral consultations were aimed at discussing lessons learned in the political process, deepening examination of the positions, and continuing to seek "mutually agreeable formulas" to advance the political process. According to the report, during the informal bilateral consultations, Morocco reiterated its position that its autonomy proposal was the only viable outcome of a political process. (The plan, which Morocco submitted to the UN in 2007, calls for integrating the territory into Morocco, with the Sahrawi people managing their internal affairs while being represented externally by Morocco.) On the other hand, the Polisario Front reaffirmed its position that self-determination remained the only basis of any political process.

The situation continues to be tense on the ground. According to a 29 October 2023 Reuters article, four explosions struck the city of Smara, which is located in the disputed territory, on the same day, killing one person and injuring three others. The Polisario Front claimed responsibility for this attack. According to another media report, the Sahrawi People's Liberation Army—the armed wing of Sahrawi Arab Democratic Republic (SADR)—attacked the positions of the Moroccan armed forces on 3 March in the Rous Sebti area of Mahbes, located in the UN-monitored buffer zone. On 20 March, a drone strike allegedly carried out by the Moroccan army in Mahbes killed three people associated with the Polisario Front, according to a local media report.

In a letter dated 19 February, the SADR called the attention of

the Council members to the "increasingly dangerous situation in the Occupied Sahrawi Territories", accusing Moroccan forces of waging a "genocidal war" against Sahrawis. The letter references reports from the region indicating that Moroccan forces were involved in the destruction of, and setting fire to, several rural houses and huts owned by Sahrawis in the city of El Aaiún. The letter further accused Moroccan authorities of "confiscat[ing] vast lands owned by Sahrawis and deliver[ing] them to Moroccan settlers and foreign investors". South Africa shared this letter as an annex to official UN correspondence since the SADR holds no official status with the UN.

According to a post on X (formerly Twitter), US Deputy Assistant Secretary for North Africa in the Bureau of Near Eastern Affairs Joshua Harris arrived in Algiers on 6 December 2023 to "begin a round of consultations with Algeria and Morocco on advancing regional peace and intensifying the UN political process in Western Sahara". On 8 December, he met with Algerian Foreign Minister Ahmed Attaf and Secretary General of the Algerian Foreign Ministry Lounès Magramane. On 17-18 December, Harris visited Rabat, where he met with Morocco's Foreign Minister Nasser Bourita and reiterated the US position on Western Sahara, which calls for "a just, lasting, and mutually acceptable solution for Western Sahara" and supports Morocco's Autonomy Proposal as "serious, credible, and realistic, and one potential approach" to resolving the issue. In a 29 February press release, US President Joseph Biden announced his decision to nominate Harris as the US Ambassador to Algeria.

De Mistura has continued his diplomatic efforts in a bid to advance the political process. On 31 January, he visited Pretoria at the invitation of the South African government to meet with senior government officials, including South African Minister of International Relations and Cooperation Naledi Pandor, to discuss the issue of Western Sahara. (South Africa supports the right to self-determination for the people of Western Sahara and recognises an independent SADR, as proclaimed by Polisario Front in 1976). South Africa and Morocco have long experienced strained relations over their divergent stances on this issue. In an interview with a Moroccan news agency, Morocco's Permanent Representative to the UN, Ambassador Omar Hilale, expressed opposition to de Mistura's visit to South Africa, adding that "Morocco clearly warned him about the consequences of his trip on the political process".

On 11 March, de Mistura met Russian Foreign Minister Sergey Lavrov in Moscow. According to a Russian foreign ministry press release, the officials discussed, among other things, prospects for a settlement of the Western Sahara issue. In addition, they took note of the stabilising role of MINURSO and exchanged views on the plans

UN DOCUMENTS ON WESTERN SAHARA Security Council Resolution S/RES/2703 (30 October 2023) renewed the mandate of MINURSO until 31 October 2024. Secretary-General's Report S/2023/729 (3 October 2023) was the Secretary-General's report on MINURSO, covering developments between 1 October 2022 and 31 October 2023. Security Council Letter S/2024/177 (19 February 2024) transmitted the letter from the Polisario Front on the situation concerning Western Sahara.

## Western Sahara

for re-launching the political process. During the meeting, Lavrov emphasised the importance of reaching a "fair, long-term and mutually acceptable solution to the Western Sahara issue" in accordance with Council resolutions, the press release said. On the same day, de Mistura also held consultations with Russian Deputy Foreign Minister Sergey Vershinin.

## **Key Issues and Options**

A key issue for Council members to consider is how to bring all parties to the negotiating table and reinvigorate the political process. At the same time, managing the competing interests of the relevant stakeholders is also a paramount issue. Resolution 2703 called on all parties to resume negotiations with a view to "achieving a just, lasting, and mutually acceptable political solution, which will provide for the self-determination of the people of Western Sahara".

Significant obstacles remain in the peace process. The Polisario Front announced in November 2020 that it would no longer respect the ceasefire agreement it signed with Morocco in 1991, which has led to a significant rise in hostilities over the last few years.

An important issue, which is described in the Secretary-General's 3 October 2023 MINURSO report, is the constraints on MINUR-SO's logistical supply and maintenance of team sites east of the berm, which purportedly have serious consequences for the mission's ability to sustain its field presences in the difficult conditions of the region. (The berm refers to an approximately 1,700-mile-long earthen wall that divides the Moroccan-administered portion of Western Sahara from that held by the Polisario Front.)

The human rights situation is another issue of concern. The Secretary-General's 3 October 2023 report noted that OHCHR was unable to conduct any visits to Western Sahara for the eighth consecutive year despite multiple requests and strong encouragement from the Security Council for enhanced cooperation in resolution 2654 of 27 October 2022, which extended MINURSO's mandate for one year. The report added that OHCHR continued to receive allegations pointing to the shrinking of civic space, including through obstruction, intimidation and restrictions against Sahrawi activists, human rights defenders, and student movements. It further noted that Moroccan authorities reportedly continued to prevent gatherings in support of the right to self-determination and Sahrawi commemoration events.

A possible option for Council members would be to issue a press statement to express support, during the upcoming Council meeting, for de Mistura's efforts and any strategy or approach that he is developing and urge the relevant parties to resume negotiations and show flexibility in their engagement with the Personal Envoy and each other, in the hopes of ending the current impasse and achieving progress towards a political solution.

## **Council Dynamics**

Council members differ starkly in their national positions on Western Sahara. The US, the penholder on Western Sahara, recognised Morocco's sovereignty over the region in December 2020 during the administration of President Donald Trump and committed to opening a consulate in Dakhla, a city in the disputed territory. The Biden administration has not changed this position. While France has traditionally supported the Moroccan autonomy plan, the UK supports a "just, lasting, and mutually acceptable political solution, based on compromise, which will provide for the self-determination of the people of Western Sahara".

The African members of the Council do not have a common position. Sierra Leone recognises Moroccan sovereignty over Western Sahara and established a consulate in Dakhla in August 2021. At the same time, Algeria and Mozambique strongly support the right to self-determination for the Sahrawis and maintain diplomatic relations with SADR. These members are likely to push for more negotiations to determine the status of Western Sahara and for a focus on the human rights situation in the region. Guyana, which is a member of the "A3 plus one" grouping, withdrew its recognition of the SADR, dating from 1979, in November 2020.

Some members, such as Algeria and Russia, have also opposed the roundtable talks-an initiative launched by former Personal Envoy Horst Köhler, which brought together Algeria, Mauritania, Morocco, and the Polisario Front. Algeria sees this initiative as potentially reframing the situation as a "regional conflict" instead of one between Morocco and the Polisario Front, with Algeria and Mauritania viewed as "concerned neighbours". Algeria insists that it is not a party to the conflict and that it cannot take the place of the Polisario in negotiations but is prepared to step up its role in the political process as a neighbouring state.

## **Organization for Security and Co-operation in Europe (OSCE)**

#### **Expected Council Action**

In April, Malta's Minister for Foreign, Trade and European Affairs, Ian Borg, in his capacity as the current Chairperson-in-Office (CiO) of the Organization for Security and Co-operation in Europe (OSCE), is expected to brief the Security Council on the organisation's activities.

## **Background and Key Recent Developments**

The Council has received annual briefings from the OSCE CiO since 2004. The chairmanship of the OSCE rotates yearly, and on 1 January, Malta succeeded North Macedonia in this function. April's briefing will give Borg an opportunity to inform the Council about Malta's main priorities as chair and discuss possible avenues to strengthen OSCE-UN cooperation.

Malta outlined its priorities as OSCE chair at a 25 January session of the OSCE Permanent Council. At that meeting, Borg said that the war in Ukraine would remain the chairmanship's top priority, while addressing instability in other crisis settings across the OSCE region would also require the organisation's continued attention.

UN DOCUMENTS ON THE OSCE Security Council Meeting Records S/PV.9316 (4 May 2023) was a briefing by the Chairperson-in-Office of the OSCE

## **Organization for Security and Co-operation in Europe (OSCE)**

Since Malta's OSCE chairmanship coincides with its membership as an elected member of the Security Council, Borg noted that Malta had a unique opportunity to identify constructive synergies between the two bodies in the realm of peace and security. In this regard, he noted Malta's intention to advance discussions on Women, Peace and Security; cybersecurity; transnational challenges; and arms control.

The OSCE has come under significant stress since Russia's fullscale invasion of Ukraine on 24 February 2022. Ukraine has been a major focus of the organisation's work since the outbreak of hostilities in 2014, which saw fighting between the Ukrainian government and pro-Russian separatists in the regions of Donetsk and Luhansk in the Donbas region of eastern Ukraine. In line with the OSCE's responsibility for monitoring the 2015 Minsk II agreement—which outlined steps for ending the conflict in eastern Ukraine through a political settlement—its Special Monitoring Mission had gathered daily information related to ceasefire violations and the withdrawal of heavy weapons from the Donbas region.

In 2022, 45 participating states twice invoked the OSCE Moscow Mechanism to create an independent fact-finding mission to investigate abuses of international human rights law (IHRL) and international humanitarian law (IHL) in Ukraine. (The mechanism, which was created in 1991, allows participating states to initiate an investigation into human rights violations over the opposition of the state under scrutiny.) The fact-finding missions presented their findings in reports dated 12 April and 11 July 2022. The report of 12 April 2022 documented "clear patterns of [international humanitarian law] violations by the Russian forces in their conduct of hostilities", citing evidence of the deliberate targeting of civilians, attacks on medical facilities, rape, and executions.

On 30 March 2023, the same 45 participating states invoked the Moscow Mechanism again, requesting the establishment of a factfinding mission to investigate possible violations of IHRL and IHL, as well as possible cases of war crimes and crimes against humanity associated with "the forcible transfer of children within parts of Ukraine's territory temporarily controlled or occupied by Russia and/or their deportation to the Russian Federation".

More recently, on 29 February, 45 participating states invoked the Moscow Mechanism to investigate violations of IHL and IHRL associated with or resulting from "the arbitrary deprivation of liberty of Ukrainian civilians by the Russian Federation". Ukraine selected the three experts to be part of the mission on 15 March.

Objections by Russia have prevented unanimity on broader decisions crucial to the OSCE's work. The organisation has been unable to agree on its annual budget; as a result, the OSCE has had to rely on monthly allotments. At the 25 January session of the OSCE Permanent Council, Borg highlighted that another priority for Malta would be to safeguard the OSCE's functionality, calling on OSCE participating states to "demonstrate the necessary political will to give [the OSCE] the foundations it needs for a secure and resilient future" and "reach a consensus on a Unified Budget".

Additionally, the organisation overcame a significant hurdle when its Ministerial Council unanimously agreed on 1 December 2023 to select Malta as the 2024 OSCE Chairperson and to extend the tenure of senior

officials, including OSCE Secretary-General Helga Maria Schmid, until September 2024. Prior to this decision, Russia had opposed the anticipated selection of Estonia, a NATO member, as CiO for 2024. Without an agreement, the OSCE would have faced the first instance in nearly five decades of failing to reach consensus on the CiO selection.

In addition to the situation in Ukraine, the briefers and Council members may address other conflict situations in the OSCE's area of operations. For example, the OSCE plays a role in international efforts towards a comprehensive and lasting political settlement of the Transdniestrian conflict. Given that this and other conflicts in the OSCE region are not regularly discussed by the Security Council, some members might want to use the briefing to hear more about the OSCE's mediation efforts in these situations.

## **Council and Wider Dynamics**

Over the years, Council members have expressed sharply diverging positions on issues within the OSCE's purview, most notably Ukraine, and on the broader European security architecture. These divisions have become more pronounced following Russia's fullscale invasion of Ukraine in 2022.

Several Council members—including the P3 (France, the UK, and the US)—have argued that Russia ignored the efforts of the OSCE's then-CiO, Polish Minister of Foreign Affairs Zbigniew Rau, to prevent the war in Ukraine by addressing Russia's security concerns through his Renewed European Security Dialogue initiative. Russia has dismissed this argument and has said that such a dialogue would not have been successful because of the Western countries' position on the principle of "indivisible security" as set out in the 1975 Helsinki Final Act.

Russian President Vladimir Putin has long argued that the enlargement of NATO poses an existential threat to Russia. In a 1 February 2022 letter to Canada, the US, and several European countries, Russian Minister of Foreign Affairs Sergey Lavrov criticised OSCE participating states for selectively interpreting the principle of indivisible security, noting that "either there is security for all or there is no security for anyone". Western countries and former Soviet satellite states have typically associated the principle of indivisible security with the right of sovereign states to determine their own security alliances.

Given the growing calls for a peaceful settlement to the war in Ukraine, Council members might stress the need for the OSCE to reassert itself as a credible interlocutor for finding a lasting solution to the conflict and in the wider discussion of the future of Europe's security architecture. Members might also suggest a possible role for the OSCE in monitoring potential future interim agreements, for example on securing the safety of nuclear sites—which has been discussed at the Council on multiple occasions.

At the Council's last meeting on OSCE-UN cooperation, held on 4 May 2023, Russia argued that the OSCE failed in its primary task to achieve peace through good faith implementation of the Minsk agreements. It also accused the OSCE of becoming a "platform for Russophobic invective". Nevertheless, Russia expressed its continued faith "in the potential of the OSCE", saying that Moscow "will not give up" on attempts to hold a dialogue at the OSCE.

## Kosovo

## **Expected Council Action**

In April, the Security Council is expected to hold its first briefing this year on the situation in Kosovo. Special Representative and head of the UN Interim Administration Mission in Kosovo (UNMIK) Caroline Ziadeh will brief on recent developments and the Secretary-General's latest report.

### **Key Recent Developments**

There has been very limited progress in implementing the obligations that Belgrade and Pristina accepted verbally under the EU-proposed Agreement on the Path to Normalisation of 27 February 2023 and its Implementation Annex of 18 March 2023. The 11-point agreement stipulated that neither Kosovo nor Serbia can represent the other in the international sphere and that Serbia will not object to Kosovo's membership in international organisations. In exchange, Kosovo committed to forming "specific arrangements and guarantees...to ensure an appropriate level of self-management" for the Serbian community in Kosovo. While ethnic Albanians make up more than 90 percent of Kosovo's population, they are a small minority in the north, where over 50,000 ethnic Serbs reside. The annex notably emphasised the need for the parties to implement the agreement's 11 points independently of each other.

Diverging views on the sequencing of the implementation, however, have hindered concrete progress. The Secretary-General's 5 October 2023 report on UNMIK noted that "[w]hile Belgrade insisted that concrete steps towards establishing the Association/ Community needed to take priority, Pristina maintained that no article of the Agreement could be a precondition for the implementation of other articles and that articles needed to be advanced 'independently". Following an EU-facilitated meeting between Prime Minister of Kosovo Albin Kurti and Serbian President Aleksandar Vučić on 14 September 2023, EU High Representative for Foreign Affairs and Security Policy Josep Borrell Fontelles said that while Vučić was amenable to the EU's suggestion of concurrent implementation of political normalisation aspects, "Kurti was not ready to move forward and start a credible process towards establishing the Association/Community", insisting instead "on formalising de facto recognition [of Kosovo] as the first step".

The establishment of the Community/Association of Kosovo Serb-majority municipalities in northern Kosovo was stipulated in the 2013 First Agreement of Principles Governing the Normalisation of Relations, with a subsequent agreement reached in 2015 outlining the formation steps. However, the 2015 agreement was not adopted by the Kosovo Assembly because of objections from the opposition. The case was eventually brought to Kosovo's constitutional court, which approved the agreement but determined that several of its aspects violated the spirit of Kosovo's constitution.

On 26 October 2023, French President Emmanuel Macron, German Chancellor Olaf Scholz, and Italian Prime Minister Giorgia Meloni met with Kurti and Vučić on the margins of a European Council meeting. In a joint statement the following day, the three leaders acknowledged that a draft statute had been presented to Kurti and Vučić, encompassing "a modern European way to address the sensitive issue of minority protection in line with best European

practices and standards". The details of the proposal have not been made public. The statement called on Kosovo to "launch the procedure to establish the Association of Serb-Majority Municipalities in Kosovo as prescribed in the draft Statute, and on Serbia to deliver on de-facto recognition". Belgrade and Pristina have described the draft statute as a "good basis" for further discussion.

Meanwhile, tensions in northern Kosovo escalated in the absence of tangible progress in the EU-facilitated dialogue. On 18 January, the Central Bank of Kosovo announced a new policy on cash operations. The policy, which entered into force on 1 February, made the euro "the only valid currency for conducting cash payment transactions", effectively suspending the use of the Serbian dinar in Kosovo. After declaring independence in 2008, Kosovo adopted the euro as its currency. However, in municipalities with a Serb majority, particularly in the northern region, residents have continued to use the Serbian dinar and accept financial assistance from Belgrade, which is provided in dinars. In a national address on 2 February, Vučić described Kosovo's policy as an attempt to "ethnically cleanse" Kosovo Serbs.

At Serbia's request and with Russia's support, the Security Council convened on 8 February for a briefing on the situation in Kosovo. Kurti and Vučić participated under rule 39 and rule 37 of the Council's provisional rules of procedure, respectively. (For background, see our *What's in Blue* story of 7 February.)

Twice during the week of 25 March, briefings sought by Russia to mark the 25th anniversary of NATO's bombing of Yugoslavia did not take place, after procedural votes showed a lack of sufficient Council support. On 25 March, this briefing, foreseen under the "Threats to international peace and security" agenda item, did not take place after France called for a procedural vote on the meeting's provisional agenda. Three countries voted in favour of adopting the provisional agenda (Algeria, China, and Russia), and 12 abstained. Russia requested a briefing on the same topic for 28 March, under the agenda item "Maintenance of international peace and security". This briefing also did not take place, as a procedural vote on the adoption of the meeting's provisional agenda, requested by France, garnered six votes in favour (Algeria, China, Guyana, Mozambique, Sierra Leone, and Russia), while the remaining nine Council members abstained. (For background, see our What's in Blue stories of 24 March and 28 March.)

### **Key Issues and Options**

The Council's priority is to maintain stability in Kosovo and promote the de-escalation of tensions in the north. It will continue to monitor diplomatic efforts to advance the Belgrade-Pristina dialogue and any efforts towards reaching a final, legally binding agreement on Kosovo. To this end, the Council could consider pursuing a presidential statement calling on Belgrade and Pristina to implement in good faith the February 2023 verbal agreement on the path to normalisation between Kosovo and Serbia and its annex.

Another key issue is how to promote constructive dialogue on this politically charged issue in the Council. Belgrade and Pristina often advance contrasting narratives about the drivers of regional instability at the Council's open briefings on Kosovo. Council members may wish to consider changing the format of the meeting from an

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open briefing to closed consultations. This could allow for a more candid discussion of the challenges to implementing the February 2023 agreement.

## **Council and Wider Dynamics**

Council members are united in supporting the EU-facilitated dialogue to establish conditions for the normalisation of relations between Belgrade and Pristina. Deep divisions among permanent members, however, continue to characterise the Council's approach to the issue. Among the five permanent Council members, France, the UK, and the US recognise Kosovo's independence and tend to be supportive of its government; China and Russia do not recognise its independence and strongly support Serbia's position and its claim to territorial integrity. Six elected members (Guyana, Japan, Malta, the Republic of Korea, Slovenia, Switzerland) recognise Kosovo's independence while three (Algeria, Ecuador, and Mozambique) do not. According to Kosovo, Sierra Leone officially recognised its

independence in June 2008. According to media reports, however, Serbia claimed in March 2020 that Sierra Leone had withdrawn its recognition, citing a note verbale on the matter from Sierra Leone's Ministry of Foreign Affairs. Kosovo disputes the validity of the withdrawal.

The issue of modifying UNMIK's mandate with a view to its possible drawdown is another point of contention among Council members. The US has been the most vocal proponent of ending UNMIK's mandate and reducing the frequency of briefings, citing the level of stability in Kosovo. Similarly, the UK has called for a review of UNMIK's mandate, arguing that conditions on the ground have changed completely since UNMIK was established nearly 25 years ago. At the 27 April 2023 briefing, former elected member Albania proposed reducing the frequency of Council meetings to one per year. Russia, however, has opposed the idea of altering UNMIK's mandate and cutting its budget, advocating instead for maintaining the open and regular nature of Council meetings on the situation in Kosovo.

## Haiti

## **Expected Council Action**

In April, the Council will hold its 90-day briefing on the situation in Haiti. Special Representative and Head of the UN Integrated Office in Haiti (BINUH) María Isabel Salvador will brief the Council on recent political, security, and humanitarian developments in the country and on the Secretary-General's latest report on BINUH. In addition, UNICEF Executive Director Catherine Russell is expected to brief in her capacity as designated Principal Advocate on Haiti for the Inter-Agency Standing Committee (IASC), the UN's high-level humanitarian coordination platform.

## **Background and Key Recent Developments**

Since the assassination of President Jovenel Moïse in July 2021, Haiti has descended into a multidimensional crisis characterised by political deadlock, extreme violence, and severe humanitarian conditions. The country currently lacks a single democratically elected official, as the caretaker government led by interim Prime Minister Ariel Henry failed to reach a political settlement with opposition groups on the organisation of elections. Amid the impasse, politically connected criminal gangs took over an estimated 80 percent of Portau-Prince, fuelling unprecedented levels of violence. According to the Secretary-General's most recent report on BINUH, which was issued on 15 January and focuses on developments since 16 October 2023, the number of reported homicides in Haiti in calendar year 2023 reached nearly 5,000, a 120 percent increase compared with 2022. Meanwhile, 44 percent of the population suffers from acute food insecurity, according to the World Food Programme.

The country's already dire situation further deteriorated in late February when gangs in the capital Port-au-Prince began conducting coordinated attacks targeting police stations, prisons, government institutions, and civilian sites. On 2 March, armed gang members raided two penitentiaries, reportedly freeing 4,700 inmates, after which Haitian authorities announced a three-day state of emergency that they subsequently extended until 3 April. Gunmen also tried to seize the city's main international airport, disrupting air travel, and launched attacks against key government buildings, including the Presidential Palace, the Interior Ministry, and the regional police headquarters.

According to media reports citing unnamed officials, more than 130 civilians were killed between 27 February and 8 March, and at least 40 gang members were killed between 29 February and 10 March. The violence has displaced nearly 15,000 people in Port-au-Prince and impeded the delivery of humanitarian aid. On 13 March, BINUH announced the establishment of an air bridge between Haiti and the Dominican Republic to ensure the delivery of aid and facilitate the rotation of mission personnel.

Gang leader Jimmy Chérizier (also known as "Barbeque") claimed responsibility for the surge in violence. Chérizier, who heads an alliance of gangs called the "G9 Family and Allies", said in a 29 February video that his goal was to capture Haiti's police chief and government ministers and to prevent the return of Henry, who had travelled to Kenya to sign an agreement facilitating the deployment of a multinational security support (MSS) mission to help Haiti combat gang violence. In October 2023, the Security Council adopted resolution 2699, authorising the deployment of an MSS mission under Kenya's leadership, but the operation has been delayed, partly because of a ruling by the High Court of Kenya that said a bilateral security arrangement between the countries was required prior to deployment.

A noteworthy development related to the recent violence is the apparent cooperation between the G9 gangs and other armed groups, particularly a coalition known as G-Pep, which is the other leading gang alliance in Port-au-Prince and had been the G9's main

UN DOCUMENTS ON HAITI Security Council Resolutions S/RES/2700 (19 October 2023) renewed the sanctions regime on Haiti imposed by resolution 2653 of 21 October 2022. S/RES/2699 (2 October 2023) authorised member states to form and deploy a Multinational Security Support (MSS) mission to Haiti to help re-establish security in the country and build conditions conducive to holding free and fair elections. S/RES/2692 (14 July 2023) renewed the mandate of the UN Integrated Office in Haiti (BINUH) for one year until 15 July 2024. Secretary-General's Report S/2024/62 (15 January 2024) was the Secretary-General's 90-day report on Haiti.

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rival. In September 2023, the coalitions announced a truce under an initiative called Viv Ansanm ("living together" in Haitian Creole) and reportedly hinted at the possibility of joining forces to confront the MSS mission. While the truce broke down after only a few days, Chérizier referred to Viv Ansanm in his video announcing the latest attacks, indicating that the initiative had been revived as the deployment of the MSS mission appeared to draw closer. While Haitian gang alliances have typically been fragmented and fleeting, a united front could pose a significant challenge to the mission.

The Caribbean Community (CARICOM) has been leading talks with Haitian political actors and international partners in an attempt to find a solution to the country's political impasse and stem the surge in violence. On 11 March, the organisation held a high-level meeting attended by Haitian stakeholders as well as Brazil, Canada, France, Mexico, the US, and the UN. Following the meeting, CARICOM announced an agreement on a transitional governance arrangement, which is reportedly a compromise drawn from the numerous proposals that Haitian groups had submitted to CARICOM. The deal provides for the creation of a Transitional Presidential Council comprising seven voting members and two non-voting observers that will be responsible for appointing a new interim prime minister, preparing the country for the arrival of the MSS mission, and organising long-delayed elections. The council's seven voting members will be selected from five political parties, a coalition of civic and political groups known as the Montana Accord, and the business community. The two non-voting observers will be drawn from civil society and the religious community. Henry said that he will resign once the council has been installed and has appointed his successor.

The gang violence appeared to subside immediately after CARI-COM's announcement of the agreement and Henry's stated intention to resign. Negotiations to implement the deal's provisions have lagged, however. One of the nine groups invited to join the Transitional Presidential Council, a political party known as Platfòm Pitit Desalin (PPT), led by former senator Jean-Charles Moïse, initially declined to participate in the body. Moïse instead insisted on installing an alternative, three-person presidential council that would include former rebel leader Guy Philippe, who led the 2004 coup that ousted democratically elected President Jean-Bertrand Aristide and was repatriated to Haiti in November 2023 after serving six years in US federal prison on drug charges. Since his return, Philippe, who is an ally of Moïse and considered close to the gangs, has been rallying public support and calling for Henry's resignation, but he has rejected any plan brokered by the international community, echoing a position also expressed by Chérizier. Notably, the 11 March agreement prohibits anyone from participating in the presidential council who has been indicted or charged with a crime, who is designated under the Security Council's 2653 Haiti sanctions regime, or who opposes the MSS mission.

On 21 March, as gang violence in Port-au-Prince again appeared to be on the rise, media reported that PTT had reversed their decision and agreed to participate in the council after all. While that would complete the composition of the body, it had not yet been formally installed at the time of writing, in part because of concerns about the security of its representatives, some of whom have reportedly received death threats for their participation. On 27 March,

the council issued a press statement saying that it had agreed on "criteria and mechanisms" to select its president and appoint a new prime minister and ministerial cabinet, and that it was finalising a document detailing its "mode of operation". Notably, however, although the body is supposed to comprise nine representatives, the statement was signed only by eight, indicating that challenges to its composition persist.

Preparations for the MSS mission also remain in flux. After the announcement of the 11 March agreement, Kenyan officials said that the deployment would be put on hold until a new interim prime minister had been appointed; Kenyan President William Ruto, however, later reaffirmed the country's commitment to the mission. In addition to Haiti's political situation, another impediment to the MSS mission's deployment is a lack of resources. The US is the mission's main financial backer, having previously pledged \$200 million in support, but the release of those funds has been held up in the US Congress. Attending the 11 March CARICOM meeting, US Secretary of State Antony Blinken announced an additional \$100 million in US support from a funding source that has reportedly already been approved, which may accelerate the deployment timeline. Further, while the US has previously rejected sending its own troops to Haiti, General Laura J. Richardson, Commander of the US Southern Command, said at a 19 March event organised by the Atlantic Council that US forces "could be" part of international security assistance to the country. In late February, Spokesperson for the Secretary-General Stéphane Dujarric said that five countries-Bahamas, Bangladesh, Barbados, Benin, and Chad-had officially notified the UN of their intention to contribute personnel to the mission, as requested by resolution 2699. Additional countries have announced their intention to participate.

On 6 March, the Security Council convened for a private meeting on Haiti to discuss the latest escalation in gang violence. In a press statement following the meeting, Council members expressed deep concern about the security and humanitarian situation in the country, condemned the "continued destabilizing criminal activities" of armed gangs, and expressed the "expectation and hope" that the MSS mission would be deployed as soon as possible. On 18 March, the Council convened another private meeting on Haiti to receive an update from BINUH and CARICOM on the 11 March agreement. On 21 March, Council members issued another press statement in which they took note of the agreement, reiterated their support for a Haitian-led political process, and again stressed the importance of swiftly deploying the MSS mission.

## **Human Rights-Related Developments:**

On 27 March, the UN Office of the High Commissioner for Human Rights (OHCHR) published a new report on the human rights situation in Haiti. The report, which covers developments from 25 September 2023 to 29 February 2024, described the situation as "cataclysmic" and said that gang violence had "significantly increased" in intensity and geographic reach over the reporting period: between 1 January and 29 February 2024, OHCHR recorded a total of 2,131 victims of gang violence, a 40% percent increase compared with the two previous months. The report also described widespread sexual violence, forced recruitment of children, and severe restrictions on civilians' freedom of movement in territories controlled by gangs. It noted that approximately 313,900 people had been internally displaced by the violence as of December 2023, a number that William O'Neill, the UN

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Expert on Human Rights on Haiti, said had likely risen to nearly 400,000 in a 28 March press conference presenting the report's findings.

### **Sanctions-Related Developments**

On 15 March, the 2653 Haiti Sanctions Committee convened for informal consultations to consider the interim report of its Panel of Experts. The panel has apparently proposed individuals from Haiti's business community to be designated under the sanctions regime.

### **Key Issues and Options**

The key immediate task for the Security Council is to support international and domestic efforts to stabilise Haiti's political situation and stem the recent surge in gang violence. At April's briefing, Council members may welcome the 11 March agreement on transitional governance arrangements as an important step towards consolidating political consensus among Haitian leaders, facilitating the deployment of the MSS mission, and, over the longer term, paving the way for national elections to address the root causes of the country's instability. Members might also underscore the importance of adequately resourcing the MSS mission to enable its rapid

deployment and call on the international community to provide sufficient support in this regard.

### **Council Dynamics**

Council members are united in their concern about the spiralling situation in Haiti, including the most recent wave of violence, and generally agree on the need for a Haitian-led political solution that addresses both security and socioeconomic challenges.

Views vary, however, on appropriate action by the international community to support this process. While most Council members support the 11 March agreement and CARICOM's mediation role that facilitated the deal, Russia apparently questioned the inclusivity of the process during the Council's 18 March meeting on Haiti, specifically criticising the provision that members of the Transitional Presidential Council must support the MSS mission as interference in Haiti's domestic affairs. Because of these concerns, it seems that Russia opposed language welcoming the agreement in the 21 March press statement, resulting in language that simply took note of it.

## **Great Lakes Region (DRC)**

### **Expected Council Action**

The Secretary-General's Special Envoy for the Great Lakes Region, Huang Xia, is expected to provide the biannual briefing to the Council in April on the implementation of the 2013 Peace, Security, and Cooperation Framework (PSC-F) for the Democratic Republic of the Congo (DRC) and the Great Lakes region.

### **Key Recent Developments**

Since the Council's last meeting on the Great Lakes region, the security situation in eastern DRC has deteriorated significantly. Conflict between the Congolese Armed Forces (FARDC) and the Mouvement du 23 mars (M23) has intensified in North Kivu, the epicentre of the conflict. Various armed militias known locally as Wazalendo (patriots) are joining forces with the FARDC in the conflict. The deteriorating security situation has reportedly exacerbated the humanitarian crisis in the DRC with a massive displacement of people. Reports indicate that the M23 has gained control of several areas and is advancing towards Goma, the capital of North Kivu. In particular, fighting has been reported near Sake, a town located 27 kilometers from Goma.

The deteriorating security situation in eastern DRC has also increased regional tensions. On 17 February, a Congolese military aircraft stationed at the Goma airport reportedly sustained minor damage in a drone attack. The DRC accused Rwanda of instigating the attack. In an apparent response to this accusation, Rwanda's Ministry of Foreign Affairs and International Cooperation alleged in an 18 February press statement that the DRC has been posing a threat to Rwanda, leading Kigali to adjust its security posture.

Rwanda also accused the DRC and Burundi of supporting regime

change in Rwanda. These accusations followed a 12 February visit by Burundian President Évariste Ndayishimiye to Kinshasa, where he reportedly met with his Congolese counterpart to discuss the security situation in eastern DRC. Burundi has deployed forces in eastern DRC as part of a bilateral agreement with the Congolese government. Relations between Rwanda and Burundi have been strained since Burundi decided in January to close its borders with Rwanda, accusing it of supporting Burundian armed groups—an allegation Rwanda has denied. Burundi's decision apparently came after a 22 December 2023 attack by Red Tabara, a Burundian armed group operating in eastern DRC, that targeted a village near Burundi's western border with the DRC and reportedly left 20 dead, including 12 children.

On the margins of the AU Summit in Addis Ababa in February, Angolan President and Chair of the International Conference on the Great Lakes Region (ICGLR), João Lourenço, convened a mini-summit on 16 February that included regional leaders and AU Commission Chairperson Moussa Faki Mahamat. Participants discussed ways to restore a cessation of hostilities and facilitate direct talks between the DRC and Rwanda to avoid a further expansion of the conflict into a regional crisis. Following the mini-summit, President Lourenço held bilateral meetings with the presidents of the DRC and Rwanda on 17 February. He continued his diplomatic engagement in Luanda, meeting with DRC President Felix Tshisekedi and Rwandan President Paul Kagame on 27 February and 11 March, respectively. Both leaders reportedly agreed in principle to meet for direct talks.

The East African Community Regional Force (EACRF) was stationed in eastern DRC for a year as part of the Nairobi process, a

UN DOCUMENTS ON THE GREAT LAKES Security Council Presidential Statement S/PRST/2023/5 (16 October 2023) was on the situation concerning the DRC. Secretary-General's Report S/2023/730 (3 October 2023) was on the implementation of the PSC-F. Security Council Meeting Record S/PV.9440 (17 October 2023) was a briefing on the situation in the Great Lakes region.

## **Great Lakes Region (DRC)**

regional initiative led by the East African Community (EAC). However, EACRF ceased operations when its mandate expired on 8 December 2023; the Congolese government did not want to renew the EACRF's mandate, seemingly dissatisfied with its inability to neutralise the M23. Instead, the Congolese government sought support from the Southern African Development Community (SADC)—which decided to deploy its forces, known as the SADC Mission in DRC (SAMIDRC)—in eastern DRC with an offensive mandate in support of the Congolese government's military operations. The mission, comprising 5000 troops from Malawi, South Africa, and Tanzania, started deploying in North Kivu in December 2023.

On 27 June 2023, a quadripartite summit of the EAC, the Economic Community of Central African States (ECCAS), the ICGLR, and SADC was held in Luanda under the AU's auspices. The meeting agreed on a joint framework to promote coherence among the existing initiatives of the four regional mechanisms engaged in the DRC, with a clear division of responsibilities and agreed timelines. In its 4 March communiqué, the AU Peace and Security Council requested the AU Commission to convene a second quadripartite summit to follow up on the implementation of commitments made during the first summit.

### **Women, Peace and Security**

At the 86th session of the Committee on the Elimination of Discrimination against Women (CEDAW), which took place from 9 to 27 October 2023, the CEDAW Committee decided to request the government of the DRC to submit an exceptional report on conflict-related sexual violence against women and girls in its eastern provinces by April. During its 87th session, from 29 January to 16 February, the CEDAW Committee adopted a list of issues and questions for the DRC government to address in its exceptional report. Among other things, it asked the government to report on political and operational decisions it has taken to "ensure that the civilian population is protected against sexual violence and other related human rights violations" in eastern DRC, in particular after the departure of the UN Organization Stabilization Mission in DRC (MONUSCO). The Committee also asked about measures taken by the government to strengthen the security of camps for internally displaced persons and "limit the circulation and proliferation of light weapons in and around the camps, including in the context of the gradual withdrawal of MONUSCO".

### **Key Issues and Options**

A key issue in April is how to de-escalate the regional tensions in the Great Lakes region. Council members would be keen to hear from Xia on his office's efforts, including his engagements with regional leaders in this regard.

A related issue is how to coordinate and harmonise the ongoing regional initiatives, which are supported by the Council. In this connection, Council members might be interested in receiving updates on progress in implementing the commitments made at the quadripartite summit. They may also welcome the intention to convene a second quadripartite summit.

Another important issue is the discussion about the revitalisation of the PSC-F to address the root causes of instability in the DRC and the Great Lakes region. Council members may wish to follow up on the decisions of the 11th meeting of the Regional Oversight Mechanism (ROM) of the PSC-F in Bujumbura and learn more about preparations for the upcoming ROM meeting in Uganda this year.

Support for regional forces deployed in eastern DRC is likely to be another major issue. On 22 November 2023, SADC sent a formal letter to the Secretary-General requesting UN support for the deployment of SAMIDRC, including facilities, equipment, air asset services, medical support, and information and intelligence-sharing, among other things. The Council's decision on this matter will be informed by the Secretary-General's upcoming report and recommendations pursuant to resolution 2717 of 19 December 2023. (For more, see the *In Hindsight* in our April *Monthly Forecast*.)

A possible option for Council members is to consult informally with SADC to have a better understanding of the deployment of SAMIDRC, its mandate and concept of operations, and its specific needs for support from the UN.

## **Council Dynamics**

Council members are broadly supportive of addressing the root causes and drivers of conflict in the Great Lakes region. They believe the principles and commitments enshrined in the PSC-F remain relevant and should be respected by the signatory countries. They also supported the decision to reinvigorate the PSC-F. Council members agree that there is no military solution to the situation in eastern DRC and remain fully supportive of the efforts to find a political solution through the ongoing regional initiatives under the auspices of the EAC and the ICGLR. They may particularly welcome the role being played by Lourenço in trying to facilitate talks between the DRC and Rwanda to ease the tensions between the two countries.

Council members are concerned about the worsening humanitarian and human rights situation in the Great Lakes region, including the massive displacement of people due to the ongoing fighting in eastern DRC and human rights violations such as sexual exploitation and abuse. Some members continue to call for full adherence to international humanitarian law and international human rights law, as well as stress the need to ensure accountability and justice for human rights abuses and crimes committed in eastern DRC.

The increasing level of hate speech and incitement to violence against Kinyarwanda communities in eastern DRC has raised significant concerns among some Council members. This issue is expected to gain heightened attention in April, coinciding with the commemoration of the 30th anniversary of the Rwandan genocide against the Tutsis.

Council members have also highlighted the need to address the illegal exploitation of natural resources, which is fuelling the conflict in eastern DRC. They support the implementation of the UN Strategy for Peace Consolidation, Conflict Prevention, and Conflict Resolution in the Great Lakes Region, which was developed by the Office of the Special Envoy for the Great Lakes. One of the key priorities of the strategy is promoting sustainable and transparent management of natural resources, as well as trade and investment.

## **Syria**

## **Expected Council Action**

In April, the Security Council will hold a meeting on the political process and the humanitarian situation in Syria.

## **Key Recent Developments**

The civil war in Syria entered its 14th year on 15 March. While the fighting continues, the political process remains at a stalemate, and approximately 16.7 million Syrians remain in dire need of humanitarian assistance, 12.9 million of whom face food insecurity. This is the highest recorded share of people requiring humanitarian assistance at any time during Syria's civil war. Since 2011, over 14 million Syrians have been displaced, including 7.2 million internally displaced persons (IDPs), according to UNHCR.

In a 9 March statement marking the anniversary of the Syrian conflict, Secretary-General António Guterres highlighted the devastating impact of the 13-year-long conflict on the Syrian population, noting that "arbitrary detention, mass incarceration, enforced disappearances, extrajudicial killings, sexual and gender-based violence, torture, and other ill-treatment, continue and are an obstacle to sustainable peace in Syria". He emphasised the importance of reaching a genuine and credible political solution in line with resolution 2254 of 18 January 2015 and creating the conditions necessary for the voluntary return of refugees in safety and dignity. Among other points, he called for the protection of civilians and civilian infrastructure, a cooperative and strategic approach to counter-terrorism, and sustained and unhindered humanitarian access throughout the country.

On 17 March, Special Envoy for Syria Geir O. Pedersen met with Syrian Foreign Minister Fayssal Mekdad in Damascus. During a press stakeout, Pedersen said that during the meeting, he presented his proposal for reconvening the Syrian Constitutional Committee in Geneva until the government and the opposition can find another mutually agreeable venue. The Constitutional Committee has not met since June 2022 owing to the opposition of Russia, a close ally of Syria, to Geneva as the venue, following Switzerland's imposition of sanctions on Russia in response to its invasion of Ukraine in 2022.

On 21 March, Pedersen and Assistant Secretary-General for Humanitarian Affairs Joyce Msuya briefed the Council on the political and humanitarian tracks in Syria, respectively. Pedersen underscored that Syria faces a negative trajectory with respect to political, security, humanitarian, human rights, and economic conditions. Noting that the political track remains "blocked and dormant", he urged the Syrian government to "engage in a deepened and concrete dialogue" and said that it had rejected his offer to hold the ninth round of the Constitutional Committee in Geneva at the end of April. (The Syrian opposition, represented by the Syrian Negotiations Commission [SNC], accepted Pedersen's proposal).

In her remarks at the meeting, Msuya provided an overview of the deteriorating humanitarian situation in the country. She highlighted that funding shortages for relief efforts had significantly curtailed the ability of humanitarian organisations to provide assistance in the country. In some cases, she pointed out, these shortages had led to the scaling back of health services in several areas: in northwest Syria, for instance, over 30 outpatient therapeutic feeding programmes for malnourished children have been forced to close since

October 2023 and over 75 nutrition rapid response teams—about half the total—have suspended operations. Syria's 2023 Humanitarian Response Plan (HRP), which required \$5.41 billion, had received 37.8% percent funding (\$2.04 billion), \$31 million less than the 2022 HRP, which required \$4.44 billion.

Heavy flooding in several parts of north-west Syria has further exacerbated the humanitarian situation. According to a 22 March OCHA press release, flooding at several displacement camps in Idlib and northern Aleppo during the preceding two days affected more than 15,700 people. Since the start of this year, more than 3,300 family tents have been damaged and some 500 tents have been completely destroyed as a result of over 100 flooding incidents in north-west Syria, the press release added.

Recent weeks have seen a decline in attacks against US forces stationed in the Middle East, which had increased in the months following the start of the Israel-Hamas war on 7 October 2023. Some reports have attributed this to the US response to a 28 January attack against its military facility known as Tower 22 in north-east Jordan, in which three US service members were killed. On 2 February, the US launched retaliatory airstrikes against 85 targets in western Iraq and eastern Syria, which reportedly killed at least 23 people affiliated with the militias, in Syria. On 7 February, the US Central Command announced that it had conducted an airstrike in Iraq in which a commander of Kata'ib Hezbollah—a Shia militant group in Iraq supported by Iran's Islamic Revolutionary Guard Corps (IRGC)—"responsible for directly planning and participating in attacks on US forces in the region" had been killed. (For background, see the Syria brief in our March 2024 Monthly Forecast.)

Airstrikes, allegedly conducted by Israel, continue to target sites in Syria. According to media reports, on 17 March, airstrikes launched from the direction of the Israeli-occupied Golan Heights hit two military sites in the Qalamoun mountains in the north-east of Damascus, injuring one soldier. On 19 March, missile strikes targeted several military installations outside Damascus, which media reports suggest were weapons depots for Hezbollah.

On 26 March, airstrikes targeting positions in Deir-ez-Zor and Al-Bukamal and its surroundings left at least 15 people dead, including one IRGC member, according to the (SOHR)—a UK-based monitoring group with a presence in the country. This attack also resulted in the death of a staff member of the World Health Organization. While the SOHR reported that the airstrikes were conducted by "unidentified aircraft", Syrian state media accused the US of the attack. During a press conference later that day, Deputy Pentagon Press Secretary Sabrina Singh denied these claims. At the same time, Israeli media reports suggest that the Israeli Defense Forces were responsible for the attack.

In the latest round of attacks, the SOHR reported that on 29 March, airstrikes allegedly conducted by Israel hit several targets across Aleppo, including Hezbollah's weapons warehouse in the Jabrin area, near Aleppo international airport, and Syrian air defence facilities in Al-Safirah. The attack killed 42 people, including 36 Syrian soldiers and six Hezbollah fighters, which SOHR reported as "the highest death toll ever among regime forces in a single Israeli attack in Syrian territory, and... the most violent attack by Israeli forces on

UN DOCUMENTS ON SYRIA Security Council Resolution S/RES/2254 (18 December 2015) focused exclusively on a political solution to the Syrian crisis. Security Council Meeting Record S/PV.9583 (21 March 2024) was a briefing on the political process and the humanitarian situation in Syria.

## **Syria**

Syria in the past three years". While Israel has not commented on these strikes, it has historically targeted sites associated with Iranian forces and affiliated militants in Syria.

#### **Human-Rights Related Developments**

On 11 March, the Independent International Commission of Inquiry on Syria (COI) released its latest report, covering the period from 1 July to 31 December 2023. During this period, the report said, the conflict in Syria was characterised by increased confrontation and infighting among the various authorities and forces controlling areas in the country, with north-west Syria witnessing the largest escalation of hostilities since 2019-20. The report provided evidence documenting that across multiple frontlines, parties to the conflict have attacked civilians and infrastructure in ways that are likely to amount to war crimes. The report highlighted the deteriorating humanitarian situation in Syria, noting that approximately 90 percent of the population lives in poverty, while increased lawlessness is fuelling predatory practices and extortion by armed forces and militias.

In an 18 March statement, COI Chair Paulo Pinheiro described the intensified hostilities across multiple frontlines in Syria and stressed the need for an immediate ceasefire and an inclusive path towards a "just political settlement". He said that "since 7 October and Israel's Gaza onslaught, attacks between the US and alleged Iran-backed groups, as well as strikes by Israel, have significantly increased". He added that some of the strikes that Israel has conducted in Syria since then have hit Syria's major airports, affecting UN humanitarian air services. Da'esh (also known as the Islamic State in Iraq and the Levant) has also been increasing its attacks against civilians, which he said may amount to war crimes. The prospects of a political settlement for Syria appeared more remote than ever, he said, pointing out that there has been little to no progress on some key issues such as security, refugees, and drugs.

On 19 March, the COI published a policy paper titled "Punishing the Innocent: Ending violations against children in Northeast Syria". Highlighting the violations and crimes against children in north-east Syria, the paper said that "some 30,000 Syrian and foreign children remain unlawfully deprived of their liberty" because of their, or their families', alleged links to Da'esh. The COI called on the Syrian government to enable voluntary and safe return of children to their homes in government-controlled areas and facilitate pathways for all children residing in Syria to access affordable and recognised official documentation. It also recommended that UN member states take immediate steps to ease the registration of children of foreign nationals born in Syria, to facilitate their repatriation, to prevent a situation of statelessness created during the armed conflict, and provide adequate funding for humanitarian responses for all children, including gender- and age-sensitive health, education, shelter, livelihood, reintegration and rehabilitation programmes.

## **Key Issues and Options**

A key issue for Council members is the ongoing hostilities in Syria. Determining how the Council can address the spillover effects from the situation in Israel and Gaza and de-escalate tensions is an important issue for the Council. Continuing violence and the lack of accountability threaten to destabilise the country further. At the same time, Da'esh remains one of the key security threats in Syria. One option would be for the co-chairs (Switzerland and the UK) of the Informal Expert Group on the Protection of Civilians to hold a meeting on the situation in Syria to receive briefings from relevant UN entities on the impact of the conflict on civilians.

Another important issue for the Council is maintaining international attention to the situation in Syria when it is largely focused on other crises, such as those in Gaza and Ukraine. As well, a key issue is how to alleviate the growing humanitarian needs throughout the country. In this regard, members could consider calling for an international donor conference to garner additional funds for humanitarian assistance in Syria. A press statement calling on the international community to scale up the humanitarian response would be another option.

The need to break the underlying political impasse in Syria and support the Special Envoy's work in this regard is another key issue. The Council could consider adopting a presidential statement that backs Pedersen's efforts to reinvigorate the political process.

#### **Council Dynamics**

Syria remains one of the most divisive files on the Council's agenda. China and Russia are supportive of the Syrian government, emphasising the need to respect the country's sovereignty and territorial integrity and drawing connections between unilateral coercive measures on Syria and the challenging humanitarian situation in the country. In contrast, the P3 (France, the UK, and the US) and other like-minded members criticise the government for violating international humanitarian law and human rights law, arbitrarily detaining people, and not engaging meaningfully in political dialogue.

Switzerland is the penholder on the Syria humanitarian file.

## **South Sudan**

## **Expected Council Action**

In April, the Council is expected to renew the mandate of the UN Mission in South Sudan (UNMISS) before its expiration on 30 April.

## **Key Recent Developments**

The Secretary-General's most recent report on South Sudan, dated 26 February, notes that implementation of critical benchmarks outlined in the Revitalized Agreement on the Resolution of the Conflict in the Republic of South Sudan (R-ARCSS), necessary for elections

to be held in December, remains behind schedule. Key issues that are yet to be determined include the constitution-making process, the type and number of elections, the electoral timeline, voter registration modalities, an integrated election security plan, and an election dispute resolution mechanism. In this regard, the report states that "an assessment as to whether a critical mass of compliance has been achieved will be made in April 2024". (For background, see the South Sudan brief on in our March 2024 *Monthly Forecast*).

Security Council members convened for an open briefing,

UN DOCUMENTS ON SOUTH SUDAN Security Council Resolution S/RES/2726 (14 March 2024) renewed the mandate of UNMISS until 30 April 2024. Security Council Meeting Record S/PV.9564 (5 March 2024) was a meeting on the situation in South Sudan. Secretary-General's Reports S/2024/188 (26 February 2024) was the 90-day report on the UN Mission in South Sudan. S/2023/955 (4 December 2023) was an independent assessment of the implementation of the UNMISS protection of civilians mandate.

## South Sudan

followed by closed consultations, on the situation in South Sudan. Under-Secretary-General for Peace Operations Jean-Pierre Lacroix briefed in the open session, highlighting the importance of political will, systematic planning, and adequate resources to realising the aspirations of the South Sudanese people regarding elections. He added that "political competition amongst the ruling elite, increased inter-communal clashes and the added strain inflicted by the influx of returnees and refugees escaping the conflict in Sudan have all combined towards an assessment that elections, when held, are going to take place in an environment of elevated tensions and a constrained civic and political space in the country".

During the closed consultations, Special Representative of the Secretary-General for South Sudan and Head of UNMISS Nicholas Haysom apparently said that, while the four core elements of the UNMISS mandate remain relevant in the current circumstances, the demands and expectations of the mission have expanded over time. (The four key elements of UNMISS' mandate are: protection of civilians; creating the conditions conducive to the delivery of humanitarian assistance; supporting the implementation of the R-ARCSS and the peace process; and monitoring, investigating, and reporting on violations of international humanitarian law and violations and abuses of human rights.) It seems that Haysom further said that the UNMISS mandate renewal provides an opportunity to adopt a strategic and resource-informed approach that recognises the need for having adequate capacity in place ahead of the envisioned elections and to support a peaceful exit from South Sudan's transitional phase. (For more, see our What's in Blue story of 4 March.)

On 14 March, the Security Council unanimously adopted resolution 2726, renewing the mandate of UNMISS until 30 April. It appears that this technical rollover was pursued to allow the Council sufficient time to review the conclusions of the UN Secretariat's assessment regarding South Sudan's election preparedness and then to have a substantial discussion on UNMISS' mandate renewal, especially on the mandate's technical electoral assistance component. (For background, see our What's in Blue story of 13 March.)

On 20 March, the members of the Troika on South Sudan (Norway, the UK, and the US) issued a joint statement, calling on the South Sudanese government to urgently take steps necessary to ensure genuine and peaceful elections at the end of this year. The statement urged the government to use public revenue in a transparent manner to address public needs, including funding and operationalisation of electoral institutions.

With less than nine months left until the national elections, parties to the R-ARCSS remain divided on election preparedness. In a 20 March press release, the Sudan People's Liberation Movement (SPLM), South Sudan's ruling party, expressed its willingness to participate in elections at the end of this year. The press release noted that the institutions and legislation necessary to hold elections in December, such as the Political Parties Council (PPC), the National Elections Commission (NEC) and the National Constitutional Review Commission (NCRC), have been put in place. At the same time, it argued that the implementation of the rest of the provisions of the R-ARCSS, namely, a new census, a permanent constitution, and the return of refugees, are irrelevant for holding elections in December and should not be used as a pretext for the extending the

transition period. The press release proposed that presidential and gubernatorial elections take place in December and parliamentary elections be held one year after the elected government comes into place. On the other hand, the SPLM-in Opposition (SPLM-IO) expressed concerns about the lack of necessary preparations and suggested a period of 24 months to complete the pending tasks.

In a 21 March press release, the Reconstituted Joint Monitoring and Evaluation Commission (RJMEC)—the body responsible for overseeing the implementation of the R-ARCSS-noted that despite their reconstitution, bodies such as the PPC, NEC, and NCRC remain unfunded. The way forward on elections, RJMEC said, "depends on the parties meeting and engaging in dialogue openly and constructively, in the spirit of collegiality and consensus". In this regard, the RJMEC has written to the South Sudanese government, stressing the importance of inter-party consultations, and having a constructive dialogue with other stakeholders, according to the press release.

Intercommunal and subnational violence persists in many areas of the country. In a 27 February press briefing, Spokesperson for the Secretary-General Stéphane Dujarric said that UNMISS had established a temporary operating base in Abiemnhom in Unity state, in line with its protection of civilians mandate and to improve security in areas bordering Warrap state and Abyei—a disputed area along the Sudan-South Sudan border. UNMISS also established a temporary operating base in Maper, near the borders of Lakes, Unity, and Warrap states. The mission has identified Maper as a conflict hotspot characterised by frequent cross-border cattle raids, intercommunal violence, and widespread criminality, especially along key transportation routes. (For background, see the South Sudan brief in our March 2024 Monthly Forecast.)

#### **Human-Rights Related Developments**

On 1 March, the UN Commission on Human Rights in South Sudan presented its latest report (A/HRC/55/26), dated 29 February, to the Human Rights Councill (HRC) in Geneva. In her remarks, Yasmin Sooka, Chair of the Commission, said that the investigations conducted by the Commission point towards "an absolutely unacceptable situation in South Sudan, whereby families and communities are devastated by human rights violations and abuses by armed forces, militias and state institutions acting with impunity." She mentioned that while commitments have been made by the South Sudanese authorities in addressing the drivers of violence and repression in the country, "we continue to see a lack of political will to implement the measures necessary to improve millions of lives". Among other things, the 29 February report documented persisting armed conflict, violence and human rights violations in the country; key measures outlined in the R-ARCSS remain unimplemented, including security and transitional justice institutions; and highlighted the instances of recruitment of children in the armed forces. The report called on the South Sudanese government, among other points, to allocate necessary resources for functional and effective rule of law and justice institutions, guarantee democratic space to enable credible elections with legitimate outcomes, and accelerate and ensure the deployments, resourcing and payment of the necessary unified forces. It also recommended that UN member states assist the South Sudanese government to take measures to end violence, especially conflict-related sexual violence.

During its 55th session, the HRC held an enhanced interactive dialogue on 1 March on the Commission's 29 February report. In his remarks during the session, Christian Volkmann, director of the field operations and technical cooperation division of the OHCHR, expressed concern about the current human rights situation in South Sudan. He stressed that inter- and

## South Sudan

intra-communal violence continue to pose significant threats to human rights, notably in Warrap, Jonglei, and Eastern Equatoria states: for instance, in 2023, UNMISS' Human Rights Division documented 885 incidents, affecting 3,340 civilians, including 2,221 men, 516 women, and 603 children, reflecting a 24 percent increase compared to 2022. Volkmann noted that while there was some notable progress in advancing transitional justice in 2023, it had been slow.

#### **PBC-Related Developments**

In a letter to the Council, dated 11 March, the Chair of the Peacebuilding Commission (PBC) Ambassador Sérgio França Danese (Brazil) submitted advice on behalf of the PBC regarding the UNMISS mandate renewal. Among other points, the PBC suggested the Council consider:

- · calling for the provision of required funds for all the electoral management
- calling for the establishment of all outstanding institutions and processes and the development of effective security arrangements that would ensure an environment conducive to the holding of free, fair and credible elections;
- · encouraging the transitional government to ensure the implementation of a robust code of conduct for all political stakeholders; and
- · encouraging the international community to increase its support to the government to address the "spiraling downturn in the economy, taking into account the significant effects of climate-related events such as frequent and intense flooding and localized drought".

### **Key Issues and Options**

The key issue for the Council in April is the UNMISS mandate renewal. In their discussions, Council members are likely to be guided by the UN Secretariat's assessment regarding South Sudan's election preparedness and outstanding tasks related to the implementation of the R-ARCSS. Ahead of the negotiations, one option for the members would be to hold closed consultations with Special Representative Haysom to receive a briefing on the assessment report and exchange views on the possible way forward.

An additional important issue is how UNMISS can enhance its capacity to protect civilians, which is one of the mission's core mandated tasks. In keeping with the recommendations of the independent assessment on the implementation of the UNMISS protection of civilians mandate, dated 4 December 2023, the Council could encourage the mission to adopt a more proactive posture and expand its footprint by, for example, responding quickly to outbreaks of violence, systematically conducting patrols to protect women and girls carrying out subsistence activities (such as gathering firewood) at

camps for internally displaced persons and at the Malakal protection of civilians site, and employing more community liaison assistants.

Another key issue is the ongoing restrictions on humanitarian access and violence against aid workers in South Sudan. One option in this regard would be for the Council president to conduct a démarche on behalf of all Council members to South Sudan, seeking its assistance in facilitating unfettered humanitarian access.

## **Council Dynamics**

Most Council members share similar concerns about the delays in implementing the R-ARCSS, the ongoing sub-national and intercommunal violence, and the economic and humanitarian crises in South Sudan. There are, however, differences in tone in members' statements. Some members, such as the US, are more critical than others about what they perceive as the South Sudanese government's lack of political will to implement the R-ARCSS. During the 5 March Council briefing on the situation in South Sudan, the US said that in the absence of urgent action from the South Sudanese government, "allocating further financial resources for election preparations...sends a wrong message". It added that future funding for the elections must be accompanied by a renewed push on the South Sudanese peace process and improved humanitarian access.

On the other hand, Council members—such as China, Russia, and the members of the "A3 plus one" grouping (Algeria, Mozambique, Sierra Leone, and Guyana)—are less critical of the government. In their statements, these members often highlight the progress made by the South Sudanese government amidst the challenges facing South Sudan, including the dire humanitarian situation, intercommunal violence, and the looming economic crisis. These members advocate for enhanced international financial support to assist South Sudan in its political transition and strengthening its capacity-building.

Differing views persist on the utility of the arms embargo on South Sudan. China, Russia, and African members have tended to view the arms embargo as counter-productive, while others have seen this as an important tool in curtailing instability in the country.

The US is the penholder on South Sudan, while Ambassador Michael Imran Kanu (Sierra Leone) chairs the 2206 South Sudan Sanctions Committee.

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