



SECURITY COUNCIL REPORT

MONTHLY FORECAST

JAN 2009



24 December 2008

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OVERVIEW FOR JANUARY

In January France will have the presidency of the Council.

The programme of work seems light relative to December due to the small number of mandates due to expire. However, the underlying workload in the Council remains very high. Moreover, the presidency has planned a heavy schedule of thematic work in January with important public meetings in the Council on:

- **Protection of Civilians** (This open debate was deferred from November. Security Council Report published on 14 October 2008, a thematic crosscutting report on the Security Council's performance in implementing protection of civilians' concepts at the detailed country-

specific level in preparation for the debate. Also, an Arria formula meeting is likely prior to the debate.)

- **Refugee Situations** (A briefing from the United Nations High Commissioner for Refugees is likely.)
- **Peacekeeping** (A look at the peacekeeping issues, including ways to ensure better effectiveness. The format for this meeting is unclear and may be innovative.)

Five new Council members will take their seats in January—Austria, Japan, Mexico, Turkey and Uganda.

In addition the Council will need to elect the chairs and vice-chairs of its various committees and working groups and other subsidiary bodies. >> page 2

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Aide-Memoire

Important matters pending for the Council include:

- The Council is yet to take up the Secretary-General's recommendations regarding **protection of civilians**, presented in his October 2007 report (S/2007/643).
- The 2005 World Summit requested that the Security Council consider reforms for the **Military Staff Committee**. This has yet to be addressed.
- There was no monthly report from KFOR in **Kosovo** in November and December. These reports which are submitted every month also have a significant time-lag. The last one available covers the period 1-31 July 2008.
- In resolution 1327 on the implementation of the report of the Panel on United Nations Peace Operations (the **Brahimi Report**, S/2000/809), the Council decided to review periodically the implementation of the

provisions contained in the resolution's annex. No such reviews have occurred in the past three years.

- The quarterly reports of the International Security Assistance Force in **Afghanistan** are now routinely outdated when released. (The last report, released in December, covered the period 1 May–31 July 2008.) The next report covering the period 1 August - 30 October 2008 is yet to be released.
- Similarly, **UNAMI reports on human rights** are now usually delayed by several months and are therefore quite outdated. (The last report, released in December, covered the period from 1 January – 30 June 2008.)
- The Council requested the Secretary-General on 21 November 2006 (S/2006/928) to **update the index to Council notes and statements on working methods**. This has not been published.

- On **Western Sahara**, in April the Council in resolution 1813 called upon the parties to continue negotiations. But there have been no further talks, nor any briefing to the Council on the situation.
- On **Lebanon**, the Secretary-General has yet to put forward proposals for the delineation of the international borders of Lebanon, especially in the **Sheb'a Farms** area, in accordance with resolution 1701, and the Council has yet to address the latest report of the **Lebanon Independent Border Assessment Team**, which was issued on 25 August 2008 (S/2008/582).
- The Council is awaiting the PBC's response to its May request for advice and recommendations on the situation in the **Central African Republic** (S/2008/383).
- The Secretariat is yet to report to the Council on **Kenya** as requested in the 6 February presidential statement (S/PRST/2008/4).

A public session on the **Middle East** is expected. In accordance with normal practice, a briefing is likely. (Our *Special Research Report* of 17 December 2007 provides background on the history of Council involvement.) But it is unclear whether there will also be an open debate.

Public meetings are also expected on:

- **Chad** (adoption of a resolution establishing a military component for MINURCAT—this was unable to be completed in December—see our brief on Chad in the December *Forecast*);
- **Nepal** (briefing from Secretary-General's Special Representative in Nepal Ian

Martin and renewal of mandate for UNMIN);

- **Côte d'Ivoire** (briefing from Secretary-General's Special Representative for Côte d'Ivoire Choi Young-jin and renewal of the mandate for UNOCI); and
- **Iraq** (briefings from international financial institutions as requested in resolution 1859).

Council discussions are also expected in informal consultations on:

- **DPRK** (report from Chairman of Sanctions Committee)
- **West African regional issues** (review of report on UNOWA).

Somalia and **DRC** are not expected to be formal items on the programme of work at the beginning of the month. But in view of the gravity of the situation in both **DRC** and **Somalia**, it is likely that they will be included as footnotes, indicating that close monitoring is expected and action is possible. Briefings or informal meetings on **Zimbabwe** and **Myanmar** may also possibly emerge.

A report on **Sudan (North/South)** and **UNMIS** is expected in late January. Discussions by the Council are not expected until February, but preliminary meetings of experts are possible.

Status Update since our December Forecast

Recent developments on the situations covered in this *Forecast* are addressed in the relevant briefs. Interesting developments on other issues in the Council during December included:

- **Iran:** The latest IAEA Director General's report on implementation by Iran of relevant Council resolutions was issued on 19 November (GOV/2008/59).

On 10 December the Council heard a briefing from the Chairman of the 1737 Sanctions Committee. The US, France, the UK and Italy noted with concern the findings of the latest IAEA report, in particular that Iran's failure to cooperate with the IAEA was getting worse. China and Libya said that a peaceful solution to the Iran nuclear issue lies in diplomatic negotiations (S/PV.6036).

On 16 December, a meeting of the E3+3 with Saudi Arabia, the United Arab Emirates, Bahrain, Kuwait, Egypt, Jordan and Iraq to discuss the Iranian nuclear issue was held at the margins of a Security Council meeting on the Middle East. Javier Solana, the EU foreign policy chief and the E3+3 representative, gave a briefing on recent developments in his contacts with Iranian nuclear negotiator Saeed Jalili.

- **Middle East:** On 25 November the Council held its monthly meeting followed by consultations on the situation in the Middle East. Under Secretary-General for Political Affairs B. Lynn Pascoe briefed the Council on recent developments in the region

(S/PV.6022).

On 3 December the Council held a meeting at the request of Libya (S/2008/754) to discuss the interception by Israeli gunboats of a Libyan ship carrying humanitarian aid bound for the port of Gaza. The Council held consultations, followed by a debate (S/PV.6030) with the participation of Israel and Palestine but took no action.

Following the convening of the Quartet in New York, on 16 December the Council held a meeting on the situation in the Middle East (S/PV.6045) with the presence of the Quartet principals (Secretary-General Ban Ki-moon, US Secretary of State Condoleezza Rice, Russian Foreign Minister Sergei Lavrov, and EU foreign policy chief Javier Solana). The Council adopted resolution 1850, declaring its support for the Annapolis peace process and its commitment to the irreversibility of bilateral negotiations. The resolution also called on both parties to fulfill their obligation under the Annapolis Joint Understanding and urged an intensification of diplomatic efforts to foster just and lasting peace. The resolution was a significant departure from recent Council practice and was the first resolution on the issue since resolution 1544 of 2004. Libya abstained. It had proposed amendments, including a reference to the need for the end of the Israeli 1967 occupation.

On 18 December the Council held its monthly meeting on the Middle East. Special Coordinator for the Middle East

Peace Process Robert Serry briefed the Council. He described the current period as one of transition with Israeli general elections scheduled for 10 February, a new US administration to take office on 20 January and internal challenges on the Palestinian side. He said the unprecedented level of closure of crossing points into Gaza has caused unacceptable hardship to the civilian population. In the West Bank, he said, although security was improving, illegal Israeli settlement activity has continued, as well as the construction of the Israeli wall, and Palestinian institutions in East Jerusalem have remained closed.

- **Golan Heights:** On 26 November, the Council received a Secretary-General's report on recent activities of UNDOF (S/2008/737). On 12 December the Council adopted resolution 1848 renewing UNDOF's mandate until 30 June and adopted a presidential statement (S/PRST/2008/46) noting the Secretary-General's observations that the situation in the Middle East would remain tense until a comprehensive settlement on all aspects of the Middle East can be reached.
- **Lebanon:** On 26 November the Secretary-General submitted his third report on the Special Tribunal for Lebanon indicating that he would be making a decision regarding the commencement of the Tribunal on 1 March after a transition period starting on 1 January. The Council subsequently held

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consultations on this issue on 4 December. On 2 December the Council received the eleventh report of the International Independent Investigation Commission (UNIIC) looking into the assassination of Lebanese former Prime Minister Rafik Hariri (S/2008/752). Because the Special Tribunal is expected to start its activities on 1 March, the Commission requested an extension of its mandate (due to expire on 31 December) to 28 February to allow for a transitional period. The Office of the Prosecutor will continue to gather evidence that will support indictments. In a letter (S/2008/764), the Lebanese government supported extending the Commission's mandate for two months. UNIIC Commissioner Daniel Bellemare briefed the Council on 17 December (S/PV.6047) and the Council adopted resolution 1852 extending UNIIC's mandate until 28 February.

- **Cyprus:** On 28 November the Council received the latest report on UNFICYP (S/2008/744). In it the Secretary-General noted that negotiations between the Greek Cypriot and Turkish Cypriot leaders were moving ahead. However, he added, the issues to be addressed are difficult and may lead to differences. It will be necessary for the parties to explain to their respective communities that compromise is indispensable. On 5 December, the Special Representative of the Secretary-General in Cyprus Tayé-Brook Zerihoun gave a briefing to the Council, (S/PV.6032). On 12 December the Council adopted resolution 1847 extending UNFICYP's mandate until 15 June 2009 urging intensification of negotiations and preservation of the current atmosphere of trust and goodwill and welcoming the announcement by the parties of additional confidence-building measures, such as the cancellation of military exercises.
- **Somalia:** On 2 December the Council unanimously adopted a resolution (S/RES/1846) authorising states and regional organisations to enter Somalia's territorial waters to combat piracy for a further period of 12 months. It called on states to coordinate anti-piracy operations and cooperate on issues related to jurisdiction. Furthermore, it requested the Secretary-General to report within three months on ways to ensure

long-term maritime security off the coast of Somalia, including a possible UN coordinating role and to report within 11 months on the implementation of the resolution. The Council expanded the anti-piracy authorisation to include operations on land at a meeting on 16 December attended by the Secretary-General and US Secretary of State Condoleezza Rice, deciding that states may take "all necessary measures that are appropriate in Somalia" to counter piracy (S/RES/1851), pursuant to a request from the TFG and provided that all such measures are consistent with international humanitarian and human rights law. It also reiterated the call for more coordination, encouraging establishment of an international cooperation mechanism and a regional centre to coordinate information. Rice announced that the US intends to create a contact group on Somali piracy. On 19 December the Council renewed the mandate of the monitoring group tasked with monitoring the sanctions regime for Somalia (S/RES/1853), adding a fifth expert and expanding its tasks in line with resolution 1844.

- **Central African Republic (CAR):** On 2 December the Council considered the report of the Secretary-General on the situation in CAR and the activities of the UN Peacebuilding Support Office (S/2008/733). The Special Representative of the Secretary-General and head of the UN Peacebuilding Support Office in the CAR, Francois Lonseny Fall, and the Chair of the CAR configuration of the Peacebuilding Commission and Permanent Representative of Belgium, Jan Grauls, briefed the Council (S/PV.6027). Grauls said clarification of the Peacebuilding Commission's role in helping the CAR government stabilise the country would be released in February.
- **Afghanistan:** On 4 December the Permanent Representative of Italy Giulio Terzi di Sant'Agata provided a briefing on the Council mission to Kabul and Herat from 21 to 28 November (S/PV.6031). Sant'Agata said Afghanistan was faced with daunting and multifaceted challenges. He said the impact of the conflict on civilians was the subject of in-depth discussions during the visit and the international community was expected to show more transparency and to

better coordinate its development assistance efforts in line with the Paris declaration. The report of the Council mission is expected in late December.

- **Chad/CAR MINURCAT:** On 4 December an Arria style meeting was held during which representatives from the International Crisis Group, Human Rights Watch and Oxfam International provided briefings to the Council on the humanitarian situation in eastern Chad and northeastern CAR and proposed measures for the Council to take to improve the security situation. On 12 December the Special Representative of the Secretary-General and Head of MINURCAT Victor da Silva Angelo briefed the Council on the updated planning for the UN military force to replace EUFOR Chad/CAR upon its mandate expiry of 15 March (S/PV.6042). The Secretary-General's accompanying report, which was expected by 15 November, was released on 4 December (S/2008/760). The resolution authorising the follow-on military force, which was expected to be adopted by 15 December, is likely to be adopted in early January.
- **Iraq:** On 4 December Iraq ratified the Status of Forces Agreement governing the presence of US troops in Iraq to take effect following the expiration of the UN authorisation for the multinational forces in Iraq on 31 December. On 12 December the Secretary-General informed the Council of his intention to conclude a detailed agreement with the US government to ensure US forces in Iraq continue to provide security support to the UN in Iraq (S/2008/783). On 22 December the Council, at the request of the Iraqi government, adopted resolution 1859 extending the arrangements related to the Development Fund for Iraq and its monitoring body, the International Advisory and Monitoring Board, until 31 December 2009. The Council also requested the Secretary-General to review previous resolutions pertaining specifically to Iraq, beginning with resolution 661 (1990). Iraq's Foreign Minister, Hoshiyar Zebari, addressed the Council.
- **Bosnia and Herzegovina:** The High Representative and EU Special Representative for Bosnia and Herzegovina presented his third report to the Council (S/2008/705) on 5 December (S/PV.6033). Miroslav Lajcak

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Status Update since our December Forecast (continued)

expressed concern that while there were some encouraging signs, “negative and nationalist” rhetoric threatened to slow down Bosnia and Herzegovina’s path towards Euro-Atlantic integration. Nikola Spiric, Chairman of the Council of Ministers of Bosnia and Herzegovina, presented a different assessment and provided reasons for why he felt 2008 had been a successful year for Bosnia and Herzegovina.

- **Terrorism:** On 9 December Croatian President Stjepan Mesić presided over an open debate on global security and international terrorism (S/PV.6034). The meeting was opened by Secretary-General Ban Ki-moon and included 46 speakers. The Council adopted a presidential statement (S/PRST/2008/45) reaffirming its determination to combat threats to international peace and security caused by acts of terrorism by all means in accordance with the Charter of the UN and emphasising the central role of the UN in this endeavour. The Council emphasised the need for enhancing dialogue and broadening the understanding among civilisations and expressed its significant concern with terrorist safe havens.
- **Iraq/Kuwait:** On 10 December Gennady Tarasov, the High-level Coordinator for the issue of missing Kuwaiti and third country nationals and the reparation of Kuwaiti property, briefed the Council in closed consultations on the latest report of the Secretary-General on the matter (S/2008/761). The Council issued a press statement (SC/9529).
- **Burundi:** The Council was briefed by Charles Nqakula, Facilitator of the Burundi Peace Process and Minister of Defence of South Africa on 11 December 2008 (S/PV.6037). He told the Council that a “significant step” had been made in resolving the differences between the Burundi government and the *Parti pour la Liberation du Peuple Hut-Forces Nationales de Liberation* (Palipehutu-FNL). He said that the Comprehensive Ceasefire Agreement should be fully in place by 31 December. On 22 December the Council adopted resolution 1858 extending the mandate of BINUB till 31 December 2009. Among the new elements in this resolution was a request for the

Executive Representative of the Secretary-General to facilitate dialogue among national and international stakeholders, particularly in the context of the upcoming elections.

- **Guinea-Bissau:** The Council was briefed on the situation in Guinea-Bissau and on the activities of the UNOGBIS on 11 December by Representative of the Secretary-General Shola Omoregie. In a press statement (SC/9530) the Council welcomed the 16 November legislative elections and called on authorities to ensure the formation of a new parliament and government as soon as possible. It also reiterated its deep concern over the security situation and its support to the security sector reform programme. In addition the Council requested the Secretary-General to provide recommendations on transforming UNOGBIS into an integrated office.
- **International Tribunals:** On 12 December the Council heard briefings from the presidents and prosecutors of the International Criminal Tribunals for the former Yugoslavia (ICTY) and for Rwanda (ICTR) on the implementation of the tribunals’ completion strategy and the safeguarding of their legacy (S/PV.6041). Patrick Robinson, president of the ICTY, said that the priority of the international community should focus on the arrest of the remaining fugitives. He also informed the Council that while the Tribunal was still on track to complete most of its trials during 2009, a number would continue into the first part of 2010, which would also affect the dates for appeals, a small number of which were thus likely to spill over into 2012 (S/2008/729). Dennis Bryon, president of the ICTR, said that the workload had increased and emphasised the importance of member states cooperating with the arrest and transfer of fugitives (S/2008/726). The Council was also briefed by the Chairman of the Security Council’s Informal Working Group on International Tribunals. He said the working group had made significant progress on establishing a residual mechanism to carry out certain essential functions of the Tribunals after their mandates expired. During the debate a number of speakers stressed that the mechanism should remain within the UN and be small, efficient and temporary. The Council

also appointed a number of ad litem judges for both tribunals (S/RES/1855 and S/RES/1849).

- **Zimbabwe:** On 15 December, the Security Council considered the situation in Zimbabwe in a closed meeting of the Council (S/PV.6044). The meeting was attended by Prime Minister of Croatia Ivo Sanader, US Secretary of State Condoleezza Rice, and UK Foreign Secretary David Miliband. Secretary-General Ban Ki-moon briefed the Council.
- **Northern Uganda and LRA affected areas:** In closed consultations on 16 December, the Secretary-General’s Special Envoy for the Lord’s Resistance Army-Affected (LRA) Areas, Joaquim Chissano, informed the Council that LRA leader Joseph Kony had failed to sign the final peace agreement with the Ugandan government for the seventh time and had continued operations against civilians in the DRC and South Sudan. Chissano said this had prompted the recent military action by Uganda, the DRC and South Sudan against Kony in eastern DRC. The Council reportedly expressed sympathy and support for the military action and hoped this would pressure Kony to commit to the peace process. Some expressed concern about the impact of the military offensive on civilians. There was support for an extension of Chissano’s mandate beyond 31 December. The Council issued a presidential statement on 22 December (SPRST/2008/48) condemning Kony and recalling the outstanding ICC arrest warrants for LRA leaders.
- **Liberia:** On 19 December the Council renewed the sanctions regime for Liberia for a further 12 months and also extended the mandate of the panel of experts that monitors implementation of the regime until 20 December (S/RES/1854).

Democratic Republic of the Congo

Expected Council Action

At the time of writing there was no scheduled action on the Democratic Republic of the Congo (DRC) for January, but the Council will likely monitor developments closely.

Recent Developments

On 1 December, at a special session on the human rights situation in eastern DRC, the Human Rights Council adopted a resolution expressing concern at the deteriorating human rights and humanitarian situation in North Kivu. It called on all parties to comply fully with obligations under international law to ensure the protection of civilians, and condemned the violence and human rights violations taking place. It also stressed the need to strengthen the protection mandate of the UN Mission in the DRC (MONUC).

The Special Adviser of the Secretary-General on the Prevention of Genocide, Francis Deng, issued a statement after his mission to the Great Lakes Region from 23 November to 4 December expressing concern about massive international human rights and humanitarian law violations being committed in the DRC on the basis of ethnicity and national origin.

On 22 December the Council unanimously adopted resolution 1856 renewing MONUC's mandate until 31 December 2009 and extending authorisation of an increase in troop levels. It clarified the mandate, in particular stressing protection of civilians as the most important priority. The Council also adopted resolution 1857 renewing the DRC sanctions regime and extending the mandate of the Group of Experts until 30 November 2009. Sanctions were expanded to target individuals impeding humanitarian assistance or supporting armed groups operating in eastern DRC through illicit trade of natural resources.

At the end of December the situation in eastern DRC was relatively calm, but remained precarious in zones controlled by the rebel National Congress for the Defence of the People (CNDP, or *Congrès National pour la Défense du Peuple*). MONUC continued to reinforce its presence in the area and confirmed having more than 90 percent of its forces there. However, according to

the UN Department of Peacekeeping Operations, it would still take several months for the additional troops authorised by the Council to arrive. The Secretary-General reiterated his call for an EU "bridging force" to temporarily support MONUC. To date, while discussions continue, the Europeans have been unable to reach agreement on such a force.

Olusegun Obasanjo, the Secretary-General's Special Envoy for the Great Lakes Region, continued mediation efforts. Direct talks facilitated by Obasanjo and former Tanzanian President Benjamin Mkapa, representing the African Union and the International Conference on the Great Lakes, were convened in Nairobi in early December between representatives of the DRC government and CNDP. These talks focused on establishing a framework for future negotiations on substantive issues to stop the conflict in eastern DRC. However, neither Congolese President Joseph Kabila nor CNDP leader Laurent Nkunda were present. Other rebel groups were invited, but did not attend.

The talks were suspended after four days, then resumed on 17 December, but were suspended again on 21 December after having failed to produce any agreement. Obasanjo blamed lack of progress on the rebels as they did not seem to have decision-making power to negotiate and had insisted on discussing the situation in the whole country rather than in the east. At the last meeting of the talks CNDP refused to sign a joint declaration on cessation of hostilities that was accepted by the Congolese government representatives. The rebels reportedly also declined to recommit to the November ceasefire declaration. At the time of writing the talks were scheduled to resume again on 7 January.

On 5 December the governments of Rwanda and the DRC agreed on a joint military operational plan against the Rwandan rebel group based in the DRC, the FDLR, or *Forces Démocratiques de la Libération du Rwanda*. The agreement was signed in Goma by the foreign ministers of the two countries who also reaffirmed commitments to restore diplomatic relations.

The Group of Experts monitoring the sanctions regime accused both Rwanda and DRC of supporting rebels fighting in eastern



DRC in their latest report to the Council. They found strong evidence that the Congolese army (FARDC) collaborated with FDLR. Furthermore, the report claimed that the Rwandan government had provided support for CNDP both by facilitating supply of military equipment and helping to recruit soldiers, including children, and sending officers and troops from the Rwandan army. In a letter to the Council, Rwanda rejected all the accusations and said the report constituted an attempt at shifting blame away from DRC and the international community for failures to resolve the crisis in the east. FDLR also denied collaborating with FARDC, as alleged in the report, and called on the Council to lift sanctions against their leaders.

In a separate development, forces from the DRC, Uganda, and southern Sudan launched a joint military operation against Uganda's Lord's Resistance Army (LRA) in eastern DRC on 14 December, destroying the main LRA camp in the area. A statement said it was a preemptive strike to free hostages and capture or kill LRA leaders, including those under arrest warrants issued by the International Criminal Court. At a closed meeting on 17 December the Council was briefed by the Special Envoy of the Secretary-General for the LRA-affected areas, Joaquim Chissano. He reportedly urged the Council to support the operation. Subsequently the Council adopted a presidential statement on 22 December welcoming "joint efforts" by the states in the region to address security threats posed by the LRA.

Key Issues

It remains to be seen whether MONUC's revised mandate will resolve some of the practical issues that arose for force commanders in November. A key issue is ensuring that the mission is adequately equipped to implement the provisions. As an EU bridging force appears increasingly unlikely, an important question remains how to get additional troops on the ground quickly.

A second key issue is the need to encourage a political solution to the regional dimensions of the conflict in eastern DRC as evidenced again by the report from the Group of Experts. A related issue is whether current mediation efforts are sufficient and whether they may need increased leverage from the Council.

Illegal exploitation of natural resources is a third issue that fuels the instability. The Group of Experts on the DRC confirmed that rebel groups operating in the east are largely financed by illegal trade of minerals, and that elements of the Congolese army are also involved in this trade. In addition to authorising MONUC to take action to prevent support to rebel groups derived from illicit trade in natural resources when it revised the mission's mandate, the Council also called for international cooperation to establish a plan for effective control over exploration of natural resources.

Options

Options for the Council in January include:

- supporting the mediation in eastern DRC by deciding to send a small high-level Council mission to the region and mobilising influential global and regional players to put pressure on both Rwanda and the DRC to stop any support to rebel groups and assist in their demobilisation; and
- formally encouraging troop contributions by UN member states, either to reinforce MONUC or to a separate short-term force and Council members acting in their national capacities to lobby for such contributions in capitals.

In the DRC Sanctions Committee, Council members could begin revising the consolidated travel ban and assets freeze list. Proposals are on the table. The Group of Experts submitted proposals to the Committee in that regard in a confidential annex to its report. The other recommendations in the report could be addressed as well.

Council and Wider Dynamics

The Council overcame one of its major differences on MONUC's mandate with the agreement reached in November on the need for additional troops. Negotiations both on the mandate renewal and sanctions were therefore fairly smooth.

The Secretary-General's request for a bridging force to support MONUC has created

internal tensions in the EU. French President Nicolas Sarkozy said on 12 December that African and not EU troops should be sent to reinforce MONUC. The UK, which until 1 January was in charge of one of the two rapid-reaction European battle groups that could be deployed, argues that the first priority must be to reinforce MONUC. The UK also maintains that the battle group was never designed for DRC-type operations and that it is important to keep a single chain of command. Belgium has been the chief advocate of European intervention, offering to contribute several hundred troops, but prefers not to take the lead because of its colonial past. Given the lack of support from major EU countries to deploy one of the battle groups, the possibility of an ad hoc European force is reportedly being explored, but this would take time and there is no obvious candidate to take the lead.

UN Documents

Selected Security Council Resolutions

- S/RES/1856 (22 December 2008) renewed MONUC's mandate until 31 December 2009.
- S/RES/1857 (22 December 2008) renewed the sanctions regime for DRC and extended the mandate of the Group of Experts until 30 November.
- S/RES/1843 (20 November 2008) authorised the temporary deployment of additional troops to reinforce MONUC's capacity.
- S/RES/1807 (31 March 2008) lifted the arms embargo for government forces, strengthened measures related to aviation and customs, renewed until 31 December 2008 the sanctions regime on the DRC and extended the mandate of the Group of Experts for the same period.
- S/RES/1698 (31 July 2006), 1649 (21 December 2005) and 1596 (18 April 2005) strengthened sanctions, including, in resolution 1698, provisions against actors recruiting and using children in armed conflict in the DRC.

Latest Presidential Statements

- S/PRST/2008/48 (22 December 2008) welcomed regional efforts to address the security threat posed by LRA.
- S/PRST/2008/40 (29 October 2008) condemned the rebel CNDP offensive in the eastern region of the DRC and

noted the request for reinforcement of MONUC.

- S/PRST/2008/38 (21 October 2008) expressed concern about the resurgence of violence in the eastern parts of the DRC, requested a comprehensive analysis of the situation from the Secretary-General and recommendations for the renewal of MONUC's mandate in the next report for the Council's consideration.

Latest Secretary-General's Report

- S/2008/728 (18 November 2008) was the fourth special report on the DRC.

Selected Sanctions Committee Document

- S/2008/773 (12 December 2008) was the latest report of the Group of Experts for the DRC.

Other

- S/2008/791 (15 December 2008) was the response from Rwanda to the accusations of the Group of Experts for the DRC
- S-8/1 (1 December 2008) was the resolution adopted by the Special Session of the Human Rights Council.

Other Relevant Facts

Chairman of the DRC Sanctions Committee

Ambassador R.M. Marty M. Natalegawa (Indonesia) (outgoing as of 31 December)

Group of Experts

- Sergio Finardi (Italy, aviation expert)
- Jason Stearns (USA, regional expert and coordinator of the Group)
- Mouctar Kokouma Diallo (Guinea, customs expert)
- Peter Danssaert (Belgium, arms expert)
- Dinesh Mahtani (UK, finance expert)

Special Representative of the Secretary-General and Head of Mission

Alan Doss (UK)

MONUC Interim Force Commander

Lieutenant General Babacar Gaye (Senegal)

Size, Composition and Cost of Mission

- *Strength as of 31 October 2009:* 16,702 troops, 723 military observers, 1,090 police, 961 international civilian personnel and 2,159 local civilian staff, 565 UN volunteers.

- *Approved budget* (1 July 2008-30 June 2009): \$1,242.73 million

Duration

30 November 1999 to present; mandate expires on 31 December 2009.

Protection of Civilians in Armed Conflict

Expected Council Action

In January the Council will hold an open debate (delayed from November) on protection of civilians in armed conflict. It will most likely be preceded by an Arria formula meeting. (It is Council practice to take up this issue twice a year; the last debate was held in May 2008.)

The Under Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator, John Holmes, is expected to present proposals for an update of the aide-memoire on protection of civilians that was endorsed by the Council in its presidential statement of 15 March 2002 and revised in 2003. A likely outcome is a presidential statement approving a revised aide-memoire.

Please see our in depth *Cross-Cutting Report on Protection of Civilians* of 14 October 2008 for detailed information on the Council's history of dealing with the issue of protection of civilians both thematically and in country-specific situations.

Recent Developments

In May 2008 Holmes gave the Council a briefing that focused on three issues: conduct of hostilities, sexual violence and humanitarian access. The Council adopted a presidential statement that:

- Reaffirmed its commitment to implement all its previous resolutions and statements on protection of civilians;
- Condemned all violations against international law committed against civilians in armed conflict, and demanded an end to such practices;
- Underlined the importance of access of humanitarian personnel to provide assistance to civilians in armed conflict;
- Recognised the valuable role of regional organisations and other intergovernmental institutions; and
- Requested the Secretary-General to submit his next report on protection of civilians by May 2009, and to include an

update on the implementation of protection mandates in UN peacekeeping missions.

Since the open debate in May, protection of civilians has become a constant problem in many country-specific situations under discussion by the Council. In particular, in the Democratic Republic of the Congo (DRC) and Somalia the impact on civilian populations has worsened dramatically. Serious problems remain in Sudan, Iraq and Afghanistan where civilians continue to suffer and are often deliberately attacked. In some cases the Council has taken action by strengthening protection mandates.

On 22 September the Council adopted a resolution extending the authorisation of the International Security Assistance Force (ISAF) in Afghanistan with stronger language on protection of civilians. It called on ISAF and other international forces to take additional robust measures to minimise the risk of civilian casualties. Civilian casualties—especially those caused by the US-led Operation Enduring Freedom—have fueled public anger across Afghanistan. They have also led to tensions between the UN and the coalition as well as between the Afghan government and its western allies. (See our October 2008 *Forecast* for more information.) The leadership of ISAF has not implemented the Secretary-General's recommendation to provide specific information on steps taken to ensure protection of civilians during the conduct of hostilities in its quarterly reports to the Council. (This recommendation, presented in the Secretary-General's latest report on protection of civilians of 31 October 2007, was also addressed to the multinational forces in Iraq.)

On 20 November, in response to the humanitarian crisis in eastern DRC following the outbreak of hostilities, the Council adopted a resolution authorising a temporary increase in the troop level of the UN Mission in the DRC (MONUC) by up to 2,785 military personnel and 300 police. This was intended to enhance MONUC's capacity to protect civilians and came after the mission was criticised for failing to fulfill its protection mandate during the recent resurgence of violence in the eastern part of DRC. (See our November and December 2008 *Forecasts*). The crisis led to large-scale population displacement and widespread



human rights violations, including targeted killing of civilians.

Protection of civilians also remained a key issue in Sudan, and particularly in Darfur. In its resolution of 31 July 2008 extending the mandate of the AU/UN Hybrid Operation in Darfur (UNAMID) for a further 12 months, the Council underlined the need for the mission to make full use of the current mandate and capabilities to protect civilians.

At the thematic level, some progress has been made by the Council in line with recommendations in the Secretary-General's last report on protection of civilians. These recommendations include:

- ensuring compliance with international humanitarian law and protection of civilians in the conduct of hostilities;
- taking more robust action against sexual violence;
- ensuring humanitarian access;
- addressing housing, land and property issues; and
- establishing an expert-level Council working group on protection of civilians.

In addition the Secretary-General urged all member states to work to eliminate the impact of cluster munitions on civilians.

The Council addressed the issue of widespread sexual violence in conflict in resolution 1820 of 19 June 2008. The resolution focuses on sexual violence as a tactic of war, and demands that all parties to armed conflict stop all acts of sexual violence against civilians. It also signals the Council's willingness to consider targeted sanctions against perpetrators, one of the Secretary-General's recommendations as well. (For more details please see our 21 October 2008 *Update Report on Women, Peace and Security*.)

On the issue of humanitarian access, the UN Office for the Coordination of Humanitarian Affairs (OCHA) has been working to enhance its capacity to report and analyse access constraints in conflicts. The aim is to develop a tool for the Council to identify appropriate areas for action. Based on pilot

studies carried out in several countries, OCHA is planning to present an analysis on access constraints as an annex to the Secretary-General's next report on protection of civilians.

A significant step forward to eliminate cluster munitions was taken when the Convention on Cluster Munitions was adopted on 30 May 2008 by 107 states at a conference in Dublin. The convention prohibits all use, stockpiling, production and transfer of cluster munitions and on 3 December was opened for signature in Oslo, where 125 states participated in the signing ceremony. The convention will enter into force six months after ratification by at least thirty states.

In preparation for the expected open debate on protection of civilians in late 2008 and in response to a request from some Council members, OCHA undertook to update the aide-memoire first adopted in March 2002. The aide-memoire has not been updated since the first revision in 2003, although a December 2002 presidential statement envisaged an annual update. OCHA is seeking to reflect in the aide memoire the changing priorities identified by the Council and to improve and clarify the language to make it more user friendly and action-oriented. It will suggest including a compendium of language on protection of civilians from previous resolutions. At the time of writing, OCHA was still finalising the text based on consultations with Council members. There do not appear to be any major divisions in the Council on the OCHA approach because the updating is mainly a technical exercise, reflecting agreed Council language. The Council is expected to approve the revised aide-memoire at the time of the open debate.

Key Issues

A fundamental key issue is application of protection commitments made by the Council in the thematic context to country-specific situations.

There are also important outstanding general issues related to implementation of protection mandates in UN peacekeeping operations. (For more detailed analysis and discussion please refer to our *Cross-Cutting Report on Protection of Civilians* of 14 October 2008.) Recent developments in the DRC have demonstrated the urgent need to

address these outstanding issues. Most peacekeeping operations now have protection mandates, but significant challenges remain at the practical level. Along with capacity constraints, there seems to be a lack of common understanding of what types of activities fall under protection of civilians. Similar provisions in protection mandates have been interpreted differently by various peacekeeping operations. In addition, the interpretation has varied among different force contingents.

A case in point is MONUC. It has a strong protection mandate, but has been criticised for not doing enough although it is generally agreed that its resources are stretched to the limit and that the mandate needed to be clarified to address the complex situation on the ground. All this in spite of the intention by the Council expressed in resolution 1674, to ensure that mandates include clear guidelines on protection, that protection of civilians is given priority in allocation of resources and that protection mandates are implemented. MONUC's new mandate adopted on 22 December should respond to these concerns.

The operational issues are unlikely to be taken up by the Council in January. They are now being addressed by an independent study commissioned by the Department of Peacekeeping Operations and OCHA, and conducted by outside researchers. The objective is to produce a report analysing the actual impact on the ground of including protection mandates in peacekeeping operations, examining steps taken by relevant actors to implement these mandates, and making recommendations on how the UN can enhance its ability to protect civilians. The study will be based on field trips to Sudan, Haiti, DRC and Côte d'Ivoire, and a final report is expected in May or June.

Another issue is the Council's past reluctance to discuss the Secretary-General's existing recommendations on protection of civilians. The Council has largely ignored the recommendation to address more effectively the key civilian related questions of housing, land and property disputes and problems resulting from armed conflict. Moreover it has been unable to agree on even an informal working group at the expert-level to discuss protection of civilians. Related to this last issue are questions

on what kind of mechanism would enhance the Council's effectiveness on protection and how to ensure consistency between thematic and country-specific action. There is also the question of who should participate in an informal working group and whether it should be only humanitarian experts or, especially in discussions on peacekeeping operations, experts on country-specific situations or both.

Options

Options for the Council include:

- adopting a presidential statement endorsing the updated aide-memoire presented by OCHA;
- establishing an informal working group at the expert-level to help focus on cross-cutting problems under peacekeeping mandates and ensure that appropriate and consistent protection language is included in mandates and to monitor emerging threats to civilians (perhaps via regular briefings); and
- starting discussions on the Secretary-General's existing recommendations on protection of civilians.

Council Dynamics

There seems to be general agreement that the issue of protection of civilians needs to be advanced in the Council at the country-specific level. However, some countries, both inside and outside the Council, continue to believe that this will be assisted by injecting new political momentum in 2009 at the thematic level as well. The next report of the Secretary-General on protection of civilians (due in May) will roughly coincide with the report on children and armed conflict and a report on sexual violence (the latter due in June). Protection issues seem likely therefore to be prominent on the Council's agenda in both June and July (under the presidencies of Turkey and Uganda respectively.)

New Council members Japan, Uganda and Mexico seem interested in these issues. Mexico has a record from its most recent tenure on the Council (in 2002-2003) of promoting protection issues. In the open debate in November 2007 Mexico expressed support for the Secretary-General's proposal to hold an Arria formula meeting on the issue of housing, land and property rights and it will be interesting to see if it will take up this idea again as a Council member.

A number of Council members seem keen to push for agreement on an informal working group fairly soon once the aide-memoire has been updated. The UN Operation in Côte d'Ivoire is the first peacekeeping mission requiring renewal by the Council in 2009 as its mandate expires on 31 January. It offers an opportunity to test the water on whether the preference for a country-specific approach to protection is sufficient or whether a more cross-cutting approach could add value, or whether there is scope for both.

UN Documents

Selected Security Council Resolutions

- S/RES/1856 (22 December 2008) renewed MONUC's mandate, stressing protection of civilians as the most important priority.
- S/RES/1843 (20 November 2008) authorised temporary deployment of additional troops to reinforce MONUC.
- S/RES/1833 (22 September 2008) extended the authorisation of ISAF in Afghanistan for a period of 12 months beyond 13 October 2008.
- S/RES/1828 (31 July 2008) extended the mandate of UNAMID to 31 July 2009.
- S/RES/1820 (19 June 2008) called for enhanced action on sexual violence.
- S/RES/1674 (28 April 2006) reaffirmed the responsibility to protect as formulated in the World Summit Outcome Document (A/RES/60/1) and expressed the Council's intention to ensure that protection is clearly outlined in peacekeeping mandates and priority given to its implementation.
- S/RES/1265 (17 September 1999) and 1296 (19 April 2000) expressed the Council's willingness to take measures to ensure protection of civilians in armed conflict and to consider how peacekeeping mandates might better address the negative impact of conflict on civilians.

Selected Security Council Presidential Statements

- S/PRST/2008/18 (27 May 2008) reaffirmed previous decisions on protection of civilians and requested a report from the Secretary-General by May 2009.

- S/PRST/2002/6 (15 March 2002) and its update S/PRST/2003/27 (15 December 2003) contained an aide-memoire to assist Council members in including protection mandates in peacekeeping operations.

Selected Reports of the Secretary-General on Protection of Civilians

- S/2007/643 (28 October 2007) is the most recent report.
- S/1999/957 (8 September 1999) was the landmark first report on the issue.

Latest Council Meeting Record

- S/PV.5898 and res1 (27 May 2008)

Useful Additional Resources

- *Killings in Kiwanja, The UN's inability to protect*, Human Rights Watch December 2008

Sudan (North/South)

Expected Council Action

The Secretary-General's quarterly report on the UN Mission in the Sudan (UNMIS) is expected by 23 January. It is expected to recommend a review of the size of the UNMIS police component. The report is likely to be discussed in early February, but preparations and thinking will already be underway between Council members in January. The Secretary-General's Special Representative for Sudan Ashraf Qazi may brief the Council. The UNMIS mandate expires on 30 April.

Also expected by 15 January is an interim report of the Panel of Experts to the Sudan Sanctions Committee.

Key Recent Developments

Under the Comprehensive Peace Agreement (CPA) between north and south Sudan, elections at all levels are supposed to be held by 9 July. There is growing concern that this now appears unachievable. Several other important dates are also approaching. The Assessment and Evaluation Commission (AEC) is expected to submit its report on implementation of the CPA in both Southern Kordofan and Blue Nile states in 2009, concluding the popular consultations.

In addition, the Permanent Court of Arbitration in The Hague is expected to hand down its decision in mid-2009 on whether the



Abyei Boundary Commission (ABC) exceeded its mandate. The ABC was tasked with demarcating a border between northern and southern groups in Abyei. President Omar al-Bashir rejected the report's conclusions in July 2005.

Results of the national population census conducted between 22 April and 5 May are anticipated in early 2009 as is the technical committee's report on north-south border demarcation after a three-year delay. In early 2009 the International Criminal Court (ICC) is expected to decide whether to issue an arrest warrant against Bashir.

In Abyei, violence erupted again on 12 December involving members of the military joint integrated units (JIUs) and joint integrated police units (JIPUs), resulting in at least one death and thousands of civilians fleeing again. Adding to north-south tensions, the Sudanese government deployed six northern battalions to Southern Kordofan after members of the Darfur rebel group Justice and Equality Movement (JEM) apparently entered this transitional area in late November. JEM had previously launched an unprecedented attack on Omdurman in May. Khartoum said the new northern force had no intention to attack the south's Sudan People's Liberation Army (SPLA) also deployed in the area. The South Sudanese government claims that Khartoum's unilateral decision to deploy troops in Southern Kordofan violates the CPA.

The Chairman of the AEC, Sir Derek Plumby, briefed the AU Peace and Security Council on 24 November and briefed the UN Security Council in a closed session on 10 December. The AEC was established under the CPA to oversee and report on its implementation. The Chairman informed both the UN and AU bodies that mistrust remained, and much of the CPA remained to be implemented even though peace had been preserved since the CPA was signed in 2005. He listed five critical concerns: Abyei, border demarcation, security sector reform, elections, and the 2011 referendum and its aftermath.

On Abyei, he said redeployment of northern Sudanese Armed Forces and southern SPLA troops remained incomplete. Reconstruction and reconciliation was a priority. The transitional area of Southern Kordofan was awash with arms, problems with power-sharing continued, and aid and government funding was inadequate. He said recent gains, such as the redeployment of SPLA troops and moves to integrate the former SPLM/A police and civil service, needed building upon.

On security, the AEC Chairman said high defence expenditure and the concentration of forces in border areas reflected mistrust between the parties. JIUs lacked equipment, transport, shelter, healthcare and training and were neither joint nor integrated.

Sudan's nine-member National Elections Commission (NEC), appointed in late November, remains unstaffed and has yet to develop policy on issues such as voter registration. Other outstanding electoral tasks include revising legislation that does not conform to the interim constitution, starting voter education programmes and drawing up of constituency boundaries, which will necessarily rely in part on the still-undemarcated north-south border and the unannounced April census results. While elections seem impossible by 9 July, parties involved say only the NEC has authority to postpone the election.

During a 3 December briefing to the Council, ICC Prosecutor Luis Moreno-Ocampo said President Bashir continued to implement his plan to destroy entire ethnic groups. In late November three human rights activists were detained by Sudanese authorities and interrogated about their relationship with the ICC.

From 24 to 30 November, UN Under Secretary General for Humanitarian Affairs and Emergency Relief Coordinator John Holmes travelled through Sudan to assess the humanitarian and security situation. On 3 December, he told the Council that South Sudan was no longer a humanitarian emergency, but that it still had some of the worst child and maternal health indicators in the world. He earlier had said the capacity of the South Sudanese government must be enhanced so it could assume responsibility for healthcare, education and other services.

On 14 December soldiers from the armed forces of South Sudan, Uganda and the Democratic Republic of Congo (DRC) commenced a joint operation against the Lord's Resistance Army (LRA) headquarters in Garamba forests of eastern DRC. The main camp of LRA leader Joseph Kony was reportedly destroyed. The operation was launched after Kony failed to meet a 30 November deadline to sign the final peace agreement with the Ugandan government.

Sudan Sanctions Committee

On 10 December the Chairman of the 1591 Committee on Sudan sanctions briefed the Council on the Committee's consideration of the recommendations in the latest report of its Panel of Experts. Some Committee members doubted the effectiveness of expanding the arms embargo to the whole of Sudan, Chad and northern Central African Republic, as recommended by the Panel. The Committee agreed to seek the Secretariat's views on mainstreaming arms embargo monitoring within UNAMID. The Committee also agreed to invite the permanent representatives of Chad and Sudan to discuss the panel's report.

On 12 December, the Committee received a briefing from the NGO Human Rights First, on violations of the arms embargo. Human Rights First asked the Council to place travel bans and asset freezes on individuals identified as violating the arms embargo, ban aviation companies transporting arms to Darfur and widen the arms embargo.

On 15 December the chair of the Sudan Sanctions Committee, Italy, told the Council many of the panels' recommendations had not been given the desired follow-up because of a lack of consensus among Council members on the role of sanctions to end the conflict in Darfur and on the conflict itself.

Human Rights

On 28 November the UN High Commissioner for Human Rights released a report focusing on arbitrary arrests and detention by national security, military and police in Sudan. The report concluded that in South Sudan, Abyei, Blue Nile State, Southern Kordofan and

Khartoum, arbitrary arrests and detention were widespread and often linked to other serious human rights violations such as torture. Report recommendations included institutional reforms, an increase in resources and independence for judges and prosecutors, and the creation of strong human rights monitoring mechanisms.

Key Issues

A key issue is the ongoing sustainability of peace under the CPA in light of the growing tensions and occasional outburst of fighting. A related question is whether the Council can and should become more involved in a conflict prevention role, in particular encouraging implementation of the CPA and perhaps reviewing whether it may be possible to arrest the drift in implementation of the CPA by developing a new role and capabilities for UNMIS in support of the agreement.

A major underlying issue is the mistrust between north and south fanned by reports that Khartoum and the SPLM are building up their armed forces. A concern is that parties may seek a military solution to resolve key issues such as border demarcation. A related question is whether an earlier recommendation to increase the strength of UNMIS by 600 troops and redeploy UNMIS assets will be implemented in a timely manner to assist mitigation of potential conflicts.

The decision of the ICC judges on the requested indictment for Bashir is primarily a Darfur related issue. But there is an underlying concern by some that this could trigger actions by elements in the south to exploit the situation and directly challenge Khartoum.

Options

On north-south issues one option for the Council is to adopt a more proactive approach, including:

- calling on troop contributors to provide the additional 600 troops recommended in October following the review of UNMIS military capabilities;
- requesting the Secretary-General to provide greater detail on the operations of JIUs and JIPUs and advice on resources available at UNMIS' disposal to better support them;

- requesting more regular (perhaps once a month) informal briefings by the Secretariat on CPA implementation, given the number of outstanding CPA related tasks due in 2009; and
- recalling the Council's request in resolution 1812 for the Secretary-General to provide an assessment and recommendations on measures UNMIS might take to further support elections, and to advance the peace process, particularly in light of the establishment of the NEC and request from the South Sudanese government for support for the elections.

Council Dynamics

While mindful of the importance of the CPA and the growing risks, Council members have historically taken a lower-key approach on north-south issues. This tends to play out as a "wait and see" position. With no one on the Council willing at this stage to take any initiative, it seems that a low-key approach to north-south issues will continue in January.

It remains to be seen how the incoming US administration will pursue its policy on Sudan. On 31 December five elected members will leave the Council, including South Africa, which had been particularly active on Sudan. It seems unlikely that the new members will significantly affect Council dynamics on the issue, although Uganda as a neighbour of South Sudan, and with a number of interests in common, may place greater weight on more proactive Council support for the CPA.

UN Documents

Selected Security Council Resolutions

- S/RES/1828 (31 July 2008) renewed UNAMID.
- S/RES/1812 (30 April 2008) renewed UNMIS.
- Resolutions 1591 (29 March 2005) and 1556 (30 July 2004) imposed sanctions.
- S/RES/1593 (31 March 2005) referred the situation in Darfur to the ICC.

Selected Reports

- Tenth periodic report of the United Nations High Commissioner for Human Rights on the situation of human rights in the Sudan (28 November 2008) was the report on arbitrary

arrest and detention committed by national security, military and police based on investigations in Southern Sudan, Abyei, Blue Nile State, Southern Kordofan, and Khartoum.

- S/2008/647 (7 November 2008) was the final report of the Panel of Experts.
- S/2008/662 (20 October 2008) was the latest UNMIS report.

Selected Council Meeting Records

- S/PV.6043 (15 December 2008) was a briefing by the Chairmen of subsidiary bodies of the Council including the Sudan Sanctions Committee.
- S/PV.6029 (3 December 2008) was a briefing by the Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator, John Holmes on the situation in Chad and the Sudan.
- S/PV.6028 (3 December 2008) was a briefing by the Prosecutor of the International Criminal Court Luis Moreno-Ocampo on the situation in Sudan.
- S/PV.6010 (5 November 2008) was the latest UNMIS briefing.

Other Relevant Facts

UNMIS: Special Representative of the Secretary-General

Ashraf Qazi (Pakistan)

UNMIS: Size, Composition and Cost

- *Maximum authorised strength*: up to 10,000 military and 715 police personnel
- *Strength as of 31 October 2008*: 8,728 troops, 622 observers and 687 police
- *Main troop contributors*: India, Pakistan and Bangladesh
- *Cost*: 1 July 2008-30 June 2009: \$858.77 million

UNMIS: Duration

24 March 2005 to present; mandate expires 30 April 2009

Useful Additional Resources

- Human Rights First, *Arms Sales to Sudan, 2004-2006*, October 2008.
- Assessment and Evaluation Commission, *Mid-Term Evaluation Report*, July 2008



Briefing by the High Commissioner for Refugees

Expected Council Action

The UN High Commissioner for Refugees (High Commissioner), António Guterres, is expected to brief the Council on 8 January. He will highlight significant refugee issues and situations involving widespread displacement and underline links with threats to international peace and security. It is unclear whether Council members plan any Council action as a result of the briefing.

The High Commissioner was last invited to address the Council on 24 January 2006.

Interaction between the Council and the High Commissioner for Refugees

The Council's willingness to draw on the High Commissioner's expertise has varied over time, despite the acknowledged links between peacemaking, peacekeeping and humanitarian crisis involving refugees and population displacement.

The first High Commissioner to address the Council was Sadako Ogata in March 1993 during the violent break-up of the former Yugoslavia, when millions were displaced. But her briefings routinely covered many other situations of concern. Council members found her inputs helpful, and refugee issues appeared on the Council's agenda with increasing frequency in her ten-year term, during which she addressed the Council on 12 separate occasions (including public and non-public meetings).

Ogata highlighted the inextricable connection between refugees and contemporary conflicts in her last briefing to the Council in November 2000. This was due to the primarily internal and intercommunal nature of these conflicts. Factors such as the brutal expulsion of entire communities from specific areas have become commonplace and often a key driver of instability. Refugee flows from internal conflicts have threatened peace and security across borders in many areas.

Ogata also agreed strongly that in post-conflict situations, the return of refugees and internally displaced persons, if well managed, can contribute to the reestablishment of peace. She emphasised that “durable stability may be difficult to achieve without the return of refugees and displaced persons.” Ogata also outlined how a humanitarian response is unlikely to succeed unless it is accompanied by an adequate security response.

Since Ogata left the post of High Commissioner in 2000, briefings to the Council have become much less frequent. Ogata’s successor, Ruud Lubbers, addressed the Council four times during the course of his term as High Commissioner from 2001 to 2005. Guterres’ briefing on 8 January will be only his second since assuming office in 2005.

Key Issues

Guterres is expected to discuss the interface between UNHCR’s role and that of the Council. He is likely to raise significant issues and situations where the Council’s attention and action may be warranted.

A key issue of concern to the High Commissioner is the linkage between current trends of forced displacement and the peace and peacebuilding agenda. He is likely to identify specific challenges faced in responding to the needs of affected populations throughout the cycle of displacement. For example, the protection of civilians, and particularly the vulnerability of women and children in refugee populations is likely to be emphasised.

Protection of refugees and the search for durable solutions are at the core of UNHCR’s mandate. The High Commissioner may raise issues where the Council could be more active in recognising refugee situations that are currently beyond the global spotlight.

Particular field situations with consequences for global security (such as Pakistan/Afghanistan) and those with more regional impact (like the Democratic Republic of Congo – DRC) are also likely to be discussed. On a thematic level, he may address new dynamics in forced displacement, including the emergence of new forms of displacement triggered by acute poverty, lack of access to natural resources

and climate change. Given the severity of recent examples, he may also address the issue of the physical security of refugees and internally displaced persons, including sexual violence against women and girls (recently occurring in Chad, the DRC, and the Central African Republic) and attacks on refugee camps, as recently seen in Darfur.

One possible theme of the High Commissioner’s briefing might be the importance of the Council’s role in acting at an earlier stage to address emerging problems of forced displacement of populations and, thus, preventing the humanitarian and security crises that can result. He is also likely to underline that durable solutions to refugee crises ultimately lie in the political rather than humanitarian domain and hence the importance of a larger and earlier Council role.

Council Dynamics

France (which holds the Council presidency in January 2009), took the initiative to propose that the High Commissioner address the Council. Other members of the Council are likely to be broadly supportive of the High Commissioner’s objectives. However, the fact that the High Commissioner’s briefings to the Council have become fewer and more sporadic in recent years suggests that members may have forgotten the value that the Council derives from regular High Commissioner briefings in the past.

Options

Given the practical importance of refugee issues to many of the issues on the Council agenda, some members seem likely to favour recommencing more frequent and regular briefings by the High Commissioner. In the context of recent international humanitarian and refugee crises in DRC, Afghanistan and Somalia, country-specific briefings by the High Commissioner may add value to the Council’s future work.

Historical Background

Previous meetings of the Security Council with High Commissioners for Refugees:

António Guterres (2005 to present)

2006 (24 January)

Ruud Lubbers (2001 to 2005)

2004 (20 May)

2002 (7 February)

2001 (9 January and 8 March)

Sadako Ogata (1990 to 2000)

2000 (13 January and 10 November)

1999 (5 May)

1998 (21 April)

1997 (28 April)

1996 (28 June and 25 October)

1993 (11 March)

(We have been unable to determine the dates for four occasions on which Sadako Ogata met with the Council.)

UN Documents

Selected Security Council Agendas

- S/Agenda/5353 (24 January 2006); S/Agenda/4973 (20 May 2004); S/Agenda/4470 (7 February 2002); S/Agenda/4291 (8 March 2001); S/Agenda/4219 (10 November 2000) were provisional agendas for meetings of the Security Council (briefings by the High Commissioners).

Selected Council Meeting Records

- S/PV.5353 (24 January 2006) Guterres’ briefing to the Security Council.
- S/PV.4973 (20 May 2004) Lubbers’ briefing to the Security Council.
- S/PV.4470 (7 February 2002) Lubbers’ briefing to the Security Council, recalling resolution 1373 which called on states to work together to prevent and suppress terrorist acts and to prevent terrorists taking advantage of the terrorist system.
- S/PV.4291 (8 March 2001) Lubbers’ briefing to the Security Council.
- S/PV.4219 (10 November 2000) Ogata’s briefing to the Security Council.
- S/PV.4089 (13 January 2000) Ogata’s briefing to the Security Council discussing humanitarian assistance to refugees in Africa.
- S/PV.3875 (24 April 1998) Ogata’s briefing to the Security Council.

Other

- (5 May 1999) Ogata’s briefing to the Security Council. Available at: <http://www.unhcr.org/admin/ADMIN/3ae68fc14.html>
- (28 April 1997) Ogata’s briefing to the Security Council. Available at: <http://www.unhcr.org/admin/ADMIN/3ae68fbb1c.html>
- (25 October 1996) Ogata’s briefing to the Security Council. Available at:

<http://www.unhcr.org/admin/ADMIN/3ae68fbec.html>

- (28 June 1996) Ogata's briefing to the Security Council. Available at: <http://www.unhcr.org/admin/ADMIN/3ae68fae10.html>
- (11 March 1993) Ogata's briefing to the Security Council. Available at: <http://www.unhcr.org/admin/ADMIN/3ae68fcd0.html>

West African Regional Issues (UNOWA)

Expected Council Action

In January the Council is expecting the second semi-annual report of the Secretary-General on the UN Office for West Africa (UNOWA), which is due by 31 December. The mandate of UNOWA expires on 31 December 2010.

Recent Key Developments

On 18 July the Council was briefed in private consultations by the Special Representative of the Secretary-General for West Africa and head of UNOWA, Said Djinnit, on the Secretary-General's first semi-annual report on UNOWA. The report covered the period from 1 January to 30 June and was submitted in line with the Council's written request to the Secretary-General on 21 December 2007 for more frequent reports on the office. The report indicated that significant progress had been made in peace consolidation and democratic governance in the subregion with peaceful elections organised and increased international engagement in peacebuilding efforts. The Council took no action on this report.

Peacekeeping missions in the subregion are beginning to draw down as a result of the strengthened national capacity for post-conflict reconstruction, for example, in Liberia and Sierra Leone.

Two countries of the subregion, Guinea-Bissau and Sierra Leone, had been placed on the agenda of the UN Peacebuilding Commission (PBC).

The Economic Community of West African States (ECOWAS) has been displaying increased capacity to tackle political, security, economic and social challenges in the

area, including effects of the global food crisis.

Key challenges confronting the region identified by the Secretary-General included perennial issues of high rates of youth unemployment, rapid urbanisation and irregular migration, emerging or increasing issues of human and drug trafficking, insecurity in the Sahelian region, and social and economic (notably food) crises.

Drug trafficking is a particularly serious and growing problem in the subregion. During a high-level conference on security aspects of drug trafficking held in the Cape Verdean capital Praia, the Executive Director of the UN Office on Drugs and Crime (UNODC), António Maria Costa, on 28 October cautioned that West Africa was at the heart of an illegal drug trade transporting massive amounts of narcotics from South America to Europe with dangerous implications for the region. He estimated that at least fifty tonnes of cocaine from Andean countries passed through the subregion annually, destined mostly for France, Spain and the United Kingdom with a value of some \$2 billion. According to a report launched by UNODC at the Praia meeting, cocaine seizures in the subregion had doubled every year for the past three years.

During the meeting, ECOWAS ministers agreed on a political declaration on drug trafficking and organised crime in West Africa and an ECOWAS regional response plan. The declaration expresses political commitment by ECOWAS governments for fighting the illicit drug trade while the response plan outlines actual steps to meet the challenges, assigns responsibilities to relevant stakeholders and sets out the timeframe for expected concrete results to determined projects and tasks.

Key Issues

The key issue for Council members is whether a regional approach to trends in peace and security in the West African subregion is paying dividends. The second semi-annual report is expected to highlight cross-cutting and cross-border developments in the subregion. It is also expected to focus on efforts being made by UNOWA to raise awareness of emerging threats and challenges in promoting consultations and synergies at the subregional level and in liaising with and assisting ECOWAS in the promotion of peace and stability.



Options

Council options include:

- issuing a press statement highlighting key concerns if it is assessed that the regional approach is not delivering as expected;
- considering the Secretary-General's report without making any statement;
- utilising discussion of the report to assess various fragile situations currently not on the Council's agenda but subsumed under the regional mandate of UNOWA (e.g. Guinea and Mauritania); and
- using the event to build on its collaboration with the PBC and emphasising the role for UNOWA in working with the PBC on consolidating peace in the West African subregion.

Council Dynamics

Council members expect the Secretary-General's second semi-annual report to provide an overarching view of the subregional situation. The renewal of UNOWA's mandate in December 2007 was somewhat bumpy for the Secretariat because a number of Council members were dissatisfied with UNOWA's progress. The Council accordingly requested more frequent reports in order to be more regularly informed about the work of the office and to assess its continued utility. For more detailed information on this issue please refer to our June 2008 Forecast.

UN Documents

Selected Presidential Letters

- S/2008/128 (26 February 2008) was the letter of the president of the Security Council taking note of the intention of the Secretary-General to appoint Said Djinnit as Special Representative.
- S/2007/754 (21 December 2007) welcomed the intention of the Secretary-General to extend the mandate of UNOWA until 31 December 2010 and requested more frequent reports.
- S/2004/858 (25 October 2004) was the letter of the president of the Security Council welcoming the

Secretary-General's decision to extend the mandate of UNOWA.

- S/2001/1129 (29 November 2001) welcomed the intention of the Secretary-General outlined in S/2001/1128 (26 November 2001) to establish UNOWA for three years from January 2002 to 31 December 2004, subject to a review after its first year of operation.

Selected Secretary-General's Letters

- S/2008/127 (21 February 2008) was a letter conveying the Secretary-General's intention to appoint Said Djinnit as his Special Representative for West Africa and Head of UNOWA.
- S/2007/753 (28 November 2007) was a letter conveying the Secretary-General's intention to renew the mandate of UNOWA until 31 December 2010.
- S/2005/16 (14 December 2004) was the Secretary-General's letter to the Security Council conveying the intended mandate functions and activities of UNOWA from 1 January 2005 to 31 December 2007.
- S/2004/797 (4 October 2004) was the Secretary-General's letter indicating his intention to extend the mandate of UNOWA for three years.

Selected Secretary-General's Reports

- S/2008/426 (30 June 2008) was the first semi-annual report of the Secretary-General on UNOWA.
- S/2007/294 (18 May 2007) was a midterm review of UNOWA initially envisaged for July 2006.
- S/2007/143 (13 March 2007) was the report on cross-border issues in West Africa.
- S/2004/797 (4 October 2004) was a review of activities and performance of UNOWA spanning the January 2003 to July 2004 period.

Selected UNOWA Studies and Concept Papers

Available at: <http://www.un.org/unowa/studies/studies-cp.htm>:

- *Working Document on Sanctions in Africa* (June 2007)
- *Security Landscape and Peace Consolidation in West Africa* (March 2007)
- *Youth Unemployment and Regional Insecurity in West Africa – A UNOWA Issue Paper*, 2nd edition (August 2006)
- *Life after State House: Addressing Unconstitutional Changes in West*

Africa – A UNOWA Issue Paper (March 2006)

- *Youth Unemployment and Regional Insecurity in West Africa – A UNOWA Issue Paper*, 1st edition (December 2005)
- *Elections scheduled between April 2005 and December 2007 in West Africa* (June 2005)
- *Security Sector Reform and Conflict Prevention in West Africa: Challenges and Opportunities – Dakar Workshop* (November 2004)
- *The Regional Impact of the Crisis in Côte d'Ivoire* (April 2004)

Other Relevant Facts

Special Representative of the Secretary-General

Said Djinnit (Algeria)

UNOWA: Size and Composition

Staff Strength (as of 30 April): six international civilians; 11 local civilians

UNOWA: Duration

29 November 2001 to present; mandate expires on 31 December 2010

Nepal

Expected Council Action

In January the Council is expected to consider the future of the UN Mission in Nepal (UNMIN). Its mandate expires on 23 January. UNMIN was set up in January 2007, initially for one year. It has had two six-month extensions at the request of the Nepalese government.

The Council's discussion is likely to focus on Nepal's 12 December request for a further six-month extension. Agreement on progressive downsizing seems likely.

Ian Martin, the Secretary-General's Special Representative in Nepal, is expected to brief the Council on 16 January on the Secretary-General's report, which is likely to contain recommendations for the mission.

Recent Key Developments

Nepal's interim constitution provides for the formation of a special committee to supervise, integrate and rehabilitate the national and former rebel armies. The formation of the special committee took some time because political parties objected to a

member of the CPN-Maoists heading the committee as combatants of the Maoist People's Liberation Army would be part of the integration process. The special committee was finally established on 28 October. However, at the time of writing, the committee had not held its first meeting. One of the problems is that the Nepali Congress, the main opposition party, has refused to name a representative. It objects to the composition and terms of reference set by the government and feels that it was not adequately consulted.

The Chinese foreign minister, Yang Jiechi, visited Nepal from 2 to 4 December 2008. During the visit he said China would expedite the construction of a delayed road project linking Nepal with Tibet and pledged \$14.8 million in aid. The Chinese foreign minister invited Nepal's prime minister, Pushpa Kamal Dahal (also known as Prachanda), to visit Beijing early in 2009. Two Chinese military delegations also visited Nepal between late October and early November.

Under Secretary-General, Special Representative for Children and Armed Conflict, Radhika Coomaraswamy, visited Nepal from 1 to 6 December. Her visit focused on the release and reintegration of former child soldiers as well as the current use of children by armed groups such as the Young Communist League and some Terai groups like the Madhesi Mukti Tigers. During her visit, the prime minister agreed to begin discharging former child soldiers from the cantonments in consultation with the UN Country Team.

The Secretary-General visited Nepal on 31 October and 1 November 2008. He met the prime minister and other top officials including President Ram Baran Yadav, Foreign Minister Upendra Yadav and former Prime Minister Girija Prasad Koirala. During his visit he urged the government to move ahead with integrating and rehabilitating Maoist combatants and discussed the future of UNMIN.

Martin briefed the Council on 7 November. The Secretary-General was also expected to brief the Council on his recent visit to Nepal, but he had to travel due to the DRC crisis. Following the briefing, the president of the Council told the press that the Council had reaffirmed its support for the peace

process and welcomed the progress made so far. Council members also urged the government and other political parties to “work together in a spirit of compromise” to expedite the peace process and make the decisions needed for UNMIN to complete its work.

The UN condemned an attack on 21 December on staff at the Himal Media publishing house in Kathmandu as an assault on freedom of expression. Witnesses and journalists were beaten and the office ransacked. The attackers described themselves as supporters of the CPN-Maoists and as angry at critical coverage. On 21 December, 300 journalists and human rights activists protested against the attacks. Police injured six people when they used batons to break up the protests. Prachanda, who said he will order an investigation into the incident, has said that the attack was done by “immoral agents” who had infiltrated the Maoists.

In December, the Office of the High Commissioner for Human Rights released a report documenting 170 cases of disappearances during the ten-year civil war in Nepal. One hundred and fifty-six of the disappearances came after arrests by the former government’s security forces. The CPN-Maoists have acknowledged killing 12 of the 14 victims cited in the report.

Options

Possible options include:

- deciding not to renew UNMIN (which is possible but most unlikely);
- approving a short rollover for UNMIN while the Secretary-General seeks more details on the time frame for the integration of the national and former rebel armies;
- extending UNMIN’s current mandate for six months as requested by Nepal;
- approving renewal but including language signaling to the Nepalese parties that UNMIN cannot continue indefinitely; and
- adjusting UNMIN’s mandate to include not only the suggestions from Kathmandu but also the elevation of UN involvement in security sector reform in liaison with the Nepalese special committee.

Other options include:

- requesting the Secretary-General to provide details for a follow-on political

mission to eventually replace UNMIN;

- requesting the Secretary-General to report in three months, focusing on an exit strategy for UNMIN;
- conveying to the Nepalese government the need to meet clear benchmarks in the next six months so that UNMIN can fulfill its mandate and close down; and
- requesting Council experts to begin developing alternatives for the arms monitoring role after UNMIN leaves.

Key Issues

An immediate issue is how long UNMIN should remain in existence. Resolution 1825 of 23 July 2008 said that the current monitoring arrangements should not be necessary for a substantial period and indicated that the mission should be concluded within “the period of this mandate” (i.e. by 23 January 2009). However, it now seems that lack of progress means that UNMIN will be needed for another six months.

A related issue is determining adequate progress with the task of arms monitoring. Some see the point at which the special committee is fully functioning as the key threshold. Others say it will be completed only when decisions are made about the future of combatants and implementation is underway.

How quickly the special committee will be able to cooperate and find consensus across widely differing party lines in order to make essential decisions about army integration is therefore a vital underlying issue. Progress is likely to be hampered by diverse views on the extent to which Maoist army combatants should be integrated into the national army.

A continuing issue is the type of role the UN should play in Nepal in the future. Questions include whether UNMIN should be replaced by a special political mission or whether the remaining tasks could be carried out by other UN bodies already in Nepal.

A continuing issue is the discharge of the 2,975 soldiers who were under age 18 at the time of their recruitment. During Coomaraswamy’s visit in early December, Prachanda agreed to release these soldiers by March 2009. However, some observers are skeptical that this timetable will be kept.

An issue of increasing concern is the return



of property confiscated by the Maoists during the ten-year conflict. Prachanda was unable to make good on his promise made in parliament in October to return property to the owners by mid-December. Regular protests took place in Kathmandu over this issue in early December. In late December Prachanda proposed forming a parliamentary committee composed of representatives of the major political parties to come up with a report on seized property.

Related are other peace process commitments that have not been implemented: compensation for victims of the conflict; investigations into the fate of those disappeared; return of displaced persons, property seized during the conflict; and the slow establishment of commissions, including a peace and reconciliation commission.

Among the continuing issues are how to keep political parties’ youth groups of within the law and possible repercussions if senior army officers are given impunity for human rights and humanitarian law violations.

Council and Wider Dynamics

Most Council members appear open to the six-month extension with many cognisant of the dangers of withdrawing UNMIN too quickly. However, some members would have preferred that the letter from the Nepalese government include more details on UNMIN’s remaining tasks as well as a clearer timetable for when the Nepalese government hopes to meet key benchmarks in the political process.

There also appears to be agreement that the mission should be no larger than is strictly necessary for the remaining tasks. The fact that UNMIN has downsized from 800 to 300 since July 2008, following the successful holding of Constituent Assembly elections earlier in the year, has been met with approval from most Council members.

There is a growing concern among some members that UNMIN’s monitoring mandate might morph into a long-term task. Members like France and the UK are toying

with various alternatives including a three-month review clause in the next mandate in order to convey the Council's seriousness about wanting UNMIN to conclude this aspect of its mandate in the next six months.

There are differences over whether UNMIN's mandate should be eventually adjusted. Some members like the UK are open to a political mission in the future, but China is cautious. The Nepalese government has not included any new functions for UNMIN in their latest request.

China maintains its position of respecting the Nepalese government's wishes and appears comfortable with its request for UNMIN to be extended for another six months so that the mission can continue with its monitoring function.

It appears unlikely that any of the new Council members will take radically different positions from the majority on UNMIN's extension. Japan, as the new Asian country coming onto the Council, is the most likely to have an active interest in the issue. At the last open debate in July, held before UNMIN's mandate was renewed, Japan voiced support for a six-month extension following the government's request. But Japan also cautioned that the UN could not continue to monitor arms and soldiers indefinitely and urged the parties to agree on the future status of the army as soon as possible. Nonetheless, Japan is not insisting on a timeline on UNMIN's withdrawal as it is also aware of the dangers of early withdrawal.

India, a non-Council member with strong ties to Nepal, has indicated that while it supports Nepal's current request, it is not comfortable with an outcome that results in a long-term role for UNMIN. It is wary of having the international community involved in Nepalese domestic politics. One concern it has is that linking the withdrawal of the mission with the special committee is likely to prolong UNMIN's presence as there are many issues to be worked out before the special committee is fully functioning.

Underlying Problems

A simmering problem is the severe food insecurity in rural communities in western and southern Nepal. Floods destroyed crops and food stocks in August. This, com-

binated with the difficulty of getting adequate food during the years of civil war, have resulted in acute malnutrition among poor, landless and marginalised sectors of the population. The UN Central Emergency Response Fund has allocated funds to ensure that 1.5 million people can continue to receive aid from the UN World Food Programme and partners.

UN Documents

Security Council Resolutions

- S/RES/1825 (23 July 2008) extended UNMIN until 23 January 2009.
- S/RES/1796 (23 January 2008) extended UNMIN until 23 July 2008.
- S/RES/1740 (23 January 2007) established UNMIN for 12 months.

Selected Secretary General's Reports

- S/2008/670 (24 October 2008) was the latest report of the Secretary-General on the request of Nepal for UN assistance in support of its peace process.
- S/2008/259 (18 April 2008) was a report on children and armed conflict in Nepal.

Selected Meeting Records

- S/PV.6013 (7 November 2008) was the meeting record of the Secretary-General's October report.
- S/PV.5941 (23 July 2008) was the meeting record to discuss UNMIN's renewal.

Other Relevant Facts

Special Representative of the Secretary-General and Head of Mission

Ian Martin (UK)

Size and Composition

About 300 including about sixty arms monitors

Duration

23 January 2007 to 23 January 2009

Cost

\$88.8 million

Côte d'Ivoire

Expected Council Action

The Secretary-General's report on the UN Operation in Côte d'Ivoire (UNOCI) is due by 9 January. (UNOCI's mandate expires on 31 January.) The Special Representative

of the Secretary-General for Côte d'Ivoire, Choi Young-jin, is likely to brief the Council on recent developments.

The Council is expected to renew the UNOCI mandate for an additional six months. Discussions are likely to focus on the impact of the postponement of presidential elections originally scheduled for 30 November but postponed for the fifth time. It is unclear whether this development will lead to any change to UNOCI's mandate. The Council is expecting to receive a new electoral calendar from the Ivorian parties based on progress in identifying and registering voters.

Key Recent Developments

The November presidential elections were called off because of logistical, technical and financial delays in the national identification and voters' registration process. This was officially announced on 10 November by the permanent consultation mechanism (*Cadre Permanent de Consultation, CPC*) established in 2007 following the Ouagadougou peace agreement, comprising Ivorian President Laurent Gbagbo, Prime Minister Guillaume Soro, and the leaders of main opposition parties, Alassane Ouattara and Henri Bédié. The process is facilitated by Burkina Faso's president, Blaise Compaoré. The CPC agreed that the Ivorian Independent Electoral Commission (IEC) should establish a new election timetable by 31 December, based on progress in the identification and registration processes.

The Security Council adopted a presidential statement on 7 November expressing deep concern about delaying the elections, fearing risks for the entire Ivorian peace process. The Council urged the president of the IEC, Robert Beugré Mambé, to make public the new electoral timeline. It also called on Ivorian parties to take concrete steps to complete identification and registration of voters before the end of January 2009 and expressed its hope that the elections will be organised before the end of spring 2009.

On 29 October the Council adopted resolution 1842 renewing for one year the arms and diamonds embargo, as well as the targeted measures (assets freeze and travel ban) imposed in resolutions 1572 and 1643. The mandate of the Group of Experts was also extended for one year. The Council

decided to review those measures no later than three months after elections are held and to conduct a midterm review no later than 30 April. A new measure was the Council's decision that any threat to the electoral process shall constitute a threat to the peace and national reconciliation process and therefore could be subject to sanctions.

The 13 October Secretary-General's report on UNOCI noted that the political and security situation in Côte d'Ivoire remained stable despite worrying security incidents in Abidjan in early October. These tensions were linked to the voter registration process (with attacks taking place at the registration booths), frustrations concerning the reintegration of all armed forces into a new army (with demonstrations over low pay), and tensions between communities over land, and the rising cost of living.

The report also noted that rapes had further increased between April and July, particularly in the western part of the country in the context of armed attacks by highway robbers, and low levels of prosecution have heightened the pervading sense of impunity. The Secretary-General also referred to a comprehensive assessment conducted by UNOCI on elections-related risks. He emphasised that UNOCI could resort to the inter-mission reinforcement arrangements during and after elections, which was provided under resolution 1609.

Despite some positive developments, including the launching of the identification process in September, the Secretary-General expressed concern over several challenges to implementing the Ouagadougou agreement, including:

- no progress on the collection of weapons belonging to former combatants (although 11,364 *Forces nouvelles* combatants have already been cantoned, only about ten weapons and some ammunition were collected);
- a lack of genuine progress in the redeployment of state authority in the north;
- slow progress in the unification of the defence and security forces (to date, the integrated force has only 500 men while it was envisioned that up to 25,000 government militias and 5,000 rebels would be included); and

- greater than expected delays in the identification and voter registration processes.

On 27 November, a report released by Côte d'Ivoire's National Statistics Institute revealed that poverty was getting worse, reaching its highest level in twenty years. Almost half of the Ivorian population was living on less than \$1.25 per day while in 2000 this figure was 38.4 percent. In the north, the level of poverty reached 77 percent.

Options

Options for the Council will be greatly influenced by whether the electoral commission presents a new electoral plan by the time of Council discussions. In particular, this will influence the Council's willingness to increase pressure on the parties. Options include:

- if the briefings are essentially optimistic, prolonging UNOCI's mandate without any change until 31 July 2009;
- alternatively, reinforcing UNOCI's mandate relating to the election process and elevating its role in providing enhanced security for the identification and electoral processes; and
- including firm and unambiguous language about the unacceptability of repeated delays in the identification and registration processes and requiring the Ivorian parties to make more progress in view of conducting polls in the spring of 2009.

One possibility to signal its serious concern about the delays in the electoral process would be for the Council, in line with resolution 1842 of October 2008, to request the Sanctions Committee to prepare a list of individuals obstructing the electoral process to be targeted with individual sanctions.

Key Issues

The latest postponement of presidential elections raises the issue of UNOCI's mandate and whether it needs to be adjusted to better respond to the apparent stagnations in the electoral process and to send a political signal to the parties that the international community expects no further delays.

A related issue is whether the CPC will meet its deadline of 31 December to announce a new date for the elections—and whether the new timeline will be realistic. It seems that this will greatly depend on the electoral commission's assessment of whether a



“critical mass” of the electorate (from one-half to two-thirds, approximately) has been identified. It is estimated that 11 million people (Ivorians of 16 years of age or more) need to be identified, and 9 million of them (people over the age of 18) need to register to vote. So far only 2 million people have been identified.

Another issue is progress with disarmament of all former combatants and whether this needs to be completed before the elections can take place. For the rebel forces, giving up weapons before the elections represents a security risk, while for the presidential camp it is seen as necessary. In November, Pascal Affi N'Guessan, the leader of the presidential party, said elections would be pointless without disarmament. This initiated a debate between the two sides, with the rebels insisting that full disarmament is not a prerequisite according to the Ouagadougou agreement.

The lack of progress in disarmament coupled with frustrations over the elections delay, recent military unrest and increasing poverty, have raised concerns about elevated security risks in Côte d'Ivoire. The Council is therefore likely to focus also on the security situation in the country.

Council Dynamics

There are deep concerns within the Council about the future of the peace process—and on the security situation in general—as a result of postponing elections. Many believe that it is now important for the Council to send a serious political signal to actors in Côte d'Ivoire that the international community is ready to continue to support the current peace process, but there must be tangible progress.

The Council has already threatened to impose sanctions on anyone hampering the electoral process and expressed support as long as elections are held in spring 2009. Accordingly, Council members are waiting for the Secretary-General's advice on UNOCI's mandate and the new elections date.

Some, including France, want to see more progress in implementing the peace agreement but consider that the process needs to remain nationally owned.

Council members from the Non-Aligned Movement (NAM) (Burkina Faso, South Africa, Indonesia and Vietnam) have emphasised the importance of the electoral process being entirely in the hands of the Ivorians. The departure of several NAM members in January (including South Africa, which was active in the Council on Côte d'Ivoire) may affect dynamics.

Finally, there appear to be divisions between those considering that disarmament, security, the rule of law and the redeployment of state administration are necessary for holding elections (mainly Western members), and those that believe that the completion of these activities should not be a condition for holding elections.

Underlying Problems

Some of the delays in identifying and registering voters have been due mainly to strikes by census officials over slow payment and lack of resources. Despite a trust fund established by the UN Development Programme, it seems that the allocation of financial resources has been problematic. Coordination among local identification centres, especially outside the biggest city, Abidjan, has also been a problem.

Difficulties in the identification process have also arisen because many immigrants from neighbouring Burkina Faso, Mali and Niger do not have birth certificates. In addition, many of them became internally displaced after the 2002 civil war (approximately 440,000 Internally Displaced Persons are currently in Abidjan), and this makes identification even more complex.

Another problem seems to be increasing divisions within the rebel forces. The *Forces nouvelles* was allegedly attacked in western Côte d'Ivoire in November by a breakaway faction. The attack left nine people dead. This follows similar violence in June and July when men loyal to Kone Zakaria, a sacked commander of the *Forces nouvelles*, temporarily seized the town of Seguela.

UN Documents

Latest Security Council Resolutions

- S/RES/1842 (29 October 2008) extended the sanctions regime until 31 October 2009 and decided that any obstruction to the electoral process would be subject to sanctions.
- S/RES/1826 (29 July 2008) extended the mandate of UNOCI until 31 January 2009.
- S/RES 1643 (15 December 2005) renewed until 15 December 2006 the sanctions regime and established a diamonds embargo.
- S/RES/1609 (24 June 2005) increased UNOCI's contingents and authorised the temporary redeployment of military and civilian police personnel among the UN Mission in Liberia, the UN Mission in Sierra Leone and UNOCI.
- S/RES/1572 (15 November 2004) established an arms embargo and called for sanctions against individuals found to be obstructing the peace process, violating human rights, publicly inciting hatred and violence and violating the embargo.

Selected Presidential Statements

- S/PRST/2008/42 (7 November 2008) expressed deep concern about the postponement of presidential elections, urged the Ivorian parties to complete the identification and registration of voters operations before the end of January 2009 and expressed its determination to fully support the electoral process on the understanding that elections will be organised before the end of spring 2009.
- S/PRST/2008/11 (29 April 2008) welcomed the approval by the Ivorian authorities of the Independent Electoral Commission's proposal to postpone the presidential elections to 30 November 2008.
- S/PRST/2007/8 (28 March 2007) endorsed the Ouagadougou agreement.

Latest Secretary-General's Report

- S/2008/645 (13 October 2008)

Selected Letters

- S/2008/793 (16 December 2008) was a letter from the Secretary-General

extending the mandate of the Group of Experts.

- S/2008/694 (11 November 2008) was a letter from Burkina Faso transmitting the press statement of the fourth meeting of the CPC held on 10 November in Ouagadougou.

Other

- S/PV.6001 (27 October 2008) was a briefing by Choi Young-jin on the situation in Côte d'Ivoire.
- S/2007/144 (13 March 2007) contained the Ouagadougou agreement.

Other Relevant Facts

Special Representative of the Secretary-General

Choi Young-jin (Republic of Korea)

Force Commander

Major-General Fernand Marcel Amoussou (Benin)

Police Commissioner

Major-General Gerardo Cristian Chaumont (Argentina)

Group of Experts

Grégoire Bafouatika, Republic of Congo (aviation)
James Bevan, UK (arms)
Noora Jamsheer, Bahrain (diamonds)
El Hadi Salah, Algeria (customs and coordinator of the Group of Experts)
Finance expert to be appointed

Size and Composition of UNOCI

- *Strength as of 31 October 2008*: 9,156 total uniformed personnel, including 7,823 troops, 189 military observers; 1,144 police; supported by 439 international civilian personnel, 666 local staff and 286 UN Volunteers
- *Key troop-contributing countries*: Bangladesh, Ghana, Jordan, Morocco and Pakistan.

Approved Budget

1 July 2008 - 30 June 2009:
\$497.46 million

Useful Additional Sources

- *Côte d'Ivoire: Poverty getting worse—study*, IRIN News, 3 December 2008
- *Côte d'Ivoire: Road to national recovery and durable solutions still long*, Internal Displacement Monitoring Center, 5 November 2008

Expected Council Action

The Sanctions Committee on the Democratic People's Republic of Korea (DPRK) is expected to submit its annual report in January and brief the Council on recent activity. At press time it was not known who the new chairman of the Committee will be. (Italy, the current chair, leaves the Council on 31 December.)

The Committee's report is likely to be limited as there has been no Committee activity since July 2007. No Council action is expected.

Key Recent Developments

In the last three months there have been several attempts to put back on track the denuclearisation process in the DPRK. This followed the DPRK action in September when Pyongyang removed seals and surveillance cameras at the Yongbyon nuclear plant, announced that the plant would resume reprocessing activities, and barred IAEA inspectors from the site. It claimed the US had not respected the "action for action" principle contained in the February 2007 six-party agreement in its refusal to remove the DPRK from the list of countries sponsoring terrorism despite its submission in June of a list of its nuclear activities. While the US requested verification measures for the list, the DPRK claimed that this was not part of the agreement.

From 1 to 3 October, US Assistant Secretary of State for East Asian and Pacific Affairs Christopher Hill visited the DPRK in an attempt to find a solution to the crisis. According to press reports, it appears that Hill suggested that the DPRK could provide evidence of its disarmament solely to China instead of to a wider group of nations. But a verification protocol would still have to be agreed upon among the six parties.

The US agreed on 11 October to remove the DPRK from the list of states sponsoring terrorism. On 13 October the DPRK restored IAEA access to the Yongbyon nuclear plant and resumed disablement activities.

On 7 October, a Secretary-General's report to the General Assembly on the situation of human rights in the DPRK was made public. It expressed concern about reports indicating gross violations of human rights in the

DPRK, and food shortages. On 23 October, Special Rapporteur on the Situation of Human Rights in the DPRK Vitit Muntarbhorn told the General Assembly that urgent action was essential. He added that there had been no progress to shift the DPRK's pro-military budget to a pro-development budget.

On 30 October, the General Assembly's Third Committee on Social, Humanitarian, and Cultural Affairs agreed on a draft resolution (A/C.3/63/L.26), which was subsequently adopted by the General Assembly Plenary on 18 December. The draft resolution strongly urges the DPRK to end systematic, widespread and grave violations of human rights. It also urges Pyongyang to extend its full cooperation to Muntarbhorn, by granting him full, free and unimpeded access. He has never been allowed into the DPRK. The General Assembly has adopted a human rights resolution on DPRK every year since 2005, but this year for the first time the Republic of Korea (South Korea) cosponsored the resolution.

On 12 November, the DPRK said it was slowing down the disablement process because of delays in the delivery of energy aid. (Under the 2007 agreement, up to 1 million tonnes of heavy fuel was to be provided to the DPRK when it disabled its nuclear facility and provided information about its nuclear programmes.)

From 8 to 12 December a round of six-party talks was held in Beijing. These ended in an impasse after the DPRK rejected verification proposals. In particular, the DPRK continues to refuse to allow the IAEA to take soil and air samples near nuclear facilities and send them overseas for testing.

Relations between the DPRK and the Republic of Korea have soured since a new government took office in Seoul in February 2008. Bilateral relations continued to deteriorate when, in October, the DPRK test-fired two short-range missiles and on 1 December when the DPRK started to scale down the number of South Koreans allowed to cross the border.

Key Issues

At this stage, it appears that the only issue the Council might address is the frequency of its briefings. Currently, briefings are held every ninety days.



It may be that the Council could play a role in helping the denuclearisation process by reinforcing the work being handled by the six-party talks. Another option may be to review the sanctions regime in the hope of providing incentives for DPRK cooperation in the denuclearisation process.

Council Dynamics

There is little appetite for tackling the DPRK nuclear issue at this time. Some believe that sanctions have had only a limited impact. Others consider that leverage on the process lies elsewhere.

UN Documents

Selected Resolution

- S/RES/1718 (14 October 2006) expressed grave concern over the DPRK's nuclear test, imposed sanctions and set up the Sanctions Committee.

Latest Sanctions Committee Annual Report

- S/2007/778 (31 December 2007)

Other

- A/C.3/63/L.26 (30 October 2008) was a draft resolution before the General Assembly urging the DPRK to put an end to violations of human rights.
- A/63/332 (26 August 2008) was a Secretary-General's report on human rights in the DPRK.

Useful Additional Sources

- *North Korea on the Precipice of Famine*, by Stephan Haggard, Marcus Noland and Eric Weeks, Peterson Institute for International Economics, Policy Brief 08-6, May 2008
- *Famine in North Korea: Markets, Aid, and Reform*, by Stephan Haggard and Marcus Noland, New York: Columbia University Press, 2007

Notable Dates for January

Reports Due for Consideration in January	Document Requesting Report
9 January	SG report on UN Operation in Côte d'Ivoire (UNOCI) S/RES/1826
9 January	SG report on UN Mission in Nepal (UNMIN) S/RES/1796
23 January	SG report on UN Mission in Sudan (UNMIS) S/RES/1812
31 January	1540 Committee report on implementation of resolution 1540 S/RES/1810
31 January	SG report on AU/UN Hybrid Operation in Darfur (UNAMID) S/RES/1828
31 January	SG report on UN Integrated Peacebuilding Office in Sierra Leone (UNIPSIL) S/RES/1829

January 2009	Mandates Expire	Relevant Document
23 January	UNMIN (Nepal)	S/RES/1825
31 January	UNOCI (Côte d'Ivoire)	S/RES/1826

January 2009	Other Important Dates
15 January	Interim report of the Panel of Experts to the Sudan Sanctions Committee (S/RES/1841)
by the end of January	The Counter Terrorism Committee is expected to submit its updated programme of work for the next six months.
by the end of January	The Sanctions Committee on the Democratic People's Republic of Korea is expected to submit its annual report. (S/RES/1718)
by the end of January	The International Monetary Fund and the World Bank, as members of the International Advisory Board for the Development Fund for Iraq, expected to brief the Council. (S/RES/1859)
31 January	1540 Committee to submit its annual programme of work (S/RES/1810).

Also expected in January:

- Iraqi provincial elections are scheduled.
- Secretary-General's Special Representative in Nepal Ian Martin is expected to brief the Council.
- The UN High Commissioner for Refugees António Guterres is expected to brief the Council.
- The Council will hold an open debate on Protection of Civilians.

Important Dates over the Horizon

- An international meeting on the Israeli-Palestinian peace process is expected to be held in Moscow in early 2009.
- Legislative elections in Lebanon are scheduled for May 2009.
- Presidential and legislative elections in Sudan to be held before July 2009.
- Legislative elections in Chad are currently slated for 2009.
- Presidential elections are expected in Afghanistan in September 2009.

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