

Monthly Forecast

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Overview

Morocco will hold the December presidency of the Security Council.

A high-level meeting on [peace and security in the Sahel](#) is planned and is likely to be presided over by Morocco's Foreign Minister Saad-Eddine Al Othmani. The Secretary-General and his Special Envoy for the Sahel, Romano Prodi, are expected to brief.

An open debate on [post-conflict peacebuilding](#) with a likely briefing by the head of the Peacebuilding Support Office, Judy Cheng-Hopkins, is planned.

Two debates are planned: on the [International Criminal Tribunals](#) for Rwanda and the former Yugoslavia, and on [Afghanistan](#). The debate on the tribunals will include briefings by the respective courts' presidents and prosecutors. The debate on Afghanistan and UNAMA will most likely be preceded by a briefing from UNAMA's head, Ján Kubiš.

Briefings are expected on:

- [UN peacekeeping](#), with a focus on inter-mission cooperation, by the head of the Department of Peacekeeping Operations Hervé Ladsous, and the head of the Department for Field Support, Ameerah Haq;
- the work of Council subsidiary bodies by their departing chairs;
- the work of the [UN Regional Office for Central Africa](#) and the Secretary-General's report on the [Lord's Resistance Army](#) by Abou Moussa, the head of UNOCA;
- the [Iran sanctions](#) by the Sanctions Committee Chair, Ambassador Néstor Osorio (Colombia);
- the work of the [ICC on Sudan](#) by Prosecutor Fatou Bensouda; and
- the situation in [Yemen](#), by the Secretary-General's Special Adviser Jamal Benomar (this briefing was originally planned for November and was postponed).

There will be briefings, followed by consultations, on:

- the situation in [Mali](#) and the Secretary-General's report regarding the deployment of an international stabilisation force in Mali, most likely by the Secretary-General; and

- the [Middle East](#), most likely by Jeffrey Feltman, the Under-Secretary-General for Political Affairs.

Briefings in consultations are likely on:

- [Sudan and South Sudan](#) (twice), most likely by the Special Envoy of the Secretary-General, Haile Menkerios;
- the UN Interim Security Force in [Abyei](#), by Ladsous;
- the [Sudan sanctions](#), by the Sanctions Committee Chair, Ambassador Osorio;
- the [Liberia sanctions](#), by the Sanctions Committee Chair, Ambassador Masood Khan (Pakistan);
- the efforts to restore constitutional order in [Guinea-Bissau](#), possibly by Special Representative Joseph Mutaboba;
- the [Guinea-Bissau sanctions](#), by the Sanctions Committee's Chair, Ambassador Mohammed Loulichki (Morocco);
- the work of the [UN Disengagement Observer Force \(UNDOF\)](#) by the Secretariat; and
- [Iraq-Kuwait](#) issues, by High-level Coordinator Gennady Tarasov.

The Council may also hold meetings on developments in [Syria](#) and the [DRC](#).

Formal sessions will be needed to adopt resolutions on:

- the renewal of the mandate of the [Ombudsman](#) assisting the 1267/1989 Al-Qaida Sanctions Committee and the mandate of the [monitoring team](#) assisting the 1267/1989 Sanctions Committee and the 1988 Taliban Sanctions Committee;
- modifying the [1988 Taliban Sanctions](#) regime;
- the extension of the terms of judges of the [International Criminal Tribunals](#) for Rwanda and the former Yugoslavia;
- the [Liberia sanctions](#) regime, to amend the sanctions provisions and renew the mandate of its Panel of Experts;
- the renewal of the mandate of [UNDOF](#);
- the authorisation of an African-led [international support mission in Mali](#); and
- possibly on [Timor-Leste \(UNMIT\)](#).

30 November 2012

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Status Update since our November Forecast

Somalia

On 7 November, the Council renewed AMISOM for another four months and expanded the UN logistical support package for the mission to include funding for an additional 50 civilian personnel (S/RES/2073). While the adoption was unanimous, several Council members gave explanations of vote, expressing disappointment that the resolution did not fully address issues of concern to them (S/PV.6854). (The UK, as the penholder, decided after protracted negotiations to withdraw an earlier, more comprehensive draft, replacing it with the much shorter text.) On 8 November, the Chair of the Sanctions Committee for Somalia and Eritrea, Ambassador Hardeep Singh Puri (India), briefed Council members in informal consultations. The Committee met on 13 November to receive a briefing on the latest report from the Humanitarian Coordinator for Somalia (S/2012/856). Also on 13 November, the Council president informed the Secretary-General that Council members agreed to his request for an extension from 31 December until 31 January of the deadline set by the Council for him to report on the conclusions of the strategic review process for Somalia. On 21 November, the Council renewed for 12 months the authorisation, in place since 2008, for international counter-piracy action to be carried out within Somali territorial waters and on land in Somalia (S/RES/2077). (S/PV.6867)

Libya

On 8 November, the Council was briefed (S/PV.6857) by Tarek Mitri via video from Tripoli, in his first briefing to the Council as the new Special Representative of the Secretary-General on Libya and head of UNSMIL. Mitri updated the Council on recent developments, including the October violence in Bani Walid. He also briefed on the formation of the new government, completed on 31 October after the election of Ali Zeidan as prime minister. During the 8 November meeting the Council was also briefed by Ambassador José Filipe Moraes Cabral (Portugal), chair of the Libya Sanctions Committee, who presented the Chairman's seventh report of the Libya Sanctions Committee. On 7 November, Fatou Bensouda, Chief Prosecutor of the International Criminal Court, briefed the Council (S/PV.6855) on matters

pertaining to Libya and the ICC. Bensouda encouraged Libya to ensure that there is no amnesty for international crimes and no impunity. She also provided an update on the cases against Saif Al-Islam Qaddafi, son of the former leader, and Abdullah Al-Senussi, a former senior intelligence official, as well as her office's ongoing investigations in Libya.

Illicit Trafficking

On 8 November, Council members were briefed in consultations by the Under-Secretary-General for Political Affairs, Jeffrey Feltman, on the Secretary-General's 19 October report on illicit cross-border trafficking and movement (S/2012/777). No outcome resulted.

Israel/Palestine

The Council held emergency consultations and a private meeting on Gaza on 14 November when hostilities between Gaza and Israel began to escalate. Under-Secretary-General for Political Affairs Jeffrey Feltman briefed the Council, followed by statements from Israel and Palestine. Council members then met in consultations on Gaza on 19 and 20 November. On 21 November, following Egyptian-brokered ceasefire agreement, Council members issued a press statement (SC/10829) welcoming the ceasefire, calling on the international community to contribute to improving the living conditions of those in the Gaza Strip, deploring the loss of civilian life, and reiterating the importance of achieving a comprehensive peace. On 27 November, the Council received the regular monthly briefing on the Middle East including the Palestinian Question from Special Coordinator for the Middle East Peace Process, Robert Serry. (S/PV.6871)

Bosnia and Herzegovina

On 14 November, following the semi-annual Council debate on Bosnia and Herzegovina the day before (S/PV.6860), the Council unanimously adopted resolution 2074 authorising the the EU-led multinational stabilisation force for a further twelve months. During the debate, the High Representative for Bosnia and Herzegovina, Valentin Inzko, said that the country's political leaders were failing to make progress. He also noted that secessionist rhetoric had intensified

considerably in the six months prior, and singled out the Bosnian Serb leadership for criticism. Several Council members likewise condemned the increased divisive political rhetoric. Russia, however, said that Inzko's report (S/2012/813) was "again written in alarmist tones." It suggested that a more balanced interpretation should be given and emphasised that the main task of the international community was to "transfer responsibility for the fate of the country to the Bosnians themselves."

DRC

On 17 November, the Council issued a press statement (SC/10819) following a briefing by Under-Secretary-General for Peacekeeping Operations, Hervé Ladsous, expressing its concern over the rapidly deteriorating situation. On 20 November, the Council adopted resolution 2076 condemning the M23's actions and external support given to the group, and expressing its intention to consider additional targeted sanctions against the leadership of the M23 and those providing it with external support (S/PV.6866). On 21 November, Roger Meece, Special Representative of the Secretary-General and Head of MONUSCO, briefed the Council (S/PV.6868). The chairman of the sanctions committee, Agshin Mehdiyev (Azerbaijan), briefed the Council in consultations on the Group of Experts (GoE) annual report (S/2012/843) later that day. On 27 November the Secretary-General's Chef de Cabinet, Susana Malcorra, briefed the Council after attending the International Conference on the Great Lakes Region summit in Kampala. Ladsous also briefed the Council. On 28 November, the Council renewed the DRC sanctions and the mandate of the GoE's supporting the sanctions committee until 1 February 2014 (S/RES/2078). On 13 November, the sanctions committee met with the GoE to discuss their annual report. On 13 November the sanctions committee added Col. Sultani Makenga of the M23 to the sanctions list.

Piracy

On 19 November, at the initiative of India, the Council for the first time held an open debate on piracy as a threat to international peace and security (S/PV.6865). Deputy Secretary-General Jan Eliasson briefed and presented the Secretary-General's 22 October report on

Status Update since our November *Forecast* (con't)

piracy off the coast of Somalia (S/2012/783). Ahead of the debate, India had circulated a concept note (S/2012/814) on key issues for consideration. In addition to Council members, the EU and 28 UN member states spoke. The Council adopted a presidential statement (S/PRST/2012/24) expressing its grave concern about the threat posed by piracy, condemning hostage taking and violence against hostages and calling for a continuation of efforts to combat piracy at the national, regional and international levels. It asked the Secretary-General to include in relevant reports to the Council information on ways to advance the international response against piracy.

Working Methods

On 26 November, the Council held an open debate on its working methods (S/PV.6870 and Resumption 1). As chair of the informal working group that addresses Council working methods, Ambassador José Filipe Moraes Cabral (Portugal) noted that working methods attracted great interest from the wider membership (22 non-Council members made statements—several on behalf of larger groups—in addition to the 15 Council members). Ambassador Cabral noted that some improvements had been made recently in Council working methods, including the more efficient utilisation of Secretariat resources. But he remarked that progress on the broader issue was a “work in progress and never completed.” (A more comprehensive summary of the open debate will be published in the January *Forecast*.)

Kosovo

On 27 November, Farid Zarif, the Special Representative of the Secretary-General for Kosovo and head of UNMIK, briefed the Council (S/PV.6872) on the Secretary-General's most recent report (S/2012/818). Zarif welcomed the recent steps taken by Kosovo and Serbia to “normalise relations,” noting the important milestone that was reached on 19 October when the prime ministers from Kosovo and Serbia met in Brussels. (They met again on 7 November.) The Special Representative called on the international community to support the dialogue process and said that a unified approach of the international presence on the ground remained essential. (In addition to UNMIK, there is

the EU Rule of Law Mission in Kosovo as well as the NATO-led Kosovo Force.) Council members condemned recent violence in northern Kosovo and some emphasised that attacks on international personnel must cease.

Western Sahara

On 28 November, the Council was briefed by the Secretary-General's Personal Envoy, Christopher Ross, as well as the new Special Representative of the Secretary-General and head of MINURSO, Wolfgang Weisbrod-Weber. During the briefing, Ross shared the findings and recommendations that emerged from his recent visit to North Africa and Europe, which included his first visit to Western Sahara. Ross indicated that at this point he does not believe that convening another round of informal talks would advance the search for a solution, instead proposing to engage in a period of “shuttle diplomacy” with the parties and neighbouring states in the context of one or more visits to the region, including Western Sahara.

Sierra Leone

On 28 November, the Council received a briefing in consultations, via video link, from the head of UNIPSIL, Jens Anders Toyberg-Frandzen (Denmark), on Sierra Leone's 17 November elections. The elections were largely free of violence and President Ernest Bai Koroma was re-elected. On 30 November, the Council adopted a presidential statement urging all political parties to accept the results (S/PRST/2012/25).

DPRK (North Korea)

On 29 November, the 1718 Sanctions Committee received a regular quarterly briefing from its chair, Ambassador José Filipe Moraes Cabral (Portugal). The briefing, which was Ambassador Cabral's last as chair, was held in consultations—as is customary for DPRK issues. One of the topics discussed was the Panel of Experts' midterm report, which was provided to the Committee earlier in November and which is scheduled to be submitted to the Council by 12 December.

Syria

On 29 November, Council members were briefed in consultations by the Joint

UN-Arab League Special Representative, Lakhdar Brahimi, on his progress towards a political solution to the Syrian crisis. Previously, on 6 November, Council members were briefed in consultations by Jeffrey Feltman, head of the Department of Political Affairs, who related the events surrounding a failed ceasefire brokered for the Eid al-Adha holiday at the end of October and expressed concern at the “appalling levels of violence and human rights abuses, suffering, destruction and humanitarian needs in Syria.”

Lebanon

On 29 November, Council members received a briefing in consultations from both the Special Coordinator for Lebanon, Derek Plumbly, and the Assistant Secretary-General for Peacekeeping Operations, Edmond Mulet, on the most recent report of the Secretary-General on the implementation of resolution 1701 (S/2012/837). The report welcomed the “general calm” that prevails in UNIFIL's area of operations but also drew attention to “deliberate attempts to destabilize Lebanon, most notably the terrorist bombing in Beirut” of 19 October and the lack of progress towards a permanent ceasefire between Israel and Hezbollah.

Women, Peace and Security

At press time, the Council was set to hold its annual open debate on 30 November on the Secretary-General's most recent report on women, peace and security (S/2012/732). The head of UN Women, Michelle Bachelet, was expected to brief along with the Deputy Secretary-General and the Under-Secretary-General for Peacekeeping, Hervé Ladsous. In addition, Bineta Diop, the head of Femmes Africa Solidarité, was also expected to brief as the focus of the debate was on women's civil society organisations and their contribution to the prevention and resolution of armed conflict and peacebuilding (S/2012/774). The open debate was originally scheduled for 29 October but was postponed when UN Headquarters closed due to Hurricane Sandy. However, the Council did adopt a presidential statement on 31 October (S/PRST/2012/23). •

Threats to Peace and Security in the Sahel

Expected Council Action

In December, the Council is expected to hold a high-level meeting on the Sahel, a sprawling territory covering parts of Senegal, Mauritania, Mali, Algeria, Niger, Chad, Sudan and Eritrea. The focus will be on security, humanitarian, governance and development concerns in the region, perennial problems brought into sharp relief by an unexpected military coup in Mali on 22 March and an upsurge in the activities of terrorist groups in the region.

The Foreign Minister of Morocco, Saad-Eddine Al Othmani, is likely to preside. The Secretary-General and the Special Envoys for the Sahel of the Secretary-General, the AU, the EU and the Economic Community of West African States (ECOWAS) are expected to brief. Several Council members are likely to be represented at ministerial level.

At press time it appeared that the Council would issue a presidential statement following the meeting.

Key Recent Developments

On 13 November, Romano Prodi, the Secretary-General's Special Envoy for the Sahel, informally briefed the Council on his recent meetings in Bamako (with Malian officials and regional representatives), Addis Ababa (with AU officials and with the Prime Minister of Ethiopia), Cairo (with the Prime Minister of Egypt and Arab League officials) and Algiers (with the Foreign Minister of Algeria). Prodi's mission was intended to forge a consensus around a coordinated and long-term approach to the myriad crises of the Sahel.

On 12 October the Council adopted resolution 2071 welcoming Prodi's appointment. The resolution noted that the Special Envoy "should mobilise international efforts for the Sahel, coordinate the implementation of the United Nations integrated strategy on the Sahel and engage actively in defining the parameters of a comprehensive solution to the Malian crisis."

A report by the UN Office for West Africa (UNOWA), published on 20 June 2011 (S/2011/388), first alerted the Council to

the emerging problems in the Sahel. The report drew attention to the effects of the instability in Côte d'Ivoire and Libya, which was having a "particularly great impact on food security, especially in the countries of West Africa that had already been severely affected by the consequences of the food and pastoral crisis in 2010." The report noted that insecurity in the Sahel region had increased significantly as a result of the influx of tens of thousands of migrant workers from Côte d'Ivoire and Libya.

It also reported increased terrorist attacks against national armed forces and the kidnapping of foreigners. The report noted that the nature of the insecurity in the region had "evolved from attacks against individuals to actions against state institutions" and that the "sophistication shown in the conduct of operations reflects an increase in the operational capacities of terrorist groups."

The report, however, noted renewed diplomatic contacts and improvement in the relations between key countries in the region, such as Algeria and Mali, highlighting that on 28 April 2011, Algeria announced the allocation of \$10 million in emergency funds to finance development projects in northern Mali in support of efforts to combat extremist groups in the area. The report also suggested that large caches of combat weapons might have been transferred from Libya and fallen into the hands of terrorists or anti-government forces in the Sahel, which could have a destabilising effect on the region.

As a result of the report, on 31 October 2011, the Council adopted resolution 2017, drawing attention to "the risk of destabilisation posed by the dissemination in the Sahel region of illicit small arms and light weapons." The resolution also underlined a suggestion in the Secretary-General's 20 June report that countries in the Sahel and UNOWA strengthen their cooperation to address emerging security and humanitarian issues. The findings of this report were amplified by an 17 January report by a UN inter-agency assessment mission that was dispatched to the Sahel from 7-23 December 2011 (S/2012/42).

The phenomenal increase in the Council's attention to the Sahel, however, is mainly the result of the 22 March coup in Mali. On 5 July, the Council adopted resolution 2056, which, though primarily intended to support efforts by ECOWAS to deploy a stabilisation force in Mali, requested the Secretary-General to "develop and implement" a UN integrated strategy for the Sahel region encompassing security, governance, development, human rights and humanitarian issues. The resolution asked the Secretary-General to submit a progress report to the Council by 15 September.

At press time, the substantive strategy had yet to be presented to the Council, but on 17 September, the Council received a briefing from Jeffrey Feltman, head of the Department of Political Affairs, who provided an outline of the developing strategy (S/PV.6836). On 21 September, Council members issued a press statement (SC/10772) taking note of "the progress made" in developing the strategy.

The concept paper for the meeting on the Sahel that is expected to be held on 10 December was drafted by Morocco and notes that the meeting will help to flesh out an emerging consensus on what the UN strategy for the Sahel should contain. It states that the meeting will help map the scale of the security, humanitarian and development crises in the Sahel and address how to enhance regional cooperation and international support to tackle these crises. It emphasises the urgency of action on the Sahel, suggesting an underlying anxiety that the overwhelming focus on the mainly political and security situation in Mali has tended to overshadow the deep problems of the wider Sahel.

Meanwhile, the security and humanitarian situations in the region have continued to deteriorate. On 20 November, news reports quoted the UN Economic Commission for Africa's food security and sustainable development programme as saying that 16 million people in the Sahel region are at risk of suffering uncertain food supply and 8 million might need emergency assistance in the coming months.

UN DOCUMENTS ON THE SAHEL Security Council Resolutions S/RES/2071 (12 October 2012) welcomed the appointment of Prodi as Special Envoy for the Sahel. S/RES/2056 (5 July 2012) requested the Secretary-General to develop and implement a coordinated strategy for the Sahel. Security Council Presidential Statement S/PRST/2012/9 (4 April 2012) strongly condemned assaults by rebels in northern Mali and the seizure of power in the capital by elements of the armed forces in Bamako. Security Council Press Statements SC/10772 (21 September 2012) took note of the progress made in developing a UN integrated strategy for the Sahel. SC/10741 (10 August 2012) was after statements by the Secretary-General, representatives of ECOWAS and the AU and the Permanent Representative of Mali. Security Council Meeting Records S/PV.6836 (17 September 2012) was a briefing by Jeffrey Feltman on the progress with the development of an integrated strategy for the Sahel region. S/PV.6820 (8 August 2012) was a meeting on peace and security in Africa focusing on Mali. Letter S/2012/444 (13 June 2012) was from Ambassador Baso Sangqu (South Africa) containing the joint communiqué issued after the sixth consultative meeting between the UN Security Council and the AU Peace and Security Council. Secretary-General's Reports S/2012/510 (29 June 2012) was the Secretary-General's latest report on UNOWA. S/2012/42 (17 January 2012) was the UN interagency assessment mission report on the Sahel.

Threats to Peace and Security in the Sahel (con't)

Key Issues

The key issue for the Council is how to devise a strategy to deal comprehensively with the range of related threats, the security melt-down and the looming humanitarian catastrophe in the Sahel.

Effectively coordinating the various regional initiatives and Special Envoys involved in the Sahel is a related issue. Connected to this is the need to ensure improved information exchange and coordination of efforts among regional countries, regional bodies and other key international players working to address the multifarious problems in the region.

Options

The most likely option for the Council would be to adopt a presidential statement in which it:

- welcomes the initiatives of the

Secretary-General's Special Envoy for the Sahel, regional groups, the AU, the EU and ECOWAS to address the problems of the Sahel; and

- encourages the Secretary-General to produce the integrated strategy for the Sahel.

Another option is simply to hold a debate, exchanging views on the subject, and take no action.

Council Dynamics

The Council appears to be united on this issue. However, there are some differences in emphasis. Morocco, which is organising the high-level event, is supportive of efforts to address the situation in Mali but is keen to have the Council also address the wider problems in the region, including such issues as illicit drugs, arms and human trafficking. It is also concerned with possible links between

groups in Western Sahara and radical Islamist elements in the Sahel.

France, on the hand, has taken a more robust approach to the problems in Mali, its former colony, and especially towards the radical Islamists who have taken over the northern part of the country and are holding French citizens as hostages. Like the US and UK, France appears to have taken the position that an approach that primarily focuses on resolving the security and governance crises in Mali is a good starting point for tackling the problems of the wider Sahel.

Togo and South Africa are keen to emphasise the primacy of the regional organisations, the AU and ECOWAS, with the support of the UN and other regional organisations, in addressing the multiple problems of the region, including reuniting Mali and defeating the Islamists. •

Mali

Expected Council Action

In December, the Council is expected to consider the Secretary-General's report providing recommendations regarding the deployment of an international military force in Mali, including means and modalities of the envisaged deployment, in line with resolution 2071. The Secretary-General is likely to brief the Council, and representatives from the AU and the Economic Community of West African States (ECOWAS) are expected to make statements.

A resolution authorising an international stabilisation force is expected in December.

Key Recent Developments

Resolution 2071 adopted on 12 October gave considerable momentum to the efforts of various international and African regional actors to agree on an actionable plan for a military stabilisation force in Mali. The resolution requested the Secretary-General to

“immediately provide military and security planners” to assist ECOWAS and the AU, in close consultation with the authorities in Mali and the neighbouring countries, on the plan. On 28 November, the Secretary-General submitted a report to the Council detailing the concept of operations, strength and financial basis for an African-led international support mission in Mali,.. The report consolidates ideas for the mission from AU, ECOWAS and EU.

On 11 November, ECOWAS announced its plan to deploy 3,300 soldiers to support the mission in Mali. The troops will come from Burkina Faso, Ghana, Niger, Nigeria, Senegal and Togo. That same day, news reports stated that between 200 to 400 EU special-forces troops would be sent to Mali with French Defence Minister Jean-Yves Le Drian stating that while neither France nor the EU would be sending troops into combat in Mali, they would be in a position to

provide intelligence as well as training for local troops and ECOWAS forces.

On 14 November, the AU issued a communiqué (PSC/PR/COMM.2[CCCXLI]) endorsing a harmonised concept of operations fashioned by the AU and ECOWAS for the planned deployment of an African-led International Support Mission to Mali (AFISMA). The force, the communiqué noted, would assist the Malian authorities to “regain the occupied regions in the north of the country, dismantle the terrorist and criminal networks and restore effectively the authority of the state over the entire national territory.” It noted “with satisfaction” the decision of ECOWAS to maintain its standby brigade in advanced readiness for an imminent deployment and also the agreement that other African countries, including the neighbours of Mali, would be canvassed to support the mission in terms of intelligence, logistics and troops.

UN DOCUMENTS ON MALI [Security Council Resolutions S/RES/2071](#) (12 October 2012) requested the Secretary-General to provide military planners to assist ECOWAS and the AU, on the plan for an international force in Mali and to submit a written report within 45 days. [S/RES/2056](#) (5 July 2012) was a resolution expressing the Council's full support for the joint efforts of ECOWAS, the AU and the transitional authorities in Mali in trying to re-establish constitutionality and territorial integrity. [Security Council Presidential Statement S/PRST/2012/9](#) (4 April 2012) strongly condemned assaults by rebels in northern Mali and the seizure of power in the capital by elements of the armed forces. [Security Council Press Statement SC/10741](#) (10 August 2012) was after statements by the Secretary-General, representatives of ECOWAS and the AU and the Permanent Representative of Mali. [Security Council Meeting Record S/PV.6820](#) (8 August 2012) was a meeting on peace and security in Africa focusing on Mali. [Letter S/2012/444](#) (13 June 2012) was from Ambassador Baso Sangqu (South Africa) containing the joint communiqué issued after the sixth consultative meeting between the UN Security Council and the AU Peace and Security Council. [Secretary-General's Reports S/2012/894](#) (28 November 2012) was the Secretary-General's recommendations for an international force in Mali. [S/2012/510](#) (29 June 2012) was the Secretary-General's latest report on the UN Office for West Africa (UNOWA). [S/2012/42](#) (17 January 2012) was the UN interagency assessment mission report on the Sahel.

Mali (con't)

The 13-page strategic concept to address the crises emphasises Malian leadership and stresses “coordinated and sustained support by the UN.” It sets out seven short- and medium-term objectives for AFISMA, such as an inclusive democratic process in Mali, restoration of the country’s unity and territorial integrity, reform of its defence and security sectors and addressing the structural challenges facing the wider Sahel.

The Secretary-General’s office received the strategic concept from the AU Commission on 13 November, the Secretary-General’s 28 November report says, noting that the AU communiqué urged Security Council’s authorisation for AFISMA with a Chapter VII resolution. The report endorses key aspects of the AU strategic concept, including that the AU would provide political and strategic leadership for AFISMA, and that the military and police components of AFISMA would be generated from the ECOWAS Standby Force as well as contributions from other countries. It noted, however, that pledges from ECOWAS’ countries are still required in the form of air support assets and personnel, engineers, military intelligence, and counter-improvised explosive device equipment and training. It also recommends that the military operational command of AFISMA should be through separate commanders for the Malian and international force, reporting to the Malian Joint Chief of Staff and an AU-appointed Special Representative for AFISMA. The report also recommends the establishment of “joint coordination mechanism” comprising the defence ministers of Mali, ECOWAS troop contributing countries, Algeria, Mauritania and Niger, to support the office of the Special Representative.

On the critical issue of funding for the military operations, the report notes that this should be gotten largely through voluntary and bilateral contributions, and notes that a donors’ conference at which “respective roles and responsibilities could be further defined and pledges garnered for funding and in-kind contributions” would be convened.

The report notes that on 19 November, the EU Foreign Affairs Council considered

a crisis management concept under which military training and advice would be provided to the Malian authorities. Prior to that, on 16 November, defence strategists from France, Germany, Italy, Poland and Spain met and endorsed the AU-ECOWAS plan. The UN, the report says, “could continue to support AFISMA and the Malian authorities with planning and preparations for an intervention in the north [of Mali], as well as in critical areas that will be required to accompany or follow any operation with respect to the extension of State authority” in the country.

On the ground, the radical Islamists continue to consolidate their hold on northern Mali. The area was initially seized by separatist Tuareg rebels, under the banner of the *Mouvement national pour la libération de l’Azawad* (MNLA), shortly after the 22 March coup in Bamako. Soon after, however, Islamist militants belonging to AQIM and its ally, *Ansar Eddine*, which had been allied to the MNLA, took effective control and sidelined the MNLA. Another Islamist group that had been part of the separatist uprising, the *Mouvement pour l’unité et le jihad en Afrique de l’Ouest* (MUJAO), which has been kidnapping Western hostages and holding them for ransom, seized the strategically important town of Douentza in September and crossed into the central part of Mali, closer to the government-held south-west. On 19 November, the group announced that it had captured the town of Menaka, close to the Niger border, in clashes that left many MNLA fighters dead or wounded.

There are also reports of a looming humanitarian catastrophe in northern Mali, including famine. The health system has reportedly collapsed and hundreds of thousands of persons have been forced to flee their homes.

Key Issues

The key issue for the Council is to assist Mali in restoring its territorial integrity and to stamp out the growing spread of terrorist groups and activities in the region.

A closely related issue is playing a

coordinating role for the efforts of AU, ECOWAS and the EU in helping Mali’s military recapture the north of the country from the Islamists.

Options

Options for the Council include:

- adopting a Chapter VII resolution authorising the deployment of international troops in support of Malian forces; or
- taking no action at this point.

Council Dynamics

It appears that consensus on this issue is likely, though the debate about authorising the international stabilisation mission is expected to be robust. France has been most active in support of military assistance to the authorities in Bamako, but among the other P5 members, the UK and the US appear to be staunchly supportive. All the European Council members and the US see the radical Islamist threats in northern Mali as a direct security threat that needs to be dealt with without delay. China and Russia have not questioned the rationale for a stabilisation mission and were supportive of resolution 2071 that outlined the different steps that would lead to it.

South Africa and Togo, the two AU members on the Council, have been key players, representing the views of the AU and ECOWAS respectively. Morocco, which does not belong to the African regional organisations but has a vested interest in events in the region where it is situated, has been supportive, though it has stressed the need for a clear attempt at negotiation with some of the elements in the north. It also favours the development of a strategy that deals with the issues relating to the wider Sahel, instead of limiting the focus to Mali.

Some Council members, however, appear sceptical about the idea of international military assistance, since they think that such assistance might take on forms that were not intended. These Council members are particularly sensitive in light of the situation in Libya, whose apparent fallout contributed to the new situation in Mali. •

Liberia

Expected Council Action

In December, the Council is expected to receive a briefing from the chair of the 1521 Liberia Sanctions Committee on the final report of the Panel of Experts (PoE) monitoring the implementation of the sanctions. The Council will likely adopt a resolution dropping some of the sanctions, including those relating to travel bans and asset freezes on selected individuals, and maintaining the measures on arms purchases. The resolution will also likely renew the mandate of the PoE, which expires on 15 December. (Resolution 2025 of 14 December 2011 directed the PoE to “assess the impact, effectiveness, and continued need for the measures” and to conduct a final review with a view “to possibly modifying or lifting all or part of the measures” of the sanctions regime.)

The mandate of the UN Mission in Liberia (UNMIL) expires on 30 September 2013.

Key Recent Developments

Resolution 2066 of 17 September, in addition to extending UNMIL’s mandate, authorised the reduction of its military strength in three phases, with a first reduction of 1,990 personnel to begin in October and end in September 2013.

The phased reduction in UNMIL’s military strength both recognised the considerable progress in Liberia over the years and signalled some caution and anxiety. The resolution also mandated an increase in the number of UNMIL’s authorised police units by three additional units, totalling 420 personnel and bringing the mission’s police force to 1,795 personnel. The resolution emphasised that the additional units “shall be deployed to Liberia as soon as available, with the first unit deploying no later than January 2013.”

On 14 September the Sanctions Committee delisted one individual, Mohamed Ahmad Salame, from the travel ban list and the assets freeze list. The Committee has progressively delisted individuals: on 20 July it removed 17 individuals from both the travel ban and asset freeze lists, including senator Jewel Taylor, the former wife of former President Charles

Taylor (who is serving a 50-year sentence in The Hague). Also delisted was Edwin Snowe, a member of the House of Representatives and Taylor’s son-in-law. Several prominent Liberians, however, remain on both lists. They include businessman Benoni Urey, former security chief to Taylor, Benjamin Yeaten (who is believed to be in Togo), Taylor himself and his son Chuckie Taylor (both in prison), and a host of foreign nationals who are said to have dealt in illicit diamonds and arms in support of the Revolutionary United Front (RUF) in Sierra Leone.

Of particular relevance to the measures relating to arms in Liberia may be recent events in neighbouring Côte d’Ivoire. On 16 October, the Council received a letter from the Secretary-General (S/2012/772) noting that in light of the “deterioration in the security situation in Côte d’Ivoire as well as evolving threats,” he recommended that the Council defer the reduction in the military strength of the UN Office in Côte d’Ivoire (UNOCI), mandated by resolution 2062 of 26 July, until after an assessment in early 2013. The letter referred to “attacks targeting national security forces in and around Abidjan and along the borders with Ghana and Liberia.”

Ambassador Gert Rosenthal (Guatemala), chair of the 1572 Côte d’Ivoire Sanctions Committee, informed the Council of developments during a 25 October briefing on the midterm report (S/2012/766) of the PoE that assists the Committee, published on 15 October. The report highlighted worrying recent security developments in Côte d’Ivoire and neighbouring countries, including the establishment of a command-centre infrastructure in Accra, Ghana, set up by rebels loyal to former President Laurent Gbagbo and of training camps in the dense rainforests of eastern Liberia. The report also cites military actions that have been conducted since early 2012 in Côte d’Ivoire from Ghana and the transfer of funds from Ghana to Liberia, which the report identified as a recruitment platform and rear operating base for the pro-Gbagbo fighters.

The midterm Liberia PoE report from June (S/2012/448) noted “ongoing ties and

interlinked command structures” between Liberian mercenaries and Ivorian militia residing in Liberia, and that these are in constant communication. In its report, the PoE expressed concern that these Liberian mercenaries and Ivorian militia could be a threat to the peace and stability in the border region. It also stated its concerns that the Liberian government has made no progress on national small-arms control measures.

Meanwhile, politics in Liberia have remained somewhat fractious. In October, Leymah Gbowee, co-winner of the 2011 Nobel Peace Prize with President Ellen Johnson Sirleaf, resigned as head of the Peace and Reconciliation Commission, a group set up by Johnson Sirleaf a year ago to promote dialogue among Liberians of different political leanings, as well as peace and security. Gbowee cited “differences in opinion on the pathway for national healing and reconciliation” and criticised Johnson Sirleaf for condoning corruption and nepotism. (Two months earlier, in August, Johnson Sirleaf suspended her son, Charles, as central bank deputy governor for failing to declare his assets. Another son, Fumba, is head of the National Security Agency, while a third, Robert, is Senior Adviser to the President and chairman of the state-owned National Oil Company of Liberia. The Secretary-General’s 16 April special report (S/2012/230) had previously stated that Johnson Sirleaf had failed to take action on anti-corruption cases and that her administration remained unresponsive to audit reports that highlight corruption in public institutions.)

Human Rights-Related Developments

On 18 September, the Committee on the Rights of the Child considered the second, third and fourth periodic reports of Liberia and adopted concluding observations on 5 October. Among the areas of concern was that Liberia has not taken actions against armed actors operating along the borders who have continued to recruit children into their ranks. The committee recommended that Liberia implement necessary measures to prevent the recruitment and use of children, as well as investigating those recruitments and providing necessary psychosocial support and recovery assistance to child victims.

UN DOCUMENTS ON LIBERIA Security Council Resolutions S/RES/2066 (17 September 2012) extended the mandate of UNMIL until 30 September 2013. S/RES/2025 (14 December 2011) renewed the sanctions regime and the mandate of the PoE for 12 months. S/RES/2008 (16 September 2011) extended the mandate of UNMIL until 30 September 2012. **Latest Secretary-General’s Reports** S/2012/641 (15 August 2012) was the Secretary-General’s report on UNMIL, providing an update on developments since 16 April. S/2012/230 (16 April 2012) was the special report on UNMIL requested by resolution 2008. **Letters** S/2012/772 (16 October 2012) was from the Secretary-General to the President of the Security Council on the deterioration in the security situation in Côte d’Ivoire, requesting to defer the reduction in the military strength of the UNOCI, mandated by resolution 2062 of 26 July 2012. **Panel of Experts Report** S/2012/448 (15 June 2012) was the midterm report of the PoE of the Liberia Sanctions Committee. **OTHER RELEVANT FACTS** **Special Representative of the Secretary-General and Head of UNMIL** Karin Landgren (Sweden) **UNMIL Force Commander** Maj. Gen. Muhammad Khalid (Pakistan) **Chairman of the Sanctions Committee** Ambassador Masood Khan (Pakistan) **Panel of Experts on Liberia** Christian Dietrich (US), finance and coordinator; Caspar Fithen (UK), natural resources; and Katrine Kristensen (Denmark), arms

Liberia (con't)

Key Issues

The key issue for the Council is to deny anti-government forces and mercenaries access to resources and weapons with which to destabilise Liberia and its neighbours.

An increasing concern for the Council is the strong link between former Liberian fighters and the growing pro-Gbagbo militia activities in Côte d'Ivoire.

Options

Options for the Council include:

- adopting a new resolution renewing only the measures on arms as well as the mandate of the PoE supporting the sanctions regime; or
- rolling over resolution 2025 renewing all the measures as well as the mandate of the PoE.

Council Dynamics

The recent security developments along

the Liberia-Côte d'Ivoire border have once again alerted the Council to the volatility of the region. Council members are particularly worried by the easy movement of arms and militias across the borders of Liberia and other countries adjacent to Côte d'Ivoire, especially in light of the fragility of most of the countries in the region—including Guinea and Sierra Leone. As a result of this anxiety, the Council is likely to maintain the arms embargo on Liberia, as well as renew the mandate of the PoE monitoring the movement of arms in the region. Agreement on the need for travel bans and asset freezes is more uncertain. The Council has been worried about violations of these measures, in some cases with the apparent complicity of the Liberian government. Since these measures were designed to protect the government and the Liberian state, some Council members have tended to conclude that they are probably obsolete. The

progressive delisting of individuals in Liberia from both the travel ban and asset freeze lists, moreover, indicates that the measures may no longer be relevant or effective, and some Council members appear to be keen on dropping them.

There is also a view among some Council members that dropping these measures, which mainly affect people who are part of the political opposition in a country that has now conducted two democratic national elections since the war ended, would help promote reconciliation. Council members appear concerned about this issue, particularly after the Secretary-General's special report sharply criticised the Johnson Sirleaf government for shortcomings in the areas of governance and reconciliation, both of which bear directly on security.

The US leads on Liberia in the Council. •

Guinea-Bissau

Expected Council Action

In December, the Council will be briefed in consultations most likely by Joseph Mutaboba, Special Representative of the Secretary-General and head of the UN Integrated Peacebuilding Office in Guinea-Bissau (UNIOGBIS), on the quarterly report on efforts to restore constitutional order in Guinea-Bissau following the 12 April coup. This will likely be followed by a briefing, also in consultations, by Morocco on the work of the Guinea-Bissau Sanctions Committee.

A press statement is possible as an outcome.

The mandate UNIOGBIS expires on 28 February 2013.

Key Recent Developments

The transitional government, which was brokered by the Economic Community of West African States (ECOWAS) and is not recognised by some Council members, has taken a hard-line attitude towards UNIOGBIS. On 9 November, the Minister of Foreign Affairs and International Cooperation sent a letter to the Secretary-General requesting the replacement of Mutaboba. The letter stated that Mutaboba does not serve the interest of the transition programme currently underway. It is unclear whether or how the Secretary-General will respond to this request.

The internal situation in Guinea-Bissau remains volatile. An attack on a military base

near the Bissau airport that resulted in six deaths took place on 21 October. The transitional government accused former Army Chief of Staff Jose Zamora Induta, former Prime Minister Carlos Gomes Júnior, Portugal and members of the Community of Portuguese Speaking Countries (CPLP) of being behind what was described as an attempted coup. One week later, Induta's former bodyguard, Pansau N'Tchamá, was arrested outside Bissau as the suspected coup leader.

ECOWAS Commission President Kadré Désiré Ouédraogo visited Guinea-Bissau on 7 November, to formalise the ECOWAS Mission in Bissau (ECOMIB) through the signing of two agreements with the transitional

UN DOCUMENTS ON GUINEA-BISSAU **Security Council Resolutions** S/RES/2048 (18 May 2012) imposed travel bans on coup leaders and set up a new Sanctions Committee. S/RES/2030 (21 December 2011) renewed the mandate of UNIOGBIS until 28 February 2013. S/RES/1876 (26 June 2009) extended the mandate of UNIOGBIS until 31 December 2009 and requested the Secretary-General to establish UNIOGBIS to succeed UNOGBIS. **Security Council Presidential Statement S/PRST/2012/15** (21 April 2012) was on the coup in Guinea-Bissau. **Secretary-General's Reports S/2012/704** (12 September 2012) reported on the restoration of, and respect for, constitutional order, as well as on the humanitarian situation in Guinea-Bissau. S/2012/554 (17 July 2012) was a report on developments in Guinea-Bissau. S/2012/280 (30 April 2012) was a report on the situation in Guinea-Bissau. **Letter S/2012/254** (23 April 2012) contained letters from former Prime Minister Gomes Júnior and from the President of the ECOWAS Commission. **Security Council Meeting Records S/PV.6818** (26 July 2012) was an introduction by Mutaboba of the Secretary-General's report on Guinea-Bissau. S/PV.6755 (21 April 2012) was a meeting on Guinea-Bissau. S/PV.6766 (7 May 2012) was a briefing on Guinea-Bissau. S/PV.6743 (28 March 2012) was a briefing by Mutaboba and Ambassador Maria Luiza Ribeiro Viotti (Brazil), Chair of the Guinea-Bissau country-specific configuration of the Peacebuilding Commission (PBC). **Security Council Press Statements SC/10734** (30 July 2012) was issued after the 26 July briefing. SC/10721 (20 July 2012) concerned the addition of six army officers to the 2048 Sanctions Committee's list of individuals subject to a foreign travel ban. SC/10640 (8 May 2012) followed the 7 May briefing on Guinea-Bissau. SC/10607 (13 April 2012) condemned the coup and called for the immediate release of interim President Raimundo Pereira, Prime Minister Gomes Júnior and all senior officials detained. **OTHER RELEVANT FACTS** **Special Representative of the Secretary-General and Head of UNIOGBIS Joseph Mutaboba (Rwanda) UNIOGBIS Size and Composition** Strength as of 30 September 2012: 60 international civilians; 52 local civilians; 1 military adviser; 16 police; 7 UN volunteers **UNIOGBIS Duration** 1 January 2010 – 28 February 2013 **Chair of the Guinea-Bissau Sanctions Committee** Ambassador Mohammed Loulichki (Morocco) **Chair of the Guinea-Bissau Configuration of the PBC** Ambassador Maria Luiza Viotti (Brazil) **ECOWAS Mission in Guinea-Bissau (ECOMIB) Size and Duration** Strength as of 6 November 2012: 629 soldiers and police (contributing countries: Burkina Faso, Nigeria and Senegal) March 2012–17 May 2013

Guinea-Bissau (con't)

government—a memorandum of understanding on the implementation of the roadmap for the defence and security sector reform programme and the status of mission agreement formalising the deployment of ECOMIB. It has been suggested that the ECOMIB mandate should be taken to the Security Council for approval; however, it is unlikely that this will happen due to the lack of support for ECOWAS's agenda in Guinea-Bissau by some Council members.

An “Extra-ordinary Summit” on Mali and Guinea-Bissau was convened by ECOWAS in Abuja, Nigeria, on 11 November. Regional leaders strongly condemned the alleged 21 October coup attempt, urging the AU and other partners to actively participate in the implementation of the 7 November agreements and extending ECOMIB's mandate by six months beyond its expiry on 17 November. The meeting also called on the AU to recognise the transitional government of Guinea-Bissau, requesting the suspension of its sanctions.

The *Partido Africano da Independência da Guiné e Cabo Verde* (PAIGC) remains in control of the parliament, and both Gomes Júnior and former CPLP Executive Secretary Domingos Simões Pereira have announced their intentions to run in PAIGC leadership elections at a party congress to be held in January 2013. It remains unclear as to whether Gomes Júnior will be permitted to run in the April 2013 presidential elections, as he is currently excluded from politics by the transitional government. Some suggest that it is unlikely he will run due to a lack of guarantee for his security. The interim President, Prime Minister and other members of the transitional government are not permitted to run in the presidential election.

Since the 12 April coup, there is evidence of an increase in drug trafficking in Guinea-Bissau. The *New York Times* reported that from April to July, UN officials have counted at least 20 instances of small planes suspected of carrying drugs stopping in Guinea-Bissau

on their way to Europe. It is widely believed those at the highest levels of the military have been involved in the facilitation of trafficking. The transitional government and military leadership reject the accusations.

The Council last met on Guinea-Bissau on 18 September when it discussed in closed consultations the Secretary-General's report on the restoration of constitutional order in Guinea-Bissau (S/2012/704); following the meeting no action was taken. Feltman updated the Council on the latest developments and members shared their concerns about a continuing political stalemate as well as the importance of a return to constitutional order in Guinea-Bissau.

During meetings held on the margins of the General Assembly key actors active on Guinea-Bissau agreed on a potential mission to be undertaken with the involvement of the AU, CPLP, ECOWAS, the UN and the EU to evaluate the political, human rights and security situation in the country. On 2 November, ECOWAS proposed a draft terms of reference for a joint assessment mission to Guinea-Bissau, calling for the mission to be undertaken from 15-16 November. However, Council members had not agreed on the draft terms and proposed dates for the mission by press time.

Key Issues

The key issue that remains paramount for the Council is the effort by national, regional and international stakeholders to promote the return to constitutional order, including improved cooperation between the AU, CPLP, ECOWAS, UN and other partners.

A related issue is agreement on an inclusive transitional programme, comprising the implementation of comprehensive security sector reforms.

An important perennial issue relates to Guinea-Bissau's involvement in international narcotics trafficking, particularly as the

military responsible for the 12 April coup is allegedly heavily implicated in the trafficking.

Options

Options for the Council include:

- issuing a press statement expressing concern regarding the alleged attempted counter-coup and calling for coordination among stakeholders and their support for the transition process and preparations for the April 2013 elections; or
- taking no action at this time.

Council Dynamics

Council members are divided on the critical issues of accepting the legitimacy of the transitional government and supporting the transitional programme put forward by ECOWAS.

At this stage there has been no move to bring the matter of easing UN sanctions to the attention of Council members.

Portugal would like to see a more inclusive transitional process, with the military relinquishing power completely. It appears that all EU members remain united in their lack of support for the transitional government, despite potential conflicting interests and the need to work with ECOWAS on Mali and the wider Sahel. It is unlikely that the position of the EU members will change, unless there is an agreed roadmap for the transition process that engages all parties to the conflict.

As the only ECOWAS member currently on the Security Council, Togo supports the programme set out by the ECOMIB agreements and supports the transitional government.

Furthermore, while in no way connected to the transitional government's letter urging the replacement of the head of UNIOGBIS, some Council members have concerns with regard to the UN's leadership on the issue of Guinea-Bissau.

Togo is the lead country on Guinea-Bissau, and Morocco is the chair of the 2048 Guinea-Bissau Sanctions Committee. •

Sudan/Darfur

Expected Council Action

In December, the Council is scheduled to receive the biannual briefing from the Prosecutor of the International Criminal Court

(ICC) on the referral of the situation in Darfur to the Court pursuant to resolution 1593. (Fatou Bensouda succeeded Luis Moreno Ocampo in June, and this will be

her first Council briefing on Darfur as ICC Prosecutor.)

The Council is also expecting to receive the quarterly briefing from the chair of the

Sudan/Darfur(con't)

1591 Sudan Sanctions Committee, Ambassador Néstor Osorio (Colombia), on the Committee's work.

At press time, no Council outcome is anticipated on Darfur issues in December.

Key Recent Developments

Ocampo delivered his final briefing to the Council as ICC Prosecutor on 5 June. He said that the failure of the government of Sudan to apprehend and surrender four ICC indictees—President Omar al-Bashir, Ahmed al-Harun, Abdelrahim Mohamed Hussein and Ali Kushayb—directly challenges the authority of the Council. Ocampo suggested that the Council consider as an option asking member states and regional organisations to conduct operations to arrest these individuals.

At a speech delivered in Cape Town on 23 May at the Open Forum Conference, Bensouda said that the Court's focus was on "individual criminal behaviour against innocent victims," mentioning in particular Bashir, Harun, Joseph Kony and Bosco Ntaganda.

In Khartoum, the Special Prosecutor of Darfur crimes appointed by the government of Sudan, Ahmed Abdel Motalib, submitted his resignation to Bashir on 12 June for undisclosed reasons. A week later, Yassir Ahmed Mohamed was appointed, making him the fourth appointee since 2003 when the government established the office of Special Prosecutor to investigate alleged war crimes and crimes against humanity in Darfur. (Immunity laws in Sudan have made the work of the Special Prosecutor problematic.)

The security situation has been fragile in Darfur in recent months. Media reports indicated that fighting on 25-27 September between rebels and Sudanese Armed Forces led to 70 civilian deaths in the Hashaba area in North Darfur, although details of the incident remain unclear. Aerial bombardment by Sudan was also reported during the conflict in Hashaba.

While briefing the Council on 24 October (S/PV.6851), Assistant Secretary-General for Peacekeeping Operations Edmond Mulet noted that a AU/UN Hybrid Operation in Darfur (UNAMID) patrol investigating the Hashaba fighting spotted a bomb crater on 3 October, "as well as three decomposing bodies and what the Sudan Liberation Army

rebel group elements claimed were 16 freshly covered graves containing civilian casualties." Additional UNAMID efforts to investigate the Hashaba events were prevented by the government, which claimed that access to the area needed to be restricted because of the insecure environment.

On 2 November, 13 civilians were killed during a militia attack on Sigili, a village in North Darfur, approximately 40 kilometres southeast of El Fasher. On the following day, UNAMID dispatched a team to investigate the attack but was stopped by Sudanese Armed Forces before it could reach its destination. A second UNAMID team deployed on 6 November and successfully arrived at the town. According to a 7 November UNAMID press release, "the team found Sigili village completely deserted, with apparent signs of abrupt departure. It also noticed several signs of destruction of housing and property, killed animals, and burnt houses."

There were two fatal attacks on UNAMID peacekeepers in October. On 2 October, four UN peacekeepers died and eight were wounded when they were ambushed by unidentified armed men in El Geneina, West Darfur. Another peacekeeper died and three others were injured on 17 October during an attack, also by unidentified armed men, on a UNAMID convoy on its way to Hashaba. The Council issued press statements condemning these incidents on 3 October (SC/10781) and 17 October (SC/10795).

On 25 October, Aïchatou Mindaoudou, the Acting Joint Special Representative for UNAMID, held a meeting in Addis Ababa with Nkosazana Dlamini-Zuma, the Chairperson of the AU Commission. During the meeting, the two discussed the peace process in Darfur, including the commitment to negotiations on the part of a splinter group from the rebel Justice and Equality Movement (JEM), and the preparations for a Darfur donor conference, scheduled for December in Doha. They also discussed concerns about heightened violence in North Darfur since August, as well as the attacks against UNAMID peacekeepers in October.

While in El Fasher, the EU Special Representative to Sudan Rosalind Marsden said on 7 November that the EU would be pleased

to provide financial assistance to recovery and development efforts in Darfur so long as certain conditions were met. First, Sudan had to fulfil its commitment to provide \$200 million to the Darfur Regional Authority. She also said that the "justice and reconciliation" pillar of the Doha Document for Peace in Darfur needed to be honoured, as Sudan had not adequately pursued perpetrators of war crimes in Darfur. Lastly, Marsden noted the importance of cooperation by the government with UNAMID.

In late October, Sudan informed the World Health Organisation that yellow fever had broken out in several parts of Darfur. In November, the government undertook a 12-day campaign to vaccinate approximately 2.2 million people in the region. As of 25 November, the disease had claimed 130 lives.

Human Rights-Related Developments

At the invitation of the government, the Special Rapporteur on the Human Rights of Internally Displaced Persons, Chaloka Beyani, visited Sudan from 14-22 November to examine the overall situation of internally displaced persons (IDPs) in the country. The rapporteur met with officials in relevant government ministries, local government, the Darfur Regional Authority, the Justice, Truth and Reconciliation Commission, the National Human Rights Commission, members of civil society, traditional leaders, UN officials and communities affected by internal displacement. Beyani said that developing "durable solutions" for the challenges facing IDPs in Sudan and addressing their human rights is "critical to peace and stability" in the country. He encouraged the government to ratify the African Union Convention for the Protection and Assistance of Internally Displaced Persons (2009). The rapporteur also urged the government to promote a culture of respect for human rights to prevent cases of human rights violations against persons of South Sudanese origin in departure points and other IDP sites in Sudan.

Key Issues

An ongoing key issue is the Council's unwillingness to act on requests by the ICC prosecutor to take measures against state parties to the Rome Statute that do not fulfil their responsibilities and how this failure to act erodes the effectiveness of the Court and the credibility of the Council's own binding resolutions. (The ICC has informed the Council of visits by President Bashir, who has been indicted by the ICC for alleged war crimes,

UN DOCUMENTS ON SUDAN/DARFUR [Security Council Resolutions S/RES/2063](#) (31 July 2012) extended UNAMID's mandate until 31 July 2013. [S/RES/1769](#) (31 July 2007) established UNAMID. [S/RES/1593](#) (31 March 2005) referred the situation in Darfur to the ICC. [Secretary-General's Report S/2012/771](#) (16 October 2012) was the most recent quarterly report of the Secretary-General on UNAMID. [Security Council Meeting Record S/PV.6778](#) (5 June 2012) was the latest briefing to the Council on the ICC's work in Sudan.

Sudan/Darfur (con't)

crimes against humanity and genocide, to Chad, Djibouti, Kenya and Malawi—all parties to the Rome Statute—without a response from the Council.)

Another key issue is whether the ICC indictments of key government officials hinder the prospects for constructive diplomacy and negotiations and, if these indictments do have such an effect, whether the desire for justice and ending impunity should take precedence. A related issue is whether a compromise solution can (or should) be found that balances penalties and inducements in a way that does not make the so-called “peace versus justice” debate a zero-sum proposition for either side.

An ongoing issue is the fact that several key rebel groups have yet to join the Darfur peace process. (While a splinter group of the JEM has agreed to join the peace process, the main body of the JEM—as well as the Sudan Liberation Army-Abdul Wahid and Sudan Liberation Army-Minni Minawi—continue to fight the regime.)

An important issue is the lack of funding by Sudan to the Darfur Regional Authority, either because of a lack of financial capacity or a lack of political will, or both.

Another key issue is the series of recent attacks on civilian populations, particularly in North Darfur.

Also an important issue are the attacks on

UNAMID peacekeepers and whether there are measures that can be taken to enhance their safety.

An additional key issue are the limitations that Sudan continues to place on the movement of UNAMID peacekeepers and their impact on the mission’s ability to carry out its mandate.

Options

With respect to deliberations on the ICC, options include:

- listening to the briefing and not taking action at the current time; or
- holding an informal interactive dialogue on the role of the ICC in Sudan that includes the participation of regional organisations such as the AU and the Arab League, as well as members of the AU Peace and Security Council.

While unlikely, the Council could also remind all UN member states that resolution 1593, which referred the situation in Darfur to the ICC, is binding and indicate the Council’s intention to follow up on any instance of non-compliance.

With respect to the Sanctions Committee and Darfur more broadly, the Council may wish to consider:

- imposing sanctions on the rebel groups that have not joined the Darfur peace process;

- holding an “Arria formula” meeting with experts to get a better understanding of the primary grievances of the Darfur rebel groups; or
- requesting a briefing on the human rights situation in the region from the UN High Commissioner for Human Rights.

Council Dynamics

Council members appear to be alarmed by the recent violence against civilians in North Darfur. There is also concern among Council members about the high casualty rate among UNAMID peacekeepers. (Several Council members—China, Germany, Guatemala, Pakistan, South Africa and Togo—contribute personnel to UNAMID.)

Regarding the ICC, eight of the current members are not parties to the Rome Statute. (This fact will not change when the new members assume their seats on the Council on 1 January 2013; four of the incoming members are signatories of the Rome Statute, as are four of the five departing members.) Some members of the Council are very supportive of the ICC’s work in Darfur, while others are concerned that the pursuit of Bashir is motivated largely by political interests that could undermine the prospects for peace in the region.

The UK is the lead country on Darfur. •

Sudan and South Sudan

Expected Council Action

The Council will likely meet twice in December to discuss Sudan and South Sudan issues in accordance with resolution 2046. In the context of these meetings, it is expected to discuss the status of negotiations among Sudan, South Sudan and the Sudan People’s Liberation Movement-North (SPLM-N) and potential options for resolving the remaining issues separating these parties. A report from the Secretary-General on these matters was released on 26 November (S/2012/877). At press time, it was unclear whether there would be an outcome to the Council’s deliberations

on Sudan and South Sudan in December.

The Council is also likely to discuss in consultations in December the latest report of the Secretary-General on the UN Interim Security Force in Abyei (UNISFA), whose mandate expires on 31 May 2013. No Council outcome is anticipated from this meeting on UNISFA.

Key Recent Developments

The Joint Political and Security Mechanism (JPSM), which consists of representatives from Sudan and South Sudan and addresses security concerns of both countries, met on

5-7 November. (In resolution 2032, adopted on 22 December 2011, the Council urged the parties to use the JPSM “to resolve outstanding issues related to finalization of the Safe Demilitarized Border Zone, the resolution of disputed border areas, border demarcation, and the mapping of the border zone.”)

The major tasks of the meeting were for Sudan and South Sudan to take the necessary measures needed to develop the Safe Demilitarised Border Zone (SDBZ), a buffer zone between the two countries, and to implement the Joint Border Verification and Monitoring Mechanism (JBVMM) along their mutual

UN DOCUMENTS ON SUDAN AND SOUTH SUDAN Security Council Resolutions S/RES/2075 (16 November 2012) renewed UNISFA’s mandate. S/RES/2046 (2 May 2012) was on Sudan-South Sudan relations. Security Council Press Statement SC/10779 (28 September 2012) welcomed the 27 September agreements. Security-General’s Reports S/2012/890 (26 November 2012) was the latest UNISFA report. S/2012/877 (23 November 2012) was a report on Sudan-South Sudan relations. Other PSC/PR/2 (CCCXXIX) (24 October 2012) is the report of the AU High-Level Implementation Panel. PSC/PR/COMM. (CCCXXIX) (3 August 2012) was a communiqué of the PSC on the status of negotiations between the parties.

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border. However, the parties did not make progress in establishing these border security measures. Accordingly, while AU Commission Chairperson Nkosazana-Dlamini Zuma welcomed the meeting in a 10 November press release, she noted that “the meeting could not reach agreement on practical steps to implement security arrangements.”

Fighting has continued between Sudanese Armed Forces and the SPLM-N rebel group in South Kordofan and Blue Nile states in Sudan. On 31 October, the SPLM-N claimed that it killed 30 troops and wounded 25 others in East El-Leri, South Kordofan, during an attack on an army camp. Apparently in response to the incident, Defence Minister Abdurrahim Mohamed Hussein said that Sudan would step up aerial attacks in the region.

On 2 November, heavy fighting occurred in Dal Dako village northeast of Kadugli, the capital of South Kordofan. The SPLM-N alleged that it repelled an attack by Sudanese Armed Forces and killed 70 troops in the process. However, Ahmed Haroun—the governor of South Kordofan, whom the International Criminal Court has indicted for Darfur-related crimes—challenged the SPLM-N’s depiction of events, arguing that the rebel forces were defeated. Haroun further dismissed the idea of negotiations with the SPLM-N as long as the rebels remain committed to violence.

SPLM-N spokesman Arnu Ngutulu Lodi released a statement on 5 November accusing Haroun of detaining and summarily executing 16 civilians from the Nuba ethnic group in the aftermath of clashes between the SPLM-N and the armed forces on 21 October in Talodi county in South Kordofan.

The humanitarian situation in the border area has deteriorated. On 9 November, UN High Commissioner for Refugees spokesman Adrian Edwards said 1,050 Sudanese refugees now residing in South Sudan had contracted hepatitis E. He added that 26 refugees in camps in Upper Nile state in South Sudan had died from the disease. (More than 175,000 Sudanese refugees who have fled fighting and food insecurity in South Kordofan and Blue Nile now live in South Sudan.)

On 6 November, Sudan announced that it would be withdrawing from the AU, UN, and Arab League Tripartite Initiative to deliver humanitarian assistance to civilian

populations in South Kordofan and Blue Nile. It noted that the three-month period outlined for the implementation of assistance in the memorandum of understanding signed in early August had expired without progress. (Sudan blamed the SPLM-N for the failure of the initiative, accusing it of “failing to respond to practical requests including cease-fire, opening of passages and allowing... humanitarian workers to access the areas controlled by the rebels.” Meanwhile, the SPLM-N has accused Sudan of purposely undermining the initiative through stalling tactics and placing obstacles before international actors facilitating the initiative.)

After leaders from the Misseriya ethnic group, which is generally supportive of Sudan, met with UNISFA’s leadership in Abyei town on 12 November, members of the Dinka ethnic group initiated a protest. (Much of the leadership in Juba consists of Dinka.) In clashes between UNISFA personnel and Dinka demonstrators, a Dinka UNISFA national staff member was killed and another staff member was wounded. UN Secretary-General Ban Ki-moon condemned the violence in a press statement issued on 13 November.

The Council held consultations on 14 November with Haile Menkerios, UN Special Envoy on Sudan and South Sudan, and Hervé Ladsous, Under-Secretary-General for Peacekeeping Operations. Menkerios expressed concern about the lack of progress in implementing the Tripartite Initiative. He also noted that Sudan and South Sudan were still discussing the technical modalities of implementing the JBVMM. Ladsous discussed the recent tensions between the Dinka and Misseriya communities in Abyei, as well as the fighting between the Sudanese Armed Forces and the SPLM-N near Kadugli.

On 16 November, the Council adopted resolution 2075 renewing the mandate of UNISFA until 31 May 2013. In the resolution, the Council urged Sudan and South Sudan “to activate the JBVMM” and “establish the SDBZ” along their mutual border. It also demanded that Sudan and South Sudan establish the Abyei Area Administration and constitute the Abyei Police Service. The Council also recalled but did not endorse the 24 October communiqué of the AU Peace and Security Council (PSC). (This appears to be a significant point as the PSC communiqué called on the Security Council to

endorse a request for the parties to resolve the status of Abyei within six weeks, with plans for an Abyei referendum as the basis of the discussions; an endorsement of this proposal was a measure the Council was apparently unwilling to take at the current time.)

The Council held consultations on 28 November on Sudan and South Sudan. During the meeting, Menkerios noted with concern the lack of progress made by the parties in implementing 27 September agreements on security (including the border mechanisms), oil wealth-sharing, cross-border trade and other issues. It seems that he especially underscored the urgency of establishing the JBVMM and the SDBZ, given recent reports of fighting along the border.

On 22 November, Sudan arrested 13 people, accusing them of plotting a coup against President Omar al-Bashir’s government. Among those arrested were Major General Salah Gosh, the former head of Sudan’s intelligence service, and Brigadier General Mohammed Ibrahim, a key figure in the Sudanese Armed Forces. Although details remain unclear, some analysts believe that the arrests represent a crackdown on dissent in the ruling National Congress Party and the security services.

Key Issues

A key issue is how the Council can facilitate implementation of the 27 September agreements. (It will likely be challenging to implement several of these agreements effectively as long as there is instability along the border in South Kordofan, Blue Nile and other regions.)

Another key issue moving forward is how the Council will decide to approach the impasse over the status of Abyei. (While South Sudan has expressed its willingness to accept the AU High-Level Implementation Panel’s 21 September proposal for a referendum to decide Abyei’s status, Sudan has indicated an unwillingness to do so.)

A related issue is the heightened tension between the Misseriya and Dinka communities in Abyei.

Underlying Problems

The apparent failure of the Tripartite Initiative to date underscores the intractable challenges in addressing the ongoing humanitarian crisis in South Kordofan and Blue Nile states. The violence in South Kordofan and

Sudan and South Sudan (con't)

Blue Nile continues to contribute to food insecurity and population displacement.

Meanwhile there has not been progress on the political front. Sudan and the SPLM-N have not been able to agree to a ceasefire, nor have they demonstrated the willingness to negotiate directly with one another. Absent political progress, fighting in South Kordofan and Blue Nile is likely to intensify in the coming months, accompanied by an influx of more refugees into South Sudan with the onset of the dry season in November. (The dry season makes it less difficult for both troops and civilians to move over territory that is impassable or difficult to traverse during the rainy season.)

Options

Options for the Council include:

- inviting the UN High Commissioner for Human Rights and the Under-Secretary-General for Humanitarian Affairs to brief on the situation in South Kordofan and Blue Nile;

- holding an “Arria formula” meeting with experts on Abyei to gain a better understanding of the aspirations and grievances of Dinka and Misseriya communities in the region; and

- considering the imposition of sanctions on the parties for failing to comply with resolution 2046.

The Council could also consider a visiting mission to Khartoum and Juba to meet with government officials and underscore the importance of avoiding conflict, implementing the 27 September agreements and pursuing constructive dialogue to resolve the remaining issues separating them.

Council Dynamics

Several Council members appear keen to see progress between the parties in implementing the 27 September agreements. Strong concerns also persist among members about the fighting in South Kordofan and Blue Nile and the related humanitarian crisis in these

two states, which has led to an influx of refugees into South Sudan and Ethiopia.

There appears to be differences of opinion about how the Council should respond to the 24 October communiqué of the PSC, which requests Council endorsement of its decisions. While some Council members are inclined to endorse binding solutions on the parties, others believe that agreements must be reached between Sudan and South Sudan through consensual arrangements mutually agreed upon, especially with respect to Abyei.

Some elected members have expressed concern that the recent draft resolution on UNISFA was circulated to them without sufficient time for discussion prior to its planned adoption. The draft was circulated to the wider Council on 9 November, with adoption originally planned on 13 November. The resolution was ultimately adopted on 16 November.

The US is the lead country on Sudan-South Sudan issues. •

UNOCA/LRA

Expected Council Action

In December, the Security Council will likely hear a briefing on the Secretary-General's report on the Lord's Resistance Army (LRA) and on the UN Regional Office for Central Africa (UNOCA) by Abou Moussa, the Special Representative of the Secretary-General and head of UNOCA.

A press or presidential statement is a possible outcome.

UNOCA's mandate expires on 28 February 2014.

Key Recent Developments

On 29 June, the Council adopted a presidential statement (S/PRST/2012/18) welcoming the regional strategy—developed by UNOCA—to address the threat and impact of the activities of the LRA on four affected countries: the Democratic Republic of the

Congo (DRC), South Sudan, Uganda and the Central African Republic (CAR). LRA's activities have included—as referred to in the regional strategy—killings, abductions (especially of children and women), recruitment and use of children as fighters, rape and other grave sexual violence. The regional strategy outlined five areas where the LRA threat could be combated, namely through supporting:

- implementation of the AU Peace and Security Council Regional Cooperation Initiative for the Elimination of the LRA;
- promotion of the protection of civilians;
- expansion of disarmament, demobilisation, repatriation, resettlement and reintegration activities to cover all LRA-affected areas;
- formulation of a coordinated humanitarian and child protection response; and
- LRA-affected governments' ability to

extend state authority across their territory.

During a Council briefing also on 29 June, the Special Envoy of the AU on the LRA Issue, Francisco Caetano José Madeira, called on the Security Council to follow the AU's lead in declaring the LRA a terrorist organisation. It remains unclear as to whether Council members will consider this request.

In addition to welcoming the UN regional strategy, the 29 June presidential statement urged peacekeeping and political missions, as well as other UN agencies, to continue their support for the strategy's implementation. The Council also highlighted the need for states to protect civilians and encouraged continued efforts on disarmament, demobilisation, repatriation, resettlement and reintegration. The statement included a request for the Secretary-General to submit a single report on UNOCA and the LRA (including UNOCA's activities

UN DOCUMENTS ON UNOCA AND THE LRA [Security Council Resolution S/RES/2039](#) (29 February 2012) was on piracy in the Gulf of Guinea. [Security Council Presidential Statements S/PRST/2012/18](#) (29 June 2012) condemned LRA attacks in parts of central Africa and welcomed the AU-led Regional Cooperation Initiative for the Elimination of the LRA. [S/PRST/2011/21](#) (14 November 2011) was on the AU efforts regarding the LRA and requested the Secretary-General to develop a regional strategy for international humanitarian, development and peacebuilding assistance in the LRA-affected areas. [Secretary-General's Reports S/2012/421](#) (11 June 2012) was on the activities of UNOCA and on LRA-affected areas. [S/2012/365](#) (25 May 2012) was a report on the situation of children and armed conflict in areas affected by the LRA. [S/2011/693](#) (4 November 2011) was on LRA-affected areas. [Letters S/2012/657](#) (21 August 2012) took note of the Secretary-General's request to extend UNOCA's mandate for 18 months. [S/2012/656](#) (13 August 2012) was from the Secretary-General recommending the extension of UNOCA for a further 18 months. [S/2012/481](#) (25 June 2012) contained the UN regional strategy to address LRA activities. [Security Council Meeting Record S/PV.6796](#) (29 June 2012) was a briefing on the UNOCA and the LRA. [Security Council Press Statements SC/10364](#) (18 August 2011) was on the role of UNOCA. [SC/10335](#) (21 July 2011) was on efforts to address the LRA issue.

UNOCA/LRA (con't)

related to piracy in the Gulf of Guinea) to the Council by the end of November.

An “Arria formula” meeting on the LRA was co-hosted by Portugal and the UK on 22 June and attended by the vast majority of Council members. Moussa spoke followed by two Congolese activists from Dungu in the DRC, sharing their experiences living in LRA-affected communities. Representatives from two international NGOs working on the LRA issue also spoke. The main points emerging from the meeting included the importance of engagement and cooperation among LRA-affected governments.

UN efforts on the ground to support the AU and counter the LRA threat in line with the AU regional initiative have been conducted through peacekeeping and political operations in the region. Such operations have provided support in a number of areas, including provision of military patrols in LRA-affected areas; support to disarmament, demobilisation, repatriation, resettlement and reintegration programmes; and support to improve early warning capacity.

LRA-affected countries have been contributing troops to the AU regional initiative’s military component, the Regional Task Force (RTF), since its launch on 24 March to fulfil its authorised strength of 5,000 troops. On 18 September, 2,000 Ugandan People’s Defence Force (UPDF) soldiers joined the RTF, while the Sudan People’s Liberation Army contributed 500 soldiers. This followed the deployment of 350 soldiers of the *Forces Armées Centrafricaines* on 12 September as part of a total of 450 soldiers to be deployed from the CAR. The DRC has also indicated that it will deploy troops under the umbrella of the RTF in the north east of the country.

UPDF soldiers clashed with LRA forces in the CAR on 24 August and on 5 September, killing three rebels, rescuing two children and recovering a range of military items. The UPDF indicated that the group was under the command of Dominic Ongwen, a top LRA commander indicted by the International Criminal Court in 2005.

Key Issues

A key issue for the Council is progress on the implementation and the impact of the UN regional strategy and the role it can play in supporting UN and AU efforts to address the LRA issue and ensure a sustainable solution in the long term.

A related issue is the extent to which missions are fulfilling their roles as outlined in the UN regional strategy.

Another issue relates to key challenges to the effective implementation of the UN regional strategy, namely the prioritisation of protection of civilians and agreement on cross-border solutions to the LRA issue.

A further issue concerns the financial burden of the RTF. While it was originally agreed that the national armies of the four LRA-affected countries would bear the cost of operations, it remains unclear how those governments will come up with the funding for the mission and how they will ensure they are appropriately equipped.

Options

Options for the Council include adopting a presidential statement or issuing a press statement that could:

- welcome progress in implementing the AU regional initiative and the UN regional strategy;

- welcome the efforts of affected governments, urging them to strengthen their focus on protection of civilians and to continue to cooperate on cross-border solutions;
- request further reporting from the Secretary-General; and
- welcome the engagement of missions in the implementation of the UN regional strategy and request their continued support.

Taking no action at this time is another option.

Council Dynamics

Council members generally support the UN regional strategy and are keen to see how the strategy will translate into reality during its operationalisation.

Council members are in agreement on the importance of cooperation between countries in the region and the importance of coordinated approach in addressing the threat of the LRA. Some believe the issuance of a statement could be an opportunity to applaud the efforts of affected governments to date, encouraging their continued cooperation.

Some Council members have expressed concern about the sustainability of the RTF and the need for a long-term solution to the issue of the LRA.

Several Council members see the RTF as a valuable tool, highlighting the importance of ensuring that appropriate resources are allocated; others, however, have expressed their concerns regarding the financial burden of its work and how these can be addressed.

The UK is the lead country on the LRA. •

UNDOF (Golan Heights)

Expected Council Action

In December the Council is expected to renew the UN Disengagement Observer Force (UNDOF) for a period of six months. UNDOF was established in May 1974 to monitor the ceasefire between Israel and Syria.

The Department of Peacekeeping Operations is expected to brief the Council in consultations on the Secretary-General’s

UNDOF report, also due in December. The report will likely detail violent incidents that have occurred in the UNDOF area of operations in two broad categories: clashes between the Syrian Armed Forces and the armed opposition and exchanges of fire between Israel and Syria.

The mandate of UNDOF expires on 31 December.

Key Recent Developments

The Security Council renewed UNDOF’s mandate on 27 June through resolution 2052, in which the Council also noted that events elsewhere in Syria have started to manifest themselves in the area of responsibilities of UNDOF.

On 19 July, Israeli Defence Minister Ehud Barak spoke to reporters during a visit to an

UNDOF (Golan Heights) (con't)

Israeli position in the Golan Heights, saying that Israeli forces were prepared to prevent an influx of Syrian refugees into the Israeli-controlled areas of the Golan Heights. "If we have to stop waves of refugees, we will stop them," he said. Nonetheless, spill-over from the Syrian crisis continued and on 19 July as many as 500 Syrian soldiers and fifty vehicles were reported by news media to have crossed into the area of separation between Syrian and Israeli forces. The incident prompted the Israel Defence Forces (IDF) to begin reinforcing the border in the region.

In the October quarterly debate on the situation in the Middle East, Under-Secretary-General for Political Affairs Jeffrey Feltman noted that UNDOF had observed "an exchange of weapons between groups crossing the border into Syria from Lebanon" on 27 September as well as "deadly incidents involving armed elements from Lebanon and Syria" in the UNDOF area of operations on 20 and 29 September.

Feltman also related a 9 October incident in which Syrian government forces fired at two members of Observer Group Golan in a clearly marked UN vehicle. (Observer Group Golan consists of unarmed military observers from the UN Truce Supervision Organization attached to UNDOF.) According to Feltman, Syrian authorities are investigating the incident.

Recent weeks have seen further military incursions by Syria. On 3 November, UNDOF observed four Syrian tanks inside the area of separation. Syria subsequently alleged that it had received approval from UNDOF for the operation. The Secretary-General's spokesperson denied the possibility that UNDOF had given such approval to the Syrian forces, noting, "the mission does not have the mandate or the authority to approve military operations in the Area of Separation."

On 8 November shells fired by Syrian government forces landed in areas of the Golan Heights administered by Israel. The US circulated a draft press statement to Council members on 9 November condemning repeated Syrian violations of the 1974 Disengagement of Forces Agreement, especially the 3 and 8

November incidents, but failed to achieve the consensus necessary to have a press statement issued. On 11 November, additional shelling landing near an Israeli military post was met by a "warning shot" returned by the IDF. The Secretary-General issued a statement the same day expressing deep concern over the potential for escalation and calling on Israel and Syria to exercise restraint. On 12 November, Israeli tanks responded to continued shelling, hitting the Syrian artillery responsible. Since then, the situation appears to have calmed somewhat: on 15 November, Israel did not respond to a stray Syrian bullet that struck near an IDF outpost, causing no injuries. Nonetheless, on 17 November violence flared again: small arms fire from Syria directed at Israeli forces prompted renewed shelling by the IDF that reportedly killed three Syrian soldiers.

On 29 November an UNDOF convoy carrying troops scheduled to rotate out of the mission came under fire in the vicinity of Damascus International Airport, which reportedly closed the same day due to military encounters between Syrian government and opposition armed forces. At least four UNDOF personnel were injured.

Key Issues

The key issue regarding the Golan Heights in December is the continuing spill-over of the Syrian conflict into both the area of separation and the Israeli-occupied Golan Heights. According to the Israeli Minister of Defence, Syrian rebel forces currently control nearly all the villages within the area of separation. Syrian civilian authorities are responsible for administering and policing the area of separation, under the 1974 Disengagement of Forces Agreement between Syrian and Israeli Forces, which prohibits military forces from entering the area.

A closely related key issue is incursions into the area of separation by Syrian government forces, also in violation of the 1974 Agreement, which have the potential to destabilise the long-standing cease-fire between Israel and Syria.

An additional issue is the safety and security of UN personnel, given the proximity

of UNDOF positions to the areas in which repeated recent clashes have been reported between Syrian government forces and the Syrian armed opposition. The incident on 29 November near Damascus International Airport further demonstrates the vulnerability of UNDOF personnel beyond the mission's area of operations.

Options

The Council has several options on the Golan Heights in December. It could:

- simply roll over UNDOF's mandate for an additional six months;
- expand upon the acknowledgment in resolution 2052 that the Syrian crisis had begun to manifest itself in UNDOF's area of operations by elaborating on the impact of events in Syria on UNDOF's ability to operate;
- strengthen the language of the mandate and renewal resolution to call for the elimination of obstacles to UNDOF's freedom of movement in the fulfilment of its mandate and to express concern regarding the safety of UNDOF personnel; or
- request additional reporting and monitoring on the part of the Secretary-General.

Council Dynamics

Council members agree upon the utility of UNDOF in contributing to stability in the region in lieu of a peace agreement between Israel and Syria. (Regarding the Israel-Syria peace track, the last attempt at talks was mediated by Turkey in early 2008. Turkey suspended its efforts after Israeli incursions into Gaza in December 2008. Previously, the last attempt was in 2000.)

The US is the lead on the Golan Heights in the Council, however in the context of the Syrian crisis, the renewals in June and December 2011 were characterised by competing drafts circulated by Russia and the US. To avoid repeating this situation, during the most recent renewal in June 2012 Russia and the US jointly submitted the draft resolution. At press time it was unclear which scenario would prevail in December,

UN DOCUMENTS ON UNDOF [Security Council Resolutions S/RES/2052](#) (27 June 2012) renewed UNDOF until 31 December 2012. [S/RES/350](#) (31 May 1974) established UNDOF. [S/RES/338](#) (22 October 1973) called for a ceasefire and comprehensive peace. [S/RES/242](#) (22 November 1967) called for the withdrawal of Israeli forces from the occupied territories. [Security Council Letters S/2012/644](#) (15 August 2012) was a Syrian letter to the Council responding to the contents of the 19 July letter from Israel. [S/2012/566](#) (19 July 2012) was a letter from Israel to the Council regarding Syrian incursions into the area of separation. [S/2012/458](#) (15 June 2012) and [S/2012/459](#) (19 June 2012) was an exchange of letters appointing Maj. Gen. Iqbal Singh Singha as the new Head of Mission and UNDOF Force Commander. [Secretary-General's Reports S/2012/403](#) (5 June 2012) UNDOF report covering the period from January to June 2012. [S/11302/Add.1](#) (30 May 1974) contained the Agreement on Disengagement between Syrian and Israeli Forces. [Security Council Meeting Record S/PV.6847](#) (15 October 2012) was the most recent quarterly debate on the Middle East. **OTHER RELEVANT FACTS** [Force Commander](#) Maj. Gen. Iqbal Singh Singha (India) [Size and Composition of Mission \(as of 31 October 2012\)](#) 1,034 troops assisted by 76 military observers of the UN Truce Supervision Organisation's Observer Group Golan. *Troop contributors:* Austria, Croatia, India, Japan and the Philippines. [Approved Budget](#) \$48 million (A/C.5/66/17)

UNDOF (Golan Heights) (con't)

whether the US would hold the pen, whether another joint draft would be submitted or whether competing draft resolutions might be circulated to the Council. The draft press statement circulated by the US in November responding to Syrian incursions into the area of separation (in particular the 3 and 8 November incidents) did not achieve consensus following a Russian request for language suggesting “grave concern” rather

than “condemnation” of the incident. Some members found the change unacceptable. It is possible that similar dynamics will emerge during negotiations leading up to UNDOF’s renewal.

The situation on the ground will also continue to impact Council members’ positions in the coming weeks and will affect the discussions that occur around the renewal. Some Council members may want to take

the opportunity of the UNDOF renewal to address the spill-over from the Syrian crisis, while others may be concerned about allowing discussions or pronouncements to range beyond the narrow focus of UNDOF’s mandate. Divisions on the Council regarding approaches to the Syrian crisis may also manifest themselves in Council approaches to UNDOF, as the impact of the crisis on the Golan Heights continues to grow. •

Iraq

Expected Council Action

In December, the Council is expected to consider the 34th report of the Secretary-General on Iraq-Kuwait issues pursuant to paragraph 14 of resolution 1284 (1999), and to receive a briefing in consultations from Gennady Tarasov, the High-Level Coordinator for Iraq-Kuwait Missing Persons and Property.

At press time it was unclear whether or not the Council would renew the financing for the High-Level Coordinator, which expires on 31 December. Should the position be eliminated, it was also unclear what alternative oversight mechanism would be endorsed by the Council to continue reporting on cooperation between Iraq and Kuwait in the search for missing persons and property. Tarasov is not expected to continue in the position regardless of whether or not it is renewed.

Key Recent Developments

Following a briefing by Tarasov on 20 June, the Council renewed the funding for the High-Level Coordinator for six months via a press statement (SC/10680). The statement welcomed cooperation between Iraq and Kuwait and indicated that the Council was “encouraged by the recent positive developments in Iraqi-Kuwaiti bilateral relations.” The statement also supported the Secretary-General’s opinion, expressed in his 14 June report on Iraq-Kuwait issues (S/2012/443), that the two sides should begin exploring other arrangements so that the Council will “be in a position to consider other modalities” to continue reporting on the search for

missing persons and property. From 18-21 September, Tarasov visited Kuwait for consultations with Iraqi and Kuwaiti authorities and other relevant stakeholders.

At press time, the Council was expected to receive a briefing on 29 November from Martin Kobler, head of the UN Assistance Mission for Iraq (UNAMI), to be followed by consultations. The latest Secretary-General’s report (S/2012/848), issued on 16 November, found that though there had been some efforts to address the political stalemate in Iraq, “no tangible progress” had been made. On 1 November, Iraqi Vice President Tariq al-Hashemi (who had been tried in absentia, convicted of two murders and sentenced to death in September) received a second death sentence on a charge that he was involved in an assassination plot against an official at the Ministry of the Interior. On 4 November, al-Hashemi received a third death sentence after being found guilty of ordering attacks on Shiite pilgrims. Al-Hashemi has been living in exile in Turkey since December 2011.

The Secretary-General’s report also noted that relations between Iraq and Kuwait are “still characterized by a mutual lack of confidence.” On 27 September, on the margins of the General Assembly, the Iraqi and Kuwaiti delegations met to discuss Iraq’s remaining obligations towards Kuwait under Chapter VII. A follow-up meeting between the Foreign Ministers of Iraq and Kuwait occurred on 29 September. However, the Secretary-General’s report noted a lack of progress by Iraq on its Chapter

VII obligations, in particular the failure of the government to remove inter-boundary obstacles on the Iraq-Kuwait border, as previously agreed with the Kuwaiti government. The report concluded by noting that “a historic opportunity is at hand for Iraq and Kuwait to normalize their relations” and urged both parties to “implement all agreements reached between them.”

Violent incidents continued in Iraq in November. On 14 November, a series of bombings killed at least 17 people in the cities of Baghdad, Kirkuk, Hawija and Hillah. On 16 November, clashes erupted between Iraqi soldiers and Kurdish forces in the town of Tuz Khurmato in northern Iraq in which two persons were killed and 10 were wounded. On 27 November at least 29 people were killed in a string of eight car-bombings across Iraq.

Significant spill over from the Syrian conflict continued to affect Iraq as well: as of 30 October more than 50,000 Iraqis had returned to Iraq from Syria, and more than 45,000 Syrians had sought refuge in Iraq.

Regarding the former Camp Ashraf (now known as Camp New Iraq), the Secretary-General’s report indicated that approximately 100 people—Iranian exiles belonging to the *Mujahedin-e Khalq Iran* (the MEK), an organisation opposed to the government in Tehran—remain in the camp, while 3,112 individuals have been relocated to Camp Hurriya, a temporary transit facility. The Office of the UN High Commissioner for Refugees (UNHCR) has identified 637 of these individuals as having international

UN DOCUMENTS ON IRAQ **Security Council Resolutions** S/RES/2061 (25 July 2012) renewed UNAMI for a period of 12 months. S/RES/1284 (17 December 1999) established UNMOVIC and requested the Secretary-General to report to the Council every four months on the compliance by Iraq with its obligations regarding the repatriation or return of all Kuwaiti and third-country nationals. **Secretary-General’s Reports** S/2012/848 (16 November 2012) was a report of the Secretary-General on UNAMI. S/2012/443 (14 June 2012) was a report of the Secretary-General regarding Iraq-Kuwait issues. **Security Council Press Statement** SC/10680 (20 June 2012) renewed the funding for the High-Level Coordinator for Iraq-Kuwait missing persons and property. **OTHER RELEVANT FACTS** Secretary-General’s High-Level Coordinator for Iraq-Kuwait Missing Persons and Property Gennady Tarasov (Russia)

Iraq (con't)

protection needs. A 2 October conference on resettlement organised by UNHCR in Geneva called on member states to accept these persons but received only “a limited number of positive responses,” according to the Secretary-General’s report.

Human Rights-Related Developments

According to the latest Secretary-General’s report on UNAMI, scores of civilians, including children, were killed and injured by indiscriminate terrorist attacks during the reporting period. There were also reports of direct attacks against schools and medical facilities, allegations of recruitment of children by terrorist groups, an increasing number of reported cases of gender-based violence in the Kurdistan region and allegations of torture in detention facilities.

The Secretary-General furthermore noted that, since his last report, another 43 individuals had been executed, bringing the total number of executions so far in 2012 to 113 in comparison with 67 executions in 2011 and 18 in 2010. He called on the government of Iraq to positively consider a moratorium on the implementation of all death sentences and to ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, with a view to the abolition of the death penalty.

Key Issues

The key issue for the Council in December is whether or not to renew the funding for the

position of the High-Level Coordinator, and if not what alternative oversight mechanism should replace that position.

Additionally, the continuing political stalemate in Iraq, the fragile security situation throughout the country and the lack of progress on the resettlement of the MEK exiles in Camp Hurriya will all remain of concern to Council members.

Options

On Iraq-Kuwait issues the Council could:

- renew the funding for the High-Level Coordinator via a press statement that would also endorse a new appointment to the position;
- endorse, through a statement or other document, a new position to oversee Iraq-Kuwait issues, such as a Special Representative or other Envoy;
- add the responsibilities currently mandated to the High-Level Coordinator to the mandate of UNAMI through a resolution; or
- develop some other alternative oversight mechanism to monitor progress on Iraq-Kuwait issues.

Council Dynamics

Council members agree that any changes to

the mandate of the High-Level Coordinator should be contingent on the agreement of Iraq and Kuwait and on being especially sensitive to the Kuwaiti position on the issue. Nonetheless, some Council members have made clear their desire to see progress implementing the Secretary-General’s recommendation that Iraq and Kuwait begin exploring other arrangements and hope that the position will not be renewed. It appears that Kuwait agrees in principle that Iraq could be released from its current Chapter VII obligations but also remains committed to maintaining a UN position to oversee Iraq-Kuwait issues separate from UNAMI. Several other Council members remain wary of transferring the mandate of the High-Level Coordinator to UNAMI. Iraq’s lack of progress in recent weeks on its Chapter VII obligations (in particular the removal of obstacles on the Iraq-Kuwait border) is also a concern to many on the Council. Many Council members are awaiting the recommendations of the Secretary-General in his December report on Iraq-Kuwait issues before formulating a position on the issue.

The US is the lead country on Iraq issues in general, and the UK is the lead on Iraq-Kuwait issues. •

Iran

Expected Council Action

The Council is scheduled to be briefed in December by the outgoing chair of the 1737 Iran Sanctions Committee, Ambassador Néstor Osorio (Colombia), on the Committee’s work over the last three months.

No Council action is expected.

Key Recent Developments

On 16 November, the International Atomic Energy Agency (IAEA) published its latest report on Iran’s nuclear programme. The report reiterated many of the concerns expressed in its previous report of 30 August, including ongoing questions about the possible military dimensions of the nuclear programme. In particular, the report notes

significant developments that the IAEA has observed at the Parchin military site since the IAEA first requested access to the site in January. (These include the razing of several structures, the shrouding of the containment vessel building and the removal of considerable quantities of earth at the site.) The report reiterated the request to Iran for the IAEA to visit Parchin, but it also said that due to the “extensive activities” that had taken place at the site this year, “when the Agency gains access to the location, its ability to conduct effective verification will have been seriously undermined.” The 16 November report also stated that Iran continued to install more centrifuges for uranium enrichment at its underground Fordow complex and at its Natanz site.

The report lamented that, despite the “intensified dialogue” between the IAEA and Iran since January, no “concrete results” had been achieved in resolving outstanding issues. In particular, there has been no agreement on a “structured approach” to address remaining issues of concern vis-à-vis the nuclear programme. The IAEA is next scheduled to hold a high-level dialogue with Iran in Tehran on 13 December.

Earlier, on 13 September, the IAEA’s Board of Governors adopted a resolution (GOV/2012/50) reiterating its “serious concern that Iran continues to defy the requirements and obligations” contained in relevant IAEA and Council resolutions. (The resolution was the first adopted by the 35-member

UN DOCUMENTS ON IRAN [Security Council Resolutions S/RES/1929](#) (9 June 2010) imposed the fourth and most recent round of sanctions on Iran and established the Panel of Experts. [S/RES/1737](#) (23 December 2006) was the first round of sanctions on Iran, which also established the Sanctions Committee. [Presidential Note S/2012/850](#) (19 November 2012) contained the latest report of IAEA Director General on Iran’s nuclear programme (GOV/2012/55). [Security Council Meeting Record S/PV.6839](#) (20 September 2012) was the quarterly briefing by the chair of the Sanctions Committee. [Reports S/2012/395](#) (12 June 2012) was the final report of the PoE, submitted pursuant to resolution 1984 (2011).

Iran (con't)

board since November 2011, when it expressed “deep and increasing concern” about the nuclear programme and emphasised the need to clarify issues so as to “exclude the existence of possible military dimensions.”)

The “P5+1”—comprising the Council’s permanent members and Germany—took the leading role in drafting this year’s IAEA resolution. The resolution observed that Iran had not allowed the IAEA access to its sites as requested, including Parchin. While it notes that no agreement had been reached between Iran and the IAEA, it recalled the statement by Catherine Ashton, the EU High Representative for Foreign Affairs and Security Policy (who represents the P5+1 in negotiations with Iran), that the overall goal of the talks remained a “comprehensive negotiated, long-term solution.”

Notably, the resolution expressed its continued support for a “peaceful resolution” of the issue and noted that a “constructive diplomatic process” was the best means of achieving that end. Analysts observed that while the resolution sent a clear message to Iran about the need to address the international concerns regarding its nuclear programme, it also emphasised—more so than the previous resolution—the need for the issue to be resolved without states resorting to military means.

On 5 November, IAEA Director General Yukiya Amano addressed the UN General Assembly. He reiterated that Iran was not providing the necessary cooperation to enable the IAEA to conclude that all nuclear material in Iran was “in peaceful activities.” Despite an intensification of dialogue with Tehran in the 12 months prior, no concrete results had been achieved, Amano said, noting that negotiations on a “structured approach” would continue.

The 1737 Sanctions Committee met twice since the last quarterly briefing by its chair, most recently on 26 November, to discuss, inter alia, the 11 recommendations in the 12 June report (S/2012/395) of its Panel of Experts (PoE). It seems that several Council members emphasised the importance of making progress towards acting on the recommendations, including the designation of specified entities that had engaged in prohibited arms export activity with Iran. The Committee discussed the PoE’s recently submitted midterm report of its work, which will now be submitted to the Council by 9 December.

Some members additionally expressed concerns over reports of weapons being transported from Iran to Syria and to Hamas, in contravention of the sanctions regime, and urged the PoE to investigate.

At the political level, the P5+1 met in Brussels on 21 November to discuss the next steps concerning its negotiations with Iran on its nuclear programme. (Three rounds of high-level talks have been held with Iran since April, the last one being in Moscow in mid-June, although they failed to result in tangible progress.) Following the US presidential election on 6 November, attempts at reigniting the talks were being discussed although at press time a date for the next round of talks between the P5+1 and Iran had not been set.

Human Rights-Related Developments

On 23 October, three UN Special Rapporteurs – on human rights in Iran, on extrajudicial executions and on torture – expressed outrage at the execution of 10 drug-related offenders in Iran. On 12 October they had called for the executions to be halted. On 15 November, they also called for an independent and impartial investigation into the death of a blogger while in custody, particularly allegations of torture.

The Special Rapporteur on human rights in Iran, Ahmed Shaheed, presented his report to the Third Committee of the General Assembly on 24 October, describing the overall human rights situation in the country as deeply troubling. Shaheed expressed concern over the new penal code, the arrest of 19 journalists between January and May, the high rate of executions (particularly for drug-related crimes), the treatment of lawyers and human rights defenders and violations of due-process rights, including ill treatment during interrogations and denial of legal representation. Although he was not allowed to visit Iran, Shaheed conducted 99 interviews with individuals living both inside and outside the country. Iran had submitted its comments and observations on the draft report.

From 11-22 November, Shaheed conducted a second fact-finding mission to Germany, Norway and Sweden which host Iranian diaspora, to gather information about alleged human rights violations in Iran. During a press conference in Oslo on 22 November, he said he received credible testimonies that largely confirmed patterns he had previously encountered, including repressive policies towards religious and ethnic minorities, the worsening of the situation of women, and harassment and detention of human rights defenders.

Key Issues

A key issue for the Council is ensuring that tensions in the region do not escalate

while the international community and Iran attempt to reach a peaceful, diplomatic solution to concerns about the nature of the latter’s nuclear programme.

Iran’s inconsistent cooperation with the IAEA remains an important concern, particularly its reported hampering of IAEA efforts to gain access to the Parchin site.

A fundamental issue for the Council is striking an effective balance between pressuring Iran to comply with existing resolutions and obligations through the sanctions regime, and not antagonising it to the extent that sanctions become counterproductive to the peaceful resolution of the dispute.

At the Committee level, a key issue is the implementation of the existing sanctions as recommended in the PoE’s report. Another is reaching agreement on issuing guidance to member states in the form of Implementation Assistance Notices.

Options

Developments at the Council level in the foreseeable future are unlikely as long as diplomatic attempts to resolve differences between the P5+1 and Iran continue.

Within the 1737 Committee, members could implement some or all of the PoE’s recommendations. This could begin with the designation of Yas Air—an Iranian cargo airline—and the SAD Import-Export Company, which are specified by the PoE as having violated the sanctions regime against Iran.

Additionally, the Committee could issue Implementation Assistance Notices concerning the recommendations in the report. These could include reminding member states to submit implementation reports and to maintain a high degree of vigilance over goods transported to and from Iran; encouraging member states to fulfil their duty to report incidents of non-compliance; and seeking from member states, on a voluntary basis, further information regarding designated individuals.

Council and Wider Dynamics

Since the adoption of resolution 1929 (2010) imposing a fourth round of sanctions on Iran and the lengthy negotiations that led to that decision, the P5 have been split on whether the Council should take further action on Iran. Due to this paralysis within the Council, states in favour of

Iran (con't)

stronger sanctions—notably the US and EU members—have increasingly implemented them unilaterally.

Within the IAEA's Board of Governors, where the P5+1 states take a leading role and where current Council members India, Pakistan and South Africa are

also represented, the P5 appeared to see relatively eye-to-eye recently in drafting the 13 September IAEA resolution among themselves. (South Africa sought to add an amendment to the P5+1's agreed text, delaying the adoption.) For now, all the P5+1 members seem to agree that Iran's

continued enrichment activities are of concern and are united in their calls for Tehran to comply with its obligations, while emphasising the desirability of the differences being resolved through a “constructive diplomatic process.” •

Afghanistan

Expected Council Action

The Council is scheduled to hold its quarterly debate on the UN Assistance Mission in Afghanistan (UNAMA) in December. Jan Kubiš, the Special Representative of the Secretary-General and head of UNAMA, is expected to brief. At press time, no outcome was anticipated. The mandate of UNAMA expires on 23 March 2013.

The Council is likely to adopt a resolution modifying the 1988 Taliban Sanctions regime. (Resolution 1988, adopted in June 2011, requested a review of the regime in 18 months time.)

Key Recent Developments

Violence has continued to seize Afghanistan. On 16 October, an Afghan intelligence employee wearing a suicide vest blew himself up in a government office in Maruf district in Kandahar Province, killing four Afghan intelligence officials and two US citizens (including one soldier and one former officer). Also on 16 October, an International Security Assistance Forces (ISAF) airstrike in the Nawa district of Helmand Province killed three children (ages 8 through 12). The circumstances of the airstrike are unclear. ISAF has confirmed that it initiated the strike after aerial surveillance spotted individuals planting roadside bombs; witnesses said that while the Taliban had been planting bombs, the children who died in the assault were only collecting dung, which is typically used as fuel in the area.

On 26 October, a suicide bomber in the town of Maimana in Faryab Province in the north of the country killed at least 45 people and injured 60 others as they were exiting a

mosque after attending services marking the Eid al-Adha holiday.

In the Grish district of Helmand province, four Afghan policemen were killed at their outpost on 2 November by colleagues who appeared to be relieving them at the end of their shift.

Twenty people died in four separate incidents in southern and eastern Afghanistan on 8 November. Ten civilians died in Musa Qala district in Helmand Province when a truck transporting people struck a roadside bomb. In Kandahar city, a suicide bomber killed three Afghan policemen at a police checkpoint and five Afghan soldiers were killed in Badpakht district in Laghman Province when a roadside bomb exploded near their convoy. A roadside bomb also killed two children in Zabul province.

In Farah province in western Afghanistan, 17 civilians, mostly women and children, died when the van they were riding in struck a roadside bomb on 16 November.

Kubiš last briefed the Council on 20 September (S/PV.6840). He underscored that aid pledged to Afghanistan at the 8 July Tokyo Conference was contingent on the government's ability to make progress in meeting commitments to good governance, the rule of law, human rights and effective financial management. At the same time, he noted that donors “must reinforce government systems” through their aid. (This was likely a reference to the “mutual accountability framework”, whereby donors promised to honour financial commitments to Afghanistan made at the conference so long as Afghanistan makes progress in meeting its commitments. For their part, donors promised to increase the percentage of support allocated to the

Afghan national budget and to priorities outlined by the Afghan government.)

Kubiš noted the “ongoing fragility of the security situation...and to the fear and insecurity that impede everyday life.” Kubiš said that the actions of the Taliban and other anti-government forces all contributed to the unstable environment. As a consequence, according to Kubiš, the delivery of humanitarian aid and development assistance had been curtailed, while government services in parts of the country were limited.

He further expressed concern with the fragmenting security sphere. In certain regions of the country, he noted that some groups are taking up arms against the Taliban but not necessarily in support of the government. To address this challenge, he said that the government would need to strengthen governance and rule of law at the local level.

On 1 November, Ismail Khan, the Minister of Energy and Water and a former *mujahedeen* commander, announced that he was reconstituting militia in Herat to protect the country against the Taliban, stating that foreign forces had failed to bring security to Afghanistan. A spokesman for President Hamid Karzai responded by saying that such plans were contrary to government policy, adding that the government and people of Afghanistan “do not want any irresponsible armed grouping outside the legitimate security forces structures.” (Other former *mujahedeen* leaders have hinted at the possibility of forming militia distinct from government security forces, raising concerns that parallel security structures might spread, especially as the ISAF military presence recedes.)

On 2 November, the 1988 Taliban Sanctions Committee placed the Haqqani

UN DOCUMENTS ON AFGHANISTAN Security Council Resolutions S/RES/2069 (9 October 2012) renewed the mandate of ISAF in Afghanistan until 13 October 2013. S/RES/2041 (22 March 2012) renewed UNAMA's mandate until 23 March 2013. Secretary-General's Report S/2012/703 (13 September 2012) was the latest UNAMA report. Security Council Meeting Record S/PV.6840 (20 September 2012) was the latest UNAMA debate.

Afghanistan (con't)

network on its list of entities subject to sanctions, including an assets freeze, travel ban and arms embargo. (The Haqqani network, based in areas along the Afghanistan-Pakistan border, has been responsible for many high-profile terrorist attacks in Afghanistan.) The Afghan government welcomed the decision to list the Haqqani network.

On 30 October, the head of the Afghan Independent Election Commission, Fazal Ahmad Manawi, announced that the next presidential election, the third since the end of Taliban rule, would be held on 5 April 2014. (Karzai has pledged that he will not seek a third term in keeping with the constitutional term limit.)

Representatives of the Afghan High Peace Council, the body entrusted with promoting peace and reconciliation with insurgents in Afghanistan, met with Pakistani government and military officials from 12-14 November. In the aftermath of the visit, Pakistan released at least twelve key Taliban prisoners, a step viewed by many as a positive gesture to help reinvigorate the peace process.

On 26 November, Council members held an informal interactive dialogue with Salahuddin Rabbani—the chair of the Afghan High Peace Council who led the recent delegation to Pakistan—and received an update on the reconciliation process. With regard to the 1988 Taliban Sanctions Committee, it appears that Rabbani discussed the possibility of travel ban exemptions to enable potential Taliban negotiators to travel to participate in peace talks. It seems that Rabbani's request will be considered when the Council reviews the 1988 Taliban Sanctions regime in December.

Human Rights-Related Developments

The Afghanistan Independent Human Rights Commission on 5 October expressed its great concern about the increase in violence against women, their arbitrary punishments and their summary trials. Because honour killings and rape cases have increased substantially, the commission plans to launch the first program of national research on these crimes, conducting a comprehensive investigation of these cases and raising awareness.

UNAMA's tracking of civilian casualties revealed that improvised explosive devices killed 340 civilians and injured 599 between 1 January and 30 September, which represents an increase of almost 30 percent compared to the same period last year.

On 22 November, Navi Pillay, the UN High Commissioner for Human Rights, expressed serious concern about the executions of 14 prisoners who had been convicted of serious crimes. The executions of these prisoners, the first since June 2011, were carried out at the Pul-e-Charkhi prison on the outskirts of Kabul on 20-21 November and had been approved by President Karzai. Pillay noted that "under international law and Afghanistan's own treaty obligations, the death penalty must be reserved for the most serious crimes and only applied after the most rigorous judicial process", adding that "in the past, shortcomings in the Afghan judicial procedure have raised serious questions about such cases."

Key Issues

A key issue is the deteriorating security environment and the toll it is taking on civilians throughout the country and how effectively Afghan security forces will perform as the transition from ISAF to Afghan-led security continues.

A related issue is what role ISAF, and the US in particular, will play in Afghanistan after 2014, the deadline for the security transition. (Experts have speculated that the US and NATO might try to strike a deal with Afghanistan to maintain a limited military presence in the country for advisory and anti-terrorism purposes.)

An emerging issue is the threat that parallel security structures, such as the militia that Khan is creating, may begin to proliferate, further eroding the legitimacy of the Afghan government.

Another key issue is how to jumpstart reconciliation efforts with the Taliban and, in this context, whether the 1988 Sanctions Committee should in certain cases consider exemptions to its travel ban to allow listed individuals to travel to participate in peace talks.

An important issue is for both Afghanistan and donors to meet commitments outlined in the "mutual accountability framework" agreed in the Tokyo Conference.

A future issue is the need for Afghanistan, with the assistance of UNAMA and other international actors, to plan for a transparent and credible presidential election in 2014.

A significant issue is also what impact UNAMA budget cuts planned for 2013 will have on the mission's impact and activities.

Options

One option is for the Council to listen to the briefing but take no action at the current

time. Given the heightened violence against civilians, it could also invite the High Commissioner for Human Rights to brief on the protection of civilians.

The Council may also contemplate adopting a statement that:

- reiterates strong concern about the security environment and the toll of the conflict on civilians;
- emphasises the critical need for Afghanistan and its international partners to abide by commitments made at recent high-level conferences, most notably the "mutual accountability framework" agreed in Tokyo; and
- requests from the Secretary-General a strategic plan for UN support for reconciliation efforts.

Council Dynamics

There is widespread support for the work of UNAMA on the Council, although some members are concerned that planned budget cuts to the mission could negatively affect its operations.

Several Council members have expressed growing alarm about the toll that the conflict continues to take on civilians. The UK has stressed that protecting civilians while the insurgency indiscriminately attacks them is a major priority for ISAF. While acknowledging that the number of civilians killed in pro-government attacks has decreased significantly, Pakistan nonetheless points out that air raids are the greatest source of civilian deaths at the hands of pro-government forces. Pakistan also emphasises the burden imposed on it that comes from hosting over 2 million Afghan refugees.

Several Council members also continue to be disturbed by reports of violence and other human rights violations against women. Guatemala, Portugal, South Africa, and the US are notable in this respect, although other Council members also share this perspective.

As the 2014 deadline for the security transition approaches, Russia has expressed the view that any residual foreign military presence in Afghanistan will require a strong legal basis (i.e. authorisation from the Council). Russia also continues to express concern about the threat posed by drug production and trafficking in Afghanistan.

Germany is the lead country in the Council on Afghanistan. •

Counter-Terrorism

Expected Council Action

In December, the Council is expected to renew the mandate of the Ombudsperson and the Analytical Support and Sanctions Monitoring Team assisting the 1267/1989 Al-Qaida Sanctions Committee.

The mandates of the Ombudsperson and the Monitoring Team expire on 15 December.

Background

The Council initially established the Office of the Ombudsperson in resolution 1904 (2009) for a period of 18 months. This was done after political and legal backlash occurred, caused by lack of due process in the listing and delisting procedures, especially from states trying to implement the sanctions. The Ombudsperson was mandated to receive delisting requests from petitioners and to act in an independent and impartial manner. After interacting with the petitioner, relevant states and organisations with regard to the request, within an established time frame, the Ombudsperson is to present a comprehensive report to the 1267/1989 Committee with the principal arguments concerning the specific delisting request.

The mandate of the Ombudsperson was renewed and expanded on 17 June 2011 in resolution 1989. The resolution contains several innovations. First, it encourages past and future designating states to publicly identify themselves as such. Second, it extends the mandate of the Office of the Ombudsperson for 18 months and adds that it shall present the 1267 Committee with observations and recommendations on the delisting requests received. Where the Ombudsperson recommends retaining a listing, states continue to be bound to apply sanctions to the relevant individual, unless a member of the Committee submits a delisting request, which the Committee must approve by consensus. Where the Ombudsperson recommends delisting, sanctions cease to apply to that individual 60 days after the Committee completes consideration of the comprehensive report of the Ombudsperson, unless the Committee decides to the contrary by

consensus. During that time period, a Committee member may request that a decision on delisting be brought before the Security Council (where the consensus requirement does not apply). The same procedure applies when a delisting request is made by the designating state.

The current Ombudsperson is Kimberly Prost (Canada), who was appointed by the Secretary-General on 3 June 2010.

On 5 October, following the recommendation of the Ombudsperson, the Committee delisted Yasim Kadi.

The Kadi case has been the most notable legal challenge to the 1267 sanctions regime and concerned an EU regulation implementing the Council-mandated sanctions. Kadi and others sought the regulations' annulment by the European Court of Justice (ECJ) on the grounds, inter alia, that it infringed on their rights to property, to a fair hearing and to an effective judicial remedy—all rights provided for in the European Convention on Human Rights. The Court of First Instance (now called the General Court) held that the obligations of EU members to implement sanctions under a Chapter VII resolution prevailed over fundamental rights as protected by the EU, with the exception of infringement on *ius cogens* norms—norms accepted and recognised by the international community of states as a whole as those from which no derogation is permitted. Prime examples are slavery, genocide and crimes against humanity.

On appeal in the Kadi case, the ECJ took a different approach. On 3 September 2008, it struck down the EU implementing regulation because the appellant had not been afforded due process by not being able to challenge the listing in a court. Following the ruling, and adopting a different procedure in an effort to comply with the ECJ, the European Commission re-imposed the measures on Kadi, who once again challenged the listing before the European courts (Kadi II case). In its judgment of 30 September 2010, the General Court, following on the ECJ, again struck down the listing. The case

is currently under appeal before the ECJ. On 16 October, the ECJ held hearings on the appeal in the Kadi II case. A judgment is expected sometime in 2013.

Key Recent Developments

Prost submitted her fourth report (S/2012/590) to the Council on 30 July. She noted that state cooperation was generally strong and efforts were ongoing to overcome some of the most difficult problems, including the question of access to confidential or classified information. During the reporting period, the Office of the Ombudsperson has made arrangements for access to classified or confidential information with five states: Australia, France, Germany, Liechtenstein and Portugal. In addition, the Office has signed its first formal agreement with one state, Austria, on the sharing of information. Together with the existing arrangements (with Belgium, Costa Rica, New Zealand, Switzerland and the UK), this brings the total number of agreements or arrangements to 11. Also during the reporting period, the US expressed willingness, and demonstrated an ability, to share confidential information on an ad hoc basis.

The Ombudsperson continued to request that her mandate be expanded to cover instances of continued application of sanctions measures against individuals already delisted and would also like a mandate to refer requests from listed individuals for humanitarian exemptions to the Council.

Regarding resources, the Ombudsperson noted an improvement after two staff positions for her office were approved. She noted the lack of funds for the translation of materials and communications that are not in one of the six official UN languages.

Of 19 cases processed by the Ombudsperson since the establishment of the position and upon which a decision was taken by the 1267/1989 Committee, one was denied by the Council; one was amended and a name of an entity was removed as requested; and 16 were delisted. (The Al-Qaida sanctions list currently includes 232 individuals and 62 entities and other groups or undertakings associated with Al-Qaida.)

UN DOCUMENTS ON COUNTER-TERRORISM Security Council Resolutions S/RES/1989 (17 June 2011) empowered the Ombudsperson to make delisting recommendations to the 1267/1989 Committee. S/RES/1904 (17 December 2009) created for an initial period of 18 months the Office of the Ombudsperson, which is intended to serve as a point of contact for individuals and entities requesting that they be delisted. S/RES/1267 (15 October 1999) established the Al-Qaida and Taliban Committee and its mandate. Latest Joint Meeting Record S/PV.6767 (10 May 2012) OTHER SC/10785 (5 October 2012) announced the delisting of Kadi. A/67/396 (26 September 2012) was the report of the special rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism. S/2012/590 (30 July 2012) was the Ombudsperson's fourth report. The April letter from the group of like-minded countries on targeted sanctions, which contained proposals to improve the 1267 sanctions regime, can be found at <http://www.news.admin.ch/NSBSubscriber/message/attachments/22759.pdf> OTHER RELEVANT FACTS 1267/1989 Committee Chair Ambassador Peter Wittig (Germany)

Counter-Terrorism (con't)

Human Rights-Related Developments

During the presentation of his report to the General Assembly on 2 November, Ben Emmerson, the special rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism, urged the Council to bring the Al-Qaida sanctions regime into conformity with international human rights norms, stressing that placement on the sanctions list is not subject to judicial review. He called on the Council to increase the powers of the Office of the Ombudsperson, including in imposing an obligation on states to disclose information to the Ombudsperson on conditions of confidentiality. He also called for granting a right to legal representation in the delisting procedure. Emmerson added that the Security Council should reconsider a sunset clause that would impose a time limit on the duration of all designations.

Key Issues

The key issue for the Council in December is renewing the mandate of the Ombudsperson and the Monitoring Team.

In this context, an important issue is

assessing the implications of the wider mandate of the Ombudsperson under resolution 1989 and whether the mandate should be further adjusted.

Options

One option for the Council is to renew both mandates without changes and for the customary 18-months period.

Another option is to make several adjustments in the mandate of the Ombudsperson. Some of these could include a longer mandate term for the Ombudsperson (of at least 3 years); proper resources for the functioning of the office, including sufficient funds for translations and proper staffing; and better arrangements for the sharing of information by states with the Ombudsperson.

Council and Wider Dynamics

At press time, the US—which holds the pen on the 1267/1989 mandate renewal—has yet to circulate a draft resolution. Meanwhile,

it has met bilaterally with several Council members to discuss the text of the resolution.

At present, it seems that Council members are in agreement that both mandates should be renewed, yet there may be disagreements over the specifics of the mandates. One issue that is likely to be negotiated are possible adjustments to the role and resources of the Office of the Ombudsperson.

Some Council members are of the view that several improvements in the mandate of the Ombudsperson are warranted. Some of these positions are reflected in the views of the informal group of like-minded countries on targeted sanctions (current Council member Germany is among the like-minded countries).

Some permanent Council members feel that the Council went to great lengths to improve the due-process procedures in resolution 1904 and that only minimal adjustment are called for in the current mandate renewal. •

Timor-Leste

Expected Council Action

At the end of December, the mandate of the UN Integrated Mission in Timor-Leste (UNMIT) concludes. At press time, it seemed the Council might adopt a presidential statement or resolution marking the end of the mission and perhaps formally deciding to remove Timor-Leste from its agenda.

No Council action is required however, as resolution 2037 of 23 February already endorsed UNMIT's phased drawdown, in accordance with Timor-Leste's wishes.

Key Recent Developments

Two significant developments concerning Timor-Leste took place in November: a Council visiting "mini-mission" from 3-6 November and the final debate on UNMIT in the Council on 12 November.

Led by Ambassador Baso Sangqu of South Africa, which has been the lead on

Timor-Leste in 2012, the visiting mission to Timor-Leste provided an opportunity for Council members to view the progress made as the country prepares to embark on its next chapter. (Six delegations took part in the mission: Azerbaijan, India, Pakistan, Portugal, South Africa and Togo.)

The members praised the "historic milestones" that Timor-Leste had reached since its independence in 2002, particularly in the wake of the crisis that engulfed the country in April 2006. This year, as an illustration of that progress, the country marked its 10th anniversary of independence and held largely peaceful presidential and parliamentary elections in May and July respectively, leading to the inauguration of a new President and the formation of a new government.

During the visiting mission, the Council members met with President Taur Matan Ruak, Prime Minister Xanana Gusmão and

other key government ministers. The visit also afforded members the opportunity to meet with opposition figures, members of parliament and political figures outside of parliament, including Mari Alkatiri—who was the first Prime Minister of internationally recognised Timor-Leste. (Alkatiri is now Secretary-General of FRETILIN, the main opposition party.)

In briefing the Council on 12 November, Ambassador Sangqu reiterated that one of the key purposes of the visiting mission, as UNMIT withdrew from the country, was to underscore the international community's long-term commitment to Timor-Leste's peace and development. He stated that interlocutors in Timor-Leste had reinforced the message conveyed in a 20 September letter from Prime Minister Gusmão to the Secretary-General that Timor-Leste no longer required the presence of either a UN peacekeeping or political mission.

UN DOCUMENTS ON TIMOR-LESTE Security Council Resolutions S/RES/2037 (23 February 2012) extended UNMIT until 31 December 2012. S/RES/1704 (25 August 2006) established UNMIT. Security Council Meeting Records S/PV. 6859 (12 November 2012) was the final debate on UNMIT. S/PV.6858 (12 November 2012) was the briefing by Ambassador Sangqu (South Africa) on the 3-6 November visiting mission to Timor-Leste. Letter S/2012/736 (2 October 2012) contained the 20 September letter from Prime Minister Gusmão to the Secretary-General. OTHER S/2012/10/Add.44 (5 November 2012) contains the latest list of matters of which the Council is seized. S/2012/507 (26 July 2010) was a Note by the President of the Security Council addressing Council working methods. S/2008/847 (31 December 2008) was a Note by the President of the Security Council addressing the list of the matters of which the Council is seized.

Timor-Leste (con't)

Instead, the country would like to establish an “innovative working relationship of cooperation” with the UN, which would remain an important partner. He also conveyed Timor-Leste’s clear position that it does not seek to remain on the agenda of the Council. (The 20 September letter also stated that, in the view of the government, there was “no requirement for the continued consideration of Timor-Leste affairs by the Security Council.”)

During the debate on UNMIT that followed the briefing, Acting Special Representative Finn Reske-Nielsen reiterated many of the positive statements concerning Timor-Leste’s progress. The one area where UNMIT’s work would not be completed by 31 December, Reske-Nielsen noted, was the investigations into cases relating to crimes against humanity and other serious crimes committed between 1 January and 25 October 1999. (Out of 396 investigations, the UNMIT Serious Crimes Investigation Team had completed 319, and another 16 investigations were projected to be concluded by 31 December, which would leave 61 investigations outstanding.) Reske-Nielsen concluded that despite the challenges still faced, a peacekeeping mission was no longer the best option. He noted that this was consistent with Timor-Leste’s own assessment and that work was ongoing with Dili to shape the future partnership between the UN and Timor-Leste.

Foreign Minister José Luís Guterres participated in the debate and spoke about the critical reforms undertaken in the security and defence sectors and the establishment of new institutions, including an anti-corruption commission and an independent civil service commission. Guterres also

noted Timor-Leste’s formal application in 2011 to join the Association of Southeast Asian Nations (ASEAN), and highlighted the steps taken by Dili demonstrating the importance it attached to joining the 10-member regional bloc. He spoke of the “profound appreciation” for the countries that had supported Timor-Leste and its deep gratitude to the UN, saying that as Timor-Leste did its best to guarantee peace and stability, it would share its experiences and lessons learned.

Key Issues

The key issue for the Council this year, as UNMIT winds up its mandate, has been that Timor-Leste’s transition towards the next stage in its development continues to be smooth.

A remaining issue, as mentioned by Reske-Nielsen, is the outstanding investigations of the UNMIT Serious Crimes Investigation Team for crimes committed in 1999.

A procedural issue for the Council will be whether, in line with the express wishes of the Timor-Leste government, formally removing the item “The situation in Timor-Leste” from the agenda. (In line with current Council practice, as described in presidential notes S/2008/847 and S/2010/507, an item remains on the agenda—also referred to as the “seizure list”—for three years after it was discussed by the Council at a formal meeting. It is then automatically deleted unless a member state asks the President of the Council to retain the item on the agenda. The most recent situation of a mission being terminated was the UN Mission in Nepal, closed down on 15 January 2011. The Council marked the occasion with a presidential statement, however the

agenda item under which the matter was discussed continues to be included on the “seizure list”.)

Options

One option for the Council is to take no further action concerning Timor-Leste and allow UNMIT’s mandate to expire on 31 December without further pronouncements. (Having Timor-Leste formally on the Council’s agenda still would enable the Council to discuss the situation on an ad hoc basis should the need arise.)

Another option that has been voiced by some Council members is to adopt a resolution or presidential statement in December as a final Council text on UNMIT’s conclusion and on the next stage in the UN-Timor-Leste partnership.

Council and Wider Dynamics

Council members have continued to largely see eye-to-eye concerning Timor-Leste. Without exception, they acknowledge the significant strides the country has made, particularly the important electoral developments this year and its assumption of full policing responsibilities. For many Council members, Timor-Leste is a success story and a model from which lessons can perhaps be learned for other UN missions. Some Council members accentuate more than others the challenges still ahead for the country in order for it to avoid a return to conflict and instability, but there is general recognition that the time is right for the UN’s attention to turn from peacekeeping to development, in line with Timor-Leste’s preferences. •

Peacekeeping and Inter-Mission Cooperation

Expected Council Action

At the initiative of Morocco, the Council is expected to hold a meeting in December on inter-mission cooperation among UN peacekeeping operations. The Under-Secretaries-General for Peacekeeping Operations and Field Support, Hervé Ladsous and Ameerah Haq, are scheduled to brief

It is possible that the Council will adopt a presidential statement.

In preparation the Council’s Working Group on Peacekeeping Operations, which is chaired by Morocco, is expected to hold a meeting on inter-mission cooperation in early December. Morocco will also circulate a concept note on key issues for consideration.

Background and Key Recent Developments

The Council has long encouraged greater inter-mission cooperation between UN peacekeeping operations. A more formalised approach was first developed in West Africa. In a 25 March 2004 presidential statement (S/PRST/2004/7), the Council encouraged

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greater coordination between the peacekeeping operations in the region and welcomed further recommendations from the Secretary-General in this regard.

In a 2 March 2005 report (S/2005/135), the Secretary-General presented detailed recommendations on how to facilitate inter-mission cooperation among the UN Missions in Sierra Leone and Liberia and the UN Operation in Côte d'Ivoire (UNAMSIL, UNMIL and UNOCI, respectively), including such measures as establishing a sub-regional reserve force, sharing air assets, establishing integrated joint mission analysis cells and harmonising disarmament programmes. The report also emphasised the Council's role in adjusting mission mandates to allow cross-border operations. Subsequently, in resolution 1609 adopted on 24 June 2005, the Council authorised the temporary redeployment of personnel among UNMIL, UNAMSIL and UNOCI "to deal with challenges which cannot be handled within the authorised personnel ceiling of a given mission" and authorised the Secretary-General to implement the recommendations presented in his report.

Following these first discussions, the Council has continued to mandate or encourage inter-mission cooperation in West Africa, including a temporary redeployment from UNMIL to UNOCI authorised by resolution 1951 on 24 November 2010 to strengthen UN peacekeeping capacity in Côte d'Ivoire in response to security concerns following the 31 October first round of presidential elections. Inter-mission cooperation was also part of the focus of a Council visit to Côte d'Ivoire, Liberia and Sierra Leone from 19 to 23 May 2012. One of its objectives was to assess and encourage the use of inter-mission cooperation between UNOCI and UNMIL. Subsequently, in resolution 2061 renewing UNOCI on 26 July, the Council requested the Secretary-General to present options on how to reinforce inter-mission cooperation.

Examples of similar Council action in other regions in Africa include resolution 1650 adopted on 21 December 2005 authorising a temporary deployment between

the UN Operation in Burundi (ONUB) and the then UN Organisation Mission in the Democratic Republic of the Congo (MONUC). The Council has also encouraged greater cooperation between the various missions in Sudan and, more recently, South Sudan, as well as the UN Stabilisation Mission in the Democratic Republic of the Congo (MONUSCO).

In addition, the Council has called for inter-mission cooperation specifically to address the threat posed by the Lord's Resistance Army (LRA). Most recently, on 27 June, resolution 2053 encouraged MONUSCO to coordinate closely with UN missions across the LRA-affected region to help advance the UN regional strategy to address the LRA.

Despite the apparent greater emphasis on inter-mission cooperation at the country-specific level, there has been little focus on this issue in the Council's thematic discussions on peacekeeping. The most recent debates and presidential statements on peacekeeping have focused on transition and exit strategies and integrating peacebuilding activities into mandates.

Discussions about inter-mission cooperation have taken place, however, in the Working Group on Peacekeeping Operations and in the General Assembly. The most recent report from the latter's Special Committee on Peacekeeping Operations notes recent advances in inter-mission cooperation and encourages the Secretariat, in consultation with troop-contributing countries (TCCs) "to explore all opportunities and challenges for inter-mission cooperation for consideration by the Security Council." Also, briefing the General Assembly's Fourth Committee on 1 November, Ladsous said the UN had expanded inter-mission cooperation and noted that this had allowed a more optimal use of scarce assets and had helped provide additional short-term capacity in times of crisis or the build-up of a new mission.

Key Issues

A key issue for the Council is what kind of inter-mission cooperation can best contribute to more effective UN peacekeeping and

better utilisation of resources.

Another key issue is what additional measures could be taken to facilitate such cooperation, in particular regarding legal and financial implications, and whether a more standardised approach might be helpful.

A related issue is what lessons can be learned from past experiences.

Another key issue is what the Council's role should be in promoting inter-mission cooperation.

A further issue is whether existing coordinating mechanisms such as the UN Office for West Africa (UNOWA) and the UN Regional Office for Central Africa (UNOCA) should play a greater role in promoting inter-mission cooperation.

Options

The main option for the Council is to adopt a presidential statement that encourages further efforts to strengthen inter-mission cooperation and streamline procedures. It could call for the implementation of specific measures in areas such as sharing of assets and personnel, border control and implementation of regional strategies, while recognising the important role played by TCCs and the need for them to be consulted. In addition, it could request the Secretary-General to produce further recommendations and more detailed proposals on ways to improve cooperation.

Council and Broader Dynamics

In addition to chairing of the Working Group on Peacekeeping, Morocco plays an active role in the Special Committee on Peacekeeping Operations as a significant troop contributor. Its initiative on inter-mission cooperation seems to be motivated at least partially by a realisation that such cooperation is becoming increasingly important as a tool to ensure better utilisation of limited resources in an environment characterised by fiscal constraint.

While there seems to be general agreement on the value of greater inter-mission cooperation and that more can be done, some, most notably certain major TCCs, are more cautious than others. Views also

UN DOCUMENTS ON INTER-MISSION COOPERATION Security Council Resolutions S/RES/2062 (26 July 2012) was the latest mandate renewal for UNOCI. S/RES/2053 (27 June 2012) was the latest mandate renewal for MONUSCO. S/RES/1951 (24 November 2010) authorised a temporary redeployment from UNMIL to UNOCI. S/RES/1650 (21 December 2005) authorised a temporary deployment between ONUB and MONUC. S/RES/1609 (24 June 2005) authorised the temporary redeployment of personnel among UNMIL, UNAMSIL and UNOCI. **Security Council Presidential Statement S/PRST/2004/7** (25 March 2004) was a statement on cross-border issues in West Africa. **Secretary General's Report S/2005/135** (2 March 2005) presented detailed recommendations on how to facilitate inter-mission cooperation in West Africa. **OTHER** A/66/19 (11 September 2012) was the report from the 2012 session of the General Assembly's Special Committee on Peacekeeping Operations. S/2012/344 (18 May 2012) contained the terms of reference for the Council's mission to West Africa.

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sometimes differ over specific areas of cooperation. Among TCCs, there seems to be support for the sharing of military assets, whereas redeployment of troops between missions is seen as more problematic

because of past experience in specific cases, such as in West Africa, where there seems to have been problems with inadequate logistical support for the redeployment. TCCs also seem concerned about any potential

additional burden on their troops if the redeployment involves two missions where there are significant differences between the mandates. •

Peacebuilding

Expected Council Action

In December, the Council expects to hold an open debate on peacebuilding in the aftermath of conflict. The Secretary-General's 8 October report (S/2012/746) will likely serve as a basis for the discussion.

At press time, it appeared that a presidential statement was a possible outcome.

Key Recent Developments

The 8 October report on peacebuilding noted that progress had been made in implementing the “agenda for action” outlined in the Secretary-General's 11 June 2009 report (S/2009/304), due to more effective leadership of UN teams in the field, enhanced UN support for national capacity-building and ownership of peacebuilding processes and improved funding mechanisms to support peacebuilding. The latest report noted that leadership teams in field missions had become more effective, as resident coordinators had received training in peacebuilding and gender and recovery issues. It also found that the use of performance assessments and compacts had enhanced accountability for Special Representatives and heads of missions. It further noted that the International Network on Conflict and Fragility (INCAF), a subsidiary organ of the Organisation for Economic Co-operation and Development (OECD), had developed guidance for donor engagement in fragile states.

Moving forward, the Secretary-General underscored three priorities for successful peacebuilding in post-conflict settings: inclusive peacebuilding processes that encompass early and substantive engagement among a wide range of societal actors; institutional capacity-building in the political, economic

and social spheres; and sustained, meaningful international engagement.

The past year has been a time of considerable international attention on peacebuilding and statebuilding issues. Between 29 November and 1 December 2011, the Fourth High Level Forum on Aid Effectiveness was held in Busan, Republic of Korea. More than 3,000 participants from donor and aid-recipient countries gathered to discuss strategies to enhance development cooperation in fragile and post-conflict states. In the outcome document, called the Busan Partnership for Effective Development Co-Operation, participants endorsed the “New Deal for Engagement in Fragile States”.

Recognising that fragile and conflict-affected states are home to 1.5 billion people and that these states are far from fulfilling the Millennium Development Goals (MDGs), the “New Deal” espouses the development of peace and statebuilding goals to serve as a springboard toward achievement of the MDGs; focuses on nationally owned and driven processes that are inclusive in nature and strive to help states escape their fragility; and underscores the need for donors to develop more timely and predictable funding modalities and for recipient countries to use aid more effectively.

On 13-14 November 2012, the g7+ held its second ministerial retreat in Port-au-Prince, Haiti. (The g7+ is a group of fragile and post-conflict states that strive to enhance international focus on the challenges facing fragile states and to develop innovative approaches toward peacebuilding and statebuilding that are context-specific. Of the 18 current members of the g7+, 13 are on the Council's agenda.) Approximately 50 delegates from nine states—Afghanistan,

Central African Republic, Democratic Republic of the Congo, Guinea-Bissau, Haiti, Sierra Leone, Somalia, South Sudan and Timor-Leste—took part in the retreat. The Haiti Declaration, the outcome document from the meeting, mapped out several priorities for the g7+ in 2013, including, inter alia, providing joint input with respect to the UN's post-2015 development agenda, strengthening relationships with development partners and enhancing the group's visibility both in member states and internationally.

Key Issues

One key issue is whether and how this thematic debate can have a practical impact on peacebuilding processes in country-specific cases.

Another key issue is how the relationship between the Council and the Peacebuilding Commission (PBC) continues to evolve. (In his latest report, the Secretary-General encouraged the Council to continue to make clear what advice it needs from the PBC, “including during mandate discussions.”)

Also an important issue is whether the Council is willing and able to link its work on peacebuilding to broader developments represented by the work of INCAF and the g7+.

Options

The Council may wish to adopt a statement in which it:

- reiterates its support for peacebuilding;
- welcomes the “New Deal” for fragile states and the efforts of the g7+; and
- calls for enhanced engagement between the Council and the PBC through meetings such as the interactive dialogues before mandate renewals.

UN DOCUMENTS ON PEACEBUILDING Security Council Resolution S/RES/1645 (20 December 2005) created the PBC and the Peacebuilding Fund. Security Council Presidential Statement S/PRST/2011/4 (11 February 2011) was on the interdependence between security and development, wherein the Council reiterated its support for the work of the PBC and its readiness to make greater use of the PBC's advisory role. Selected Reports S/2012/746 (8 October 2012) was the Secretary-General's recent report on peacebuilding in the aftermath of conflict. S/2012/70 (30 January 2012) was the PBC's fifth annual report. Security Council Meeting Records S/PV.6805 (12 July 2012) was the Council's debate on the PBC's fifth annual report.

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The Council may also want to consider hosting an informal interactive dialogue with representatives of the g7+ to get their perspectives on how synergies can be created between their work and the work of the Council.

Council Dynamics

There is general support among Council members for discussions on peacebuilding, although some members are anxious to see more concrete results in country-specific contexts. Some members note that there

remains a need for greater coherence and coordination among the multiple international actors engaged in peacebuilding processes, as reflected most notably in statements by China, South Africa and the US during the 12 July Council debate on the PBC. Also at the debate, the UK and France argued that the “New Deal” offers a useful approach for engagement with fragile states.

The incoming members joining the Council on 1 January may provide impetus to the Council’s deliberations on peacebuilding, given their past experiences and perspectives.

Argentina appears to espouse the perspective that strengthening the rule of law and human rights in fragile states are key factors in promoting peace and stability. Australia has supported the agricultural sector in Sierra Leone and the 2010 election in Burundi through the Peacebuilding Fund. Luxembourg has chaired the PBC’s country-specific configuration for Guinea since February 2011. Like the Republic of Korea and Rwanda, Luxembourg underscores the interconnections between security and development that are an important element of peacebuilding. •

International Criminal Tribunals

Expected Council Action

In December, the Council will hold a debate on the ad hoc international criminal tribunals. The Presidents and Prosecutors of the International Criminal Tribunal for the former Yugoslavia (ICTY) and the International Criminal Tribunal for Rwanda (ICTR) are expected to brief the Council.

The President of the ICTY, Judge Theodor Meron, will also brief the Council on his role as the President of the Mechanism for International Criminal Tribunals, which was established to complete the work of the tribunals. The ICTR Prosecutor, Hassan Bubacar Jallow, will also brief the Council as Prosecutor of the residual mechanism.

Resolutions are expected on the extension of judges’ terms for both the ICTR and the ICTY.

The Council informal working group on international tribunals may also hear a briefing from the Presidents and Prosecutors prior to their appearance in the Council and continue to discuss practical arrangements for the residual mechanism and, more generally, the completion strategy.

Key Recent Developments

The Presidents of the ICTY and the ICTR, Judge Meron and Judge Vagn Joensen, respectively, and the Prosecutors of both tribunals,

Serge Brammertz and Jallow, respectively, briefed the Council on 7 June. They emphasised that staff retention and lack of state cooperation in certain areas threatened the successful completion of the tribunals’ work. Preparations for the commencement of the work of the residual mechanism, which was to begin operations on 1 July, were also highlighted by the briefers. The residual mechanism had begun its staffing process, and swearing in of the 25 judges that were elected by the General Assembly to serve on the roster of the mechanism.

The judges of the residual mechanism on 8 June adopted rules of procedure and evidence to guide the work of the mechanism in performing its task.

On 29 June, the Council adopted resolution 2054, extending the terms of four judges of the ICTR, including that of the Judge Joensen. The resolution also requested that the ICTR include in its next report information concerning the coordinated transition of functions of the tribunal to the residual mechanism.

Members of the Council released a press statement (SC/10700) on 5 July, welcoming the opening of the Arusha branch of the residual mechanism on 1 July as an important step in completing the work of the tribunals and ending impunity.

On 1 August, the annual report of the ICTY (S/2012/592) was submitted to the General Assembly and the Council. The ICTR report (S/2012/594) was submitted on 6 August. The reports cover the activities of the tribunals themselves and their work on the transition to the residual mechanism. The Presidents of the tribunals addressed the General Assembly on 15 October, focusing on the continuing challenges to their work but also on the legacy left behind by the tribunals.

The residual mechanism released its first ruling on 5 October. Its appeals chamber upheld a decision by the ICTR to transfer the case of Phénéas Munyarugarama to the Republic of Rwanda for trial.

In an 18 October letter (S/2012/779) to the Council, the Secretary-General of the East African Community requested that Rwanda host the archives for the ICTR. (According to resolution 1966 on the establishment of the mechanism, the archives are to be located in Arusha, the seat of the ICTR.)

The ICTY President sent a letter (S/2012/845) on 29 October to the Secretary-General, asking that the Council extend the terms of 13 permanent judges until 31 December 2014, in order to complete the trial and appeals process. The letter also

UN DOCUMENTS ON INTERNATIONAL CRIMINAL TRIBUNALS Security Council Resolutions S/RES/2038 (29 February 2012) appointed Jallow as the Prosecutor of the residual mechanism. S/RES/1966 (22 December 2010) established the residual mechanism. Security Council Press Statement SC/10700 (5 July 2012) was on the commencement of the work of the residual mechanism. Secretary-General Reports S/2012/594 (6 August 2012) was the annual report on the ICTR. S/2012/592 (1 August 2012) was the annual report on the ICTY. Security Council Letters S/2012/845 (14 November 2012) transmitted the request from the ICTY to extend judges terms. S/2012/779 (18 October 2012) transmitted the letter from the Secretary-General of the East African Community concerning the archives of the ICTR. Security Council Meeting Record S/PV.6782 (7 June 2012) was the latest Council briefing by the Presidents and Prosecutors of the ICTY and ICTR. OTHER ICTR/PRES/022/12 (31 October 2012) was the letter sent from the ICTR President concerning extension of judges terms. OTHER RELEVANT FACTS Chair of the Informal Working Group on International Tribunals Gert Rosenthal (Guatemala) ICTY 18 on trial and 17 at the appeals stage ICTR Nine accused at large, of which three are considered high-ranking One accused on trial and 16 at the appeals stage

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requests the extension of terms for one ad-litem judge until 31 December 2013, four ad-litem judges until 1 June 2013 and 3 other ad-litem judges until 31 December 2014. And on 31 October, the ICTR President sent a letter (ICTR/PRES/022/12) to the Secretary-General, requesting that the Council extend the terms of five permanent judges until 31 December 2014, so the tribunal may finish its appeals process by the end of that year.

The appeals chamber of the ICTY on 16 November overturned the convictions of two former Croatian generals and ordered that they be released immediately. On 15 April 2011, Ante Gotovina and Mladen Markač were found guilty of committing crimes against humanity and war crimes by participating in a joint criminal enterprise to permanently and forcibly remove the Serb civilian population from the Krajina region of Croatia. Gotovina was sentenced to 24 years in prison; Markač was sentenced to 18 years. A majority of the appeals chamber concluded that the trial chamber erred in finding that artillery attacks ordered by

Gotovina and Markač were unlawful. The majority also held that the trial chamber erred in finding the existence of a joint criminal enterprise whose purpose was the permanent and forcible removal of Serb civilians from the Krajina region. Accordingly, the majority reversed the convictions.

Key Issues

The immediate issue for the Council will be the requests relating to the extension of judges' mandates and other procedural issues that may arise.

Another issue is the continuing work of the informal working group on international tribunals, reviewing practical arrangements for the residual mechanism.

Options

Options for the Council include:

- adopting a technical resolution extending the judges' terms for the ICTR and ICTY; and
- laying out solutions or options the Secretariat should employ to address the staffing issues.

Council Dynamics

Besides extending judges' terms, the Council does not need to adopt any formal decisions at this time. However, the meeting of the informal working group prior to the Council debate is a good opportunity for a frank conversation between the Presidents and the Prosecutors on the one hand and the Council members on the other to address recent developments and issues pending before these subsidiary bodies.

Likewise, the Council does not necessarily need to address the request from Rwanda to host the archives, unless it decides to grant the request. In that case, it would need to adopt a resolution to that effect, since in resolution 1966 it designated Arusha as the location of the archives. The working group has yet to discuss this issue, and it may come up during its meeting with the Presidents and Prosecutors. However, as the request comes almost two years after the matter was decided, some Council members may be reluctant to reopen the issue. •

Security Council Subsidiary Bodies

Expected Council Action

The chairpersons of the subsidiary bodies whose countries will be finishing their term on the Council, are expected to brief the Council in December.

Ambassador Néstor Osorio (Colombia) will brief on the work of the 1591 Sudan Sanctions Committee and the 1737 Iran Sanctions Committee.

Ambassador Hardeep Singh Puri (India) will brief on the work of the 751 and 1907 Somalia and Eritrea Sanctions Committee; the 1373 Counter-Terrorism Committee; and on the working group concerning terrorist activities established by resolution 1566 (2004).

Ambassador Peter Wittig (Germany) will brief on the work of the 1267 and 1989 Al-Qaida Sanctions Committee; the 1988 Afghanistan Sanctions Committee; and the

working group on children and armed conflict established by resolution 1612 (2005).

Ambassador José Filipe Moraes Cabral (Portugal) will brief on the work of the 1718 DPRK (North Korea) Sanctions Committee; the 1970 Libya Sanctions Committee; and the informal working group on documentation and other procedural questions which addresses working methods of the Council.

Ambassador Baso Sangqu (South Africa) will brief on the work of the 1540 Committee concerning weapons of mass destruction and on the ad hoc working group on conflict prevention and resolution in Africa.

The meeting may be followed by a press statement.

Council Dynamics

In an annual practice dating back to 2002, chairpersons of subsidiary bodies reflect, in

their personal capacity, on the work of the subsidiary bodies that they have chaired. In the past, chairpersons have briefed the Council on the key developments and achievements of the subsidiary bodies in the course of their chairmanships. They have also tried to assess the practical effects the measures may have had on the situations they were meant to address. The briefing sessions have also provided a forum for the chairpersons to share with the Council forward-looking suggestions, based on conclusions drawn from their experience. At times, some have taken the opportunity to assess the working methods and end products of the subsidiary bodies they chaired, as well as provide an assessment of their mandates and resources and suggestions for their modification and improvement. •

UN DOCUMENTS ON SUBSIDIARY BODIES Security Council Meeting Records of Briefings by Outgoing Subsidiary Body Chairs S/PV.6686 (14 December 2011) S/PV.6457 (20 December 2010) S/PV.6238 (14 December 2009) S/PV.6043 (15 December 2008) S/PV.5806 (17 December 2007) S/PV.5601 (20 December 2006) S/PV.5332 (19 December 2005) S/PV.5106 (22 December 2004) S/PV.4888 (22 December 2003) S/PV.4673 (18 December 2002)

Notable Dates for December

REPORT DUE	REPORTS FOR CONSIDERATION IN DECEMBER	REQUESTING DOCUMENT
13 October	SG report on post-conflict peacebuilding	S/PRST/2010/20
26 November	SG report on Mali (recommendations for an international force)	S/RES/2071
27 November	SG report on Abyei (UNISFA)	S/RES/2075
30 November	SG report on Central Africa (UNOCA) and the LRA	S/PRST/2012/18
1 December	Liberia Sanctions Panel of Experts final report	S/RES/2025
4 December	SG report on the restoration of constitutional order in Guinea-Bissau	S/RES/2048
6 December	SG report on the Golan Heights (UNDOF)	S/RES/2052
8 December	Iraq/Kuwait missing persons and property report	S/RES/1284
9 December	Iran Sanctions Committee Panel of Experts mid-term report	S/RES/2049
12 December	SG report on Afghanistan (UNAMA)	S/RES/2041

MANDATES EXPIRE	RELEVANT DOCUMENT	
14 December	Liberia Sanctions and Panel of Experts	S/RES/2025
17 December	Monitoring Team for the 1267/1989 (Al-Qaida Sanctions) and 1988 (Taliban Sanctions) and the Al-Qaida Sanctions Committee Ombudsperson	S/RES/1988 S/RES/1989
31 December	UNDOF (Golan Heights)	S/RES/2052
31 December	UNMIT (Timor-Leste)	S/RES/2037

OTHER IMPORTANT DATES

10 December	At the initiative of Morocco, as Council president for December, the Council will hold a high-level meeting on threats to peace and security in the Sahel.
12 December	The Under-Secretaries-General for Peacekeeping Operations and Field Support, Hervé Ladsous and Ameerah Haq, are scheduled to brief the Council on inter-mission cooperation among UN peacekeeping missions
20 December	The Council will hold an open debate on the Secretary-General's post-conflict peacebuilding report (S/2012/746)
31 December	The financing for the activities of the High-Level Coordinator on Iraq/Kuwait missing persons and property is due to end.

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Security Council Report is a non-profit organization supported by the Governments of Australia, Austria, Belgium, Canada, Denmark, Finland, Germany, Kuwait, Liechtenstein, Luxembourg, New Zealand, Norway, Singapore, Sweden and Switzerland, the Ford Foundation, the John D. and Catherine T. MacArthur Foundation, International Development Research Centre and the William and Flora Hewlett Foundation.

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