

# Monthly Forecast

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## Overview

Australia will hold the presidency of the Council in November. The country's Foreign Minister Julie Bishop will preside over an [open debate on global efforts to counter terrorism, violent extremism and the growing threat of foreign terrorist fighters](#). The Secretary-General will brief.

Debates will be held on:

- [Bosnia and Herzegovina](#), with a briefing by High Representative Valentin Inzko; and
  - [Kosovo](#), with a briefing by Special Representative Farid Zarif.
- Briefings are expected on:
- cross-cutting thematic issues in [UN Policing](#) by Under-Secretary-General for Peacekeeping Operations Hervé Ladsous;
  - issues related to [UN Sanctions](#) across the different sanctions regimes, by Under-Secretary-General for Political Affairs, Jeffrey Feltman;
  - developments concerning [ICC cases in Libya](#) by Prosecutor Fatou Bensouda; and
  - the work of the [1540 Committee on non-proliferation and weapons of mass destruction](#), by its chair, Ambassador Oh Joon (Republic of Korea).

Briefings, followed by consultations, are expected on:

- developments in [Burundi](#), by Parfait Onanga-Anyanga, the head BNUB and by Ambassador Paul Seger (Switzerland), the chair of the PBC Burundi configuration;
- developments in [Liberia](#), by Ladsous, and Ambassador Mårten Grunditz (Sweden), chair of the PBC Liberia Configuration;
- the [Middle East](#), by Assistant Secretary-General for Political Affairs Jens Anders Toyberg-Frandzen;
- the work of the [1591 Sudan Sanctions Committee](#) by its chair, Ambassador María Cristina Perceval (Argentina);
- the situation in [Guinea-Bissau](#) and the work of UNIOGBIS by its head Miguel Trovoadá

and the chair of the PBC Guinea-Bissau configuration Ambassador Antonio de Aguiar Patriota (Brazil);

- the [situation in Iraq](#) by the Special Representative Nikolay Mladenov and the UN High Commissioner for Human Rights Zeid Ra'ad Al Hussein; and

- the [humanitarian situation in Syria](#), most likely by Under-Secretary-General for Humanitarian Affairs Valerie Amos.

Briefings in consultations are likely on:

- [destruction of Syria's chemical weapons](#) by Special Adviser Sigrid Kaag;
- the work of the [1718 DPRK Sanctions Committee](#), by its chair, Ambassador Sylvie Lucas (Luxembourg); and
- implementation of [resolution 1701 on Lebanon](#), by Special Coordinator Derek Plumbly.

Formal sessions will be needed to adopt resolutions to renew:

- the mandate of [UNMISS in South Sudan](#);
- the mandate of [UNIOGBIS in Guinea-Bissau](#);
- [counter-piracy measures for Somalia](#); and
- the authorisation for the [EU-led multinational stabilisation force in Bosnia and Herzegovina](#).

In November, the Council will also hold an election (concurrently with the General Assembly) for five judges of the [International Court of Justice](#).

The president of the Council will present its [annual report to the General Assembly](#) late in the month.

The annual [Council workshop with newly elected members](#) organised by Finland is also planned for November.

A [public wrap-up session](#) is scheduled for the end of the month.

Throughout the month members will be following closely events in the [Central African Republic](#), [Mali](#), [Ukraine](#) and [Yemen](#) as well as events related to the Ebola epidemic in West Africa, further meetings may be required. •

30 October 2014

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## Status Update since our October Forecast

### Mali

On 3 October, Council members issued a press statement condemning an attack on MINUSMA in which nine Nigerien peacekeepers were killed (SC/11587) and on 7 October, another press statement condemned an attack in Kidal which killed one Senegalese peacekeeper (SC/11591). On 8 October, Under-Secretary-General for Peacekeeping Hervé Ladsous presented the most recent Mali report (S/2014/692) and reported that MINUSMA is no longer operating in a peacekeeping environment. The Foreign Minister of Mali, Abdoulaye Diop, also addressed the Council during the public session (S/PV.7274). On 17 October, the Council welcomed the scheduled resumption on 19 October of the inter-Malian negotiation process in Algiers (SC/11604).

### Ukraine

On 3 October, Council members issued a press statement condemning the killing of an ICRC staff member in Ukraine (SC/11588). On 24 October, the Council was briefed by Assistant Secretary-General for Political Affairs Oscar Fernandez-Taranco and Assistant Secretary-General for Human Rights, Ivan Šimonović on the political and human rights situation in Ukraine, respectively (S/PV.7287).

### Sudan-South Sudan

On 7 October, Assistant-Secretary-General for Peacekeeping Edmond Mulet briefed Council members in consultations on the latest UNISFA report (S/2014/709). Mulet said unilateral actions by the parties have not been helpful and referred to the Ngok-Dinka's decision to establish a committee to lobby for international support for October 2013 referendum, which was not recognised by Sudan, but during which the Ngok-Dinka voted overwhelmingly to join South Sudan. Additionally, he mentioned the instability that could be caused by Sudan's intention to include Abyei among the areas that will participate in the country's 2015 national elections. The Council met again on 14 October to adopt resolution 2179 extending UNISFA's mandate until 28 February 2015. During the meeting, Ambassador Francis Deng of South Sudan and Ambassador Rahamtalla Mohamed Osman Elnor of Sudan addressed the Council (S/PV.7276). Deng called for

the report of the AU Investigation Committee on the assassination of the Ngok-Dinka paramount chief in May 2013 to be released. Elnor argued that Abyei remains part of Sudan until a final settlement is reached.

### Peacekeeping

On 9 October, the Council was briefed by Military Advisor Lieutenant General Maqsood Ahmed from the Department of Peacekeeping Operations and force commanders Lieutenant General Carlos Alberto dos Santos Cruz (Brazil) of MONUSCO in the DRC, Major General Jean Bosco Kazura (Rwanda) of MINUSMA in Mali and Lieutenant General Iqbal Singh Singha (India) of UNDOF in the Golan Heights. They presented, respectively, on the concept and implications of the protection of civilians, expectations from military contingents in a changed security environment and accomplishment of traditional mandates in a changed politico-military environment (S/PV.7275).

### Yemen

Council members issued a press statement on 10 October condemning a bomb attack in Sana'a that killed at least 47 people, as well as condemning attacks against Yemeni security forces on 8 and 9 October (SC/11595). On 13 October, Special Adviser Jamal Benomar briefed Council members in consultations. Afterwards, in elements to the press, Council members expressed their determination to address increasing terrorist attacks by Al-Qaida in the Arabian Peninsula, urged implementation of the national peace and partnership agreement, welcomed Khalid Bahah's nomination as prime minister and agreed to consider urgently evidence to possibly sanction spoilers.

### Central African Republic

On 10 October, Council members issued a press statement (SC/11596), condemning an attack against a MINUSCA convoy in Bangui, in which one peacekeeper was killed and several others injured. Council members expressed concern about the upsurge of violence and strongly condemned all attacks against civilians and acts of violence between communities. The statement supported the transitional authority's call for all armed groups to implement the 23 July agreement to cease hostilities and violence.

On 21 October, the Council adopted resolution 2181, extending the mandate of the EU operation in the CAR until 15 March 2015. The next day, Council members were briefed under "any other business" on recent events in CAR by Special Representative Babacar Gaye via video-teleconference.

### Haiti

On 14 October, the Security Council adopted resolution 2180 extending the mandate of the MINUSTAH until 15 October 2015. It authorized a reduction in the mission's military component from 5,021 personnel to 2,370 while keeping the police contingent unchanged at 2,601 as recommended by the Secretary-General in his August report to the Council (S/2014/617). While the resolution was adopted by consensus, Argentina and Chile gave an explanation of vote, expressing regret that they had not been in a position to co-sponsor the resolution as their concerns about the recommended accelerated draw-down had not been fully taken into account. Guatemala and Ecuador also took the floor as countries contributing troops to MINUSTAH to express similar concerns, emphasising that decisions about peacekeeping operations must take the opinions of troop contributing countries into account (S/PV.7277).

### Ebola

On 14 October, the Council was briefed on the Ebola epidemic in West Africa by Special Representative Anthony Banbury, the head of the UN Mission for Ebola Emergency Response (UNMEER), Under-Secretary-General for Peacekeeping Hervé Ladsous and Assistant Secretary-General for Political Affairs Tayé-Brook Zerihoun (S/PV.7279). The next day, Council members issued a press statement reiterating the Council's determination that the Ebola outbreak constituted a threat to international peace and security and requested that UN peacekeeping operations and political missions in West Africa closely collaborate with UNMEER (SC/11602).

### Golan Heights (UNDOF)

On 20 October, Assistant Secretary-General for Peacekeeping Edmond Mulet briefed Council members in consultations, following up a 19 September presidential statement (S/PRST/2014/19) that requested an update on the steps necessary to maintain UNDOF's

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

ability to carry out its mandate while adjusting the mission's posture to minimise risk to personnel. Discussions included the possible use of new technologies, such as unmanned, unarmed aerial vehicles or satellite imagery, to carry out monitoring tasks without exposing personnel to risk. Mulet said that both Israel and Syria were reluctant to grant authorisation for the use of such new technologies.

### Israel/Palestine

The Council met for its quarterly debate on the Middle East on 21 October (S/PV.7281). Secretary-General Ban Ki-moon briefed following a trip to the region, which included his first visit to Gaza since this summer's conflict and his participation in a Gaza reconstruction conference held in Cairo on 12 October. He addressed the reconstruction efforts and the immediate need for humanitarian relief in Gaza. He urged urging an end to the nearly 50-year occupation of the enclave, the full lifting of the blockade against it and for a solution to Israel's legitimate security concerns. Council members also met informally at expert-level on 15 October to discuss a draft resolution circulated on 30 September by Arab Group representative Jordan, which calls for a comprehensive solution to the Israeli-Palestinian conflict and the full withdrawal of Israel from all of the Palestinian territory occupied since 1967 by November 2016, for an independent Palestinian state, a resolution of the status of Jerusalem as the capital of two states and a resolution of the problem of the Palestine refugees. On 29 October, Under-Secretary-General for Political Affairs Jeffrey Feltman briefed the Council at an urgent public meeting on rising tensions in East Jerusalem and continuing Israeli settlement expansion, held at the request of Jordan (S/PV.7291).

### Annual Report of the Security Council

The annual report of the Security Council was unanimously adopted on 22 October (S/2014/750). The report covered the period 1 August 2013 to 31 July 2014 and summarized the Council's 238 formal meetings and subsequent outcomes, including 55 resolutions.

### Working Methods

On 23 October, the Security Council held its fifth annual open debate on working methods (S/PV.7285). Ambassador María Cristina Perceval (Argentina), the chair of the Informal Working Group on Documentation and Other Procedural Questions, opened the debate. In line with the open debate's concept paper (S/2014/725), the Ombudsperson for the 1267/1989 Al-Qaida Sanctions Committee, Kimberly Prost, and the Prosecutor of the International Criminal Court, Fatou Bensouda, briefed with participation by 40 member states.

### Egypt

Council members issued a press statement on 24 October that condemned the terrorist attacks in the Sinai Peninsula that killed and injured dozens of Egyptian soldiers (SC/11615).

### Democratic Republic of the Congo

On 27 October, the Council was briefed (S/PV.7288) by Special Representative Martin Kobler on the latest MONUSCO report (S/2014/698). The newly appointed Special Envoy to the Great Lakes Region, Said Djinnit, also briefed on the latest report on implementation of the Peace and Security Framework Agreement (S/2014/697). Earlier in the month, on 3 October, Council members issued a press statement (SC/11586) noting with concern the lack of progress on the voluntary surrender of the members of the rebel group *Forces démocratiques de libération du Rwanda* (FDLR). Council members also reiterated their call on the DRC government, to undertake, in coordination with MONUSCO, military action against those leaders and members of the FDLR who do not engage in the demobilisation process or who continue to carry out human rights abuses.

### Western Sahara

Council members met in consultations on the situation in Western Sahara on 27 October. Under-Secretary-General for Peacekeeping Hervé Ladsous briefed on the current situation concerning the new Special

Representative and head of MINURSO, Kim Bolduc (Canada), who was to assume her position on 1 August, but has not yet travelled to her post due to opposition from Morocco. Bolduc still briefed Council members in consultations on the situation in the territory along with Christopher Ross, the Secretary-General's Personal Envoy for Western Sahara.

### Women, Peace and Security

On 28 October, the Security Council held its annual open debate on women, peace and security (S/PV.7289) to consider the Secretary-General's latest report on the issue (S/2014/693). As president of the Council for October, Argentina circulated a concept note on the effects of displacement on women, including both refugees and internally displaced persons, to guide discussion (S/2014/731). The head of UN Women, Phumzile Mlambo-Ngcuka, briefed and delivered a statement from the Secretary-General, who was travelling in Africa. Special Rapporteur on the Human Rights of IDPs Dr. Chaloka Beyani and Suaad Allami, an Iraqi lawyer and the Founder and Director of Sadr City Women's Center and Legal Clinic, also participated. The Council adopted a presidential statement that addressed the particular needs of displaced women, highlighted the impact of violent extremism on women and welcomed the Secretary-General's commissioning of a global study in preparation for the 2015 High-Level Review of the implementation of resolution 1325 (S/PRST/2014/21).

### Côte d'Ivoire

On 29 October, the Council was briefed by Ambassador Cristian Barros (Chile), chair of the 1572 Côte d'Ivoire Sanctions Committee (S/PV.7292). Barros reported on the work of the Committee since the last briefing (in consultations) held on 24 April and a modification of the sanctions regime through adoption of resolution 2153 on 29 April. Barros will also discuss the findings of the mid-term report of the Group of Experts (S/2014/729). Permanent Representative of Côte d'Ivoire Youssoufou Bamba also participated.

# Counter-Terrorism

## Expected Council Action

In November, the Council expects to hold an open debate on global efforts to counter terrorism and violent extremism and on the implementation of resolutions 2170 and 2178 on the growing threat of foreign terrorist fighters. Australian Foreign Minister Julie Bishop is expected to preside. Expected to brief on UN counter-terrorism efforts are the Secretary-General and the chairs of the 1267/1989 Al-Qaida Sanctions Committee, Ambassador Gary Quinlan (Australia) and the 1373 Counter-Terrorism Committee (CTC), Ambassador Raimonda Murmokaitė (Lithuania). The adoption of a presidential statement is the likely outcome.

## Background

According to the Analytical Support and Monitoring Team of the 1267/1989 Al-Qaida Sanctions Committee, there are around 15,000 foreign terrorist fighters from more than 80 countries who have fought with listed Al-Qaida-associated groups in Syria and Iraq.

On 15 August, the Council unanimously adopted resolution 2170, which specifically condemned the Islamic State of Iraq and al-Sham (ISIS) and Al Nusrah Front (ANF) for the recruitment of foreign terrorist fighters whose presence is exacerbating conflict and contributing to violent radicalisation. It added six individuals associated with ISIS and ANF to the 1267/1989 Al-Qaida sanctions list and expressed the Council's readiness to consider further designations of individuals involved in financing or facilitating the travel of foreign terrorist fighters. In addition, the resolution called upon member states to suppress this flow, bring foreign terrorist fighters to justice and engage with those at risk of being recruited to discourage travel to Iraq and Syria.

On 24 September, the Council held a summit meeting chaired by US President Barack Obama on the issue of foreign terrorist fighters. The concept note circulated ahead of the meeting underlined how foreign terrorist fighters "not only exacerbate existing conflicts but also often return home possessing new skills and connections, increasing the threat of home-grown terrorist attacks" (S/2014/648).

Resolution 2178, which was adopted unanimously at the beginning of the meeting, built on the current counter-terrorism

framework established by the Council but also included several innovations. The main one is the obligation that member states shall prevent the entry into or transit through their territories of any individual about whom that state has credible information that provides reasonable grounds to believe that he or she is travelling for the purpose of participating in the financing, planning, preparation or perpetration of terrorist acts.

It also calls for state cooperation in preventing individuals from travelling to join terrorist groups and those assisting them, by sharing information, assistance with criminal investigations, and evidence-gathering, as well as financing and capacity-building assistance. The resolution places an emphasis on the importance of countering violent extremism in order to prevent terrorism and encourages engagement with relevant local communities and non-governmental actors in developing strategies to address the conditions conducive to the spread of violent extremism.

Ahead of the meeting, the 1267/1989 Al-Qaida Sanctions Committee on 23 September approved the addition of 14 individuals and two entities to its list of individuals and entities subject to targeted financial sanctions, travel ban and arms embargo. Most of them were specifically listed after member states provided evidence that they were involved in financing or facilitating the travel of foreign terrorist fighters for ISIS and ANF.

The sixteenth report of the Monitoring Team, which was discussed by the Committee on 8 October, identified short- and long-term challenges related to this issue. Short-term challenges include the current killings, attacks and abuses being carried out in the field and long-term challenges involve concerns regarding the significant increase in fighters who are returning to their home countries and their potential impact on domestic terrorism.

The Council is expecting a briefing by the chairs of the relevant committees about their respective efforts to implement resolutions 2170 and 2178.

These include a report by the Monitoring and Analytical Support Team to the 1267/1989 Al-Qaida Sanctions Committee on the threat, including to the region, posed by ISIS and ANF, their sources of arms and

funding, recruitment, demographics as well as recommendations for additional action to address the threat.

The CTC, with the support of its Executive Directorate, is expected to identify principal gaps in member states' capacities to implement resolutions 1373 and 1624 that may hinder states' abilities to stem the flow of foreign terrorist fighters. Resolution 1373 of 28 September 2001 mandates states to criminalise the financing of terrorism and recruitment for terrorist groups, and resolution 1624 of 14 September 2005 calls upon member states to prohibit by law the incitement to commit terrorist acts. The CTC is also mandated to identify good practices to stem the flow of foreign terrorist fighters and to facilitate technical assistance, specifically by promoting engagement between providers of capacity-building assistance and recipients.

## Key Issues

A key issue for the Council is devising an effective global framework to address the growing challenges related to foreign terrorist fighters. Making sure that counter-terrorism activities worldwide are undertaken with due respect for international human rights norms is an ongoing related issue.

Another key issue is to identify and sanction those sponsoring terrorism by facilitating and financing the recruitment of foreign fighters.

A further related issue is how to combine a coercive approach against terrorism with measures aimed at promoting non-violent expression of political claims and reducing sympathy and support for violent extremism.

## Options

The Council could adopt a presidential statement:

- emphasising the need for states to have the tools and mobilise the resources to prevent their citizens from becoming foreign terrorist fighters;
- underscoring the critical need to counter violent extremism through both engagement with civil society and building resilience among communities most at risk of recruitment and radicalisation;
- asking the Secretary-General to appoint a special representative against violent extremism; and

**UN DOCUMENTS ON COUNTER-TERRORISM** Security Council Resolutions S/RES/2178 (24 September 2014) imposed obligations on member states to respond to the threat of foreign terrorist fighters. S/RES/2170 (15 August 2014) condemned the recruitment of foreign terrorist fighters by ISIS and ANF. Security Council Meeting Record S/PV.7272 (24 September 2014) was a summit-level debate chaired by US President Barack Obama on counter-terrorism.

## Counter-Terrorism (con't)

- threatening all state and non-state actors that are providing funding, weapons or other kinds of support to terrorist groups—including through the payment of ransoms—with the imposition of sanctions and threatening those state and non-state actors that do not respect their legal obligations with the imposition of secondary sanctions.

### Council and Wider Dynamics

At a time when Council dynamics have rendered the Council unable to overcome divisions on a number of pressing situations (e.g. Israel/Palestine, Syria and Ukraine), counter-terrorism appears to be one of the issues generating unanimous support among Council members. Although resolution 2178 incorporated the importance of countering violent

extremism to fight against terrorism, much of the Council's work so far has focused on the imposition of sanctions. In the negotiation of recent resolutions, some Council members have advocated the inclusion of references to compliance with domestic law and international law, including human rights law, when countering terrorism.

## Iraq

### Expected Council Action

In mid-November, Special Representative Nickolay Mladenov will brief the Council on the prospects for the effort by Iraqi forces and a US-led coalition to successfully neutralize the threat of the Islamic State of Iraq and al-Sham (ISIS). Deliberations will also focus on the newly formed Shi'a-led government and Baghdad's strained relationship with Iraq's Sunni and Kurdish populations. The alarming human rights situation in Iraq will also likely receive attention, with a briefing by the UN High Commissioner for Human Rights Zeid Ra'ad Al Hussein.

The Secretary-General's reports on the UN Assistance Mission for Iraq (UNAMI) and on Iraq's compliance with resolution 1284 regarding the repatriation or return of Kuwaiti missing persons or property will also be presented.

UNAMI's mandate expires on 31 July 2015.

### Key Recent Developments

The crisis in Iraq has sparked a humanitarian and protection crisis. As a result of armed conflict or terrorist acts, 7,700 civilians have been killed and 12,300 injured in 2014. Since January, 1.8 million Iraqis have been displaced, and humanitarian access to 650,000 displaced persons has been restricted in areas controlled by ISIS and associated armed groups.

An already-dire security situation in Iraq reached crisis levels with ISIS's surprise takeover of Mosul on 10 June. Since then, Iraq has focused on securing Baghdad and the

southern provinces. ISIS has controlled Fal-lujah and parts of Ramadi in Anbar province since December 2013, and at press time other areas of the province have also been subject to persistent ISIS attacks. If ISIS consolidates its power in Anbar, it will control borders with Jordan, Saudi Arabia and Syria; transportation routes to Baghdad; and critical infrastructure, such as airbases and dams.

There is also emerging evidence that ISIS is in control of advanced weapons systems. In early October, ISIS used shoulder-fired missiles to shoot down an Iraqi military helicopter. On 24 October, Iraqi officials accused ISIS of using chlorine gas in an attack against security forces and Shi'a militias. The US said it was investigating the incident.

When the Council was last briefed on Iraq, on 23 July, ISIS had just seized north-western Iraq, and Mladenov highlighted that minorities were under attack as a result. Council members issued three press statements between 21 July and 7 August, expressing deep concern over reports of threats against religious and ethnic minorities in ISIS-controlled parts of Iraq.

Mladenov also reported that ISIS had taken control of oil fields and pipelines, increasing its access to financial resources, and on 28 July, the Council adopted a presidential statement prohibiting illicit oil trade as a source of revenue for terrorists. In a further attempt to cut off funding to ISIS, the Council adopted resolution 2170 on 15 August, listing six

individuals under the 1267/1989 Al-Qaida sanctions regime and expressing the Council's readiness to list individuals involved in financing or facilitating the travel of foreign terrorist fighters. On 24 September, the Council further strengthened its framework for countering foreign terrorist fighters when it adopted resolution 2178, obligating member states to prevent the entry or transit through their territories of any individual when there was credible information that the person was seeking to participate in terrorist acts. (For more information, please see the Counter-terrorism brief in this *Monthly Forecast*.)

US airstrikes against ISIS targets in Iraq began on 8 August. Iraq had requested the international community to support the effort to eradicate ISIS on 25 June, and since then some 60 countries have agreed to back the US-led action against ISIS in military, humanitarian and support capacities. On 19 September, the Council adopted a presidential statement urging the international community to strengthen and expand support for Iraq as it fights ISIS.

Prime Minister Nouri al-Maliki, whose leadership was characterised by power consolidation and stoking of sectarian tension, resigned on 14 August after losing support from his Shi'a base and international backers, the US and Iran. Haider al-Abadi succeeded him with a mandate to form an inclusive government to unify Iraq's Shi'a, Sunni and Kurdish citizens. However, there are several

**UN DOCUMENTS ON IRAQ** [Security Council Resolutions S/RES/2178](#) (24 September 2014) obligated member states to respond to the threat of foreign terrorist fighters. [S/RES/2170](#) (15 August 2014) condemned the recruitment by ISIS of foreign fighters and listed six individuals under the Al-Qaida sanctions regime. [S/RES/2169](#) (30 July 2014) extended UNAMI until 31 July 2015. [Security Council Presidential Statements S/PRST/2014/20](#) (19 September 2014) welcomed the new Iraqi government and urged international support for Iraq's fight against ISIS. [S/PRST/2014/14](#) (28 July 2014) prohibited illicit oil trade as a source of revenue for terrorists in Iraq and Syria. [Security Council Press Statements SC/11605](#) (17 October 2014) condemned ISIS attacks in Baghdad. [SC/11519](#) (13 August 2014) welcomed the nomination of Prime Minister-designate Haider al-Abadi. [SC/11515](#) (7 August 2014), [SC/11509](#) (5 August 2014) and [SC/11484](#) (21 July 2014) deplored ISIS attacks and condemned the persecution of religious and ethnic minorities. [Security Council Meeting Records S/PV.7271](#) (19 September 2014) was a ministerial-level debate on the ISIS threat. [S/PV.7224](#) (23 July 2014) was a briefing by Mladenov. [Security Council Letter S/2014/440](#) (25 June 2014) was from Iraq requesting support to eradicate ISIS. [Secretary-General's Reports S/2014/485](#) (11 July 2014) was the most recent UNAMI report. [S/2014/480](#) (8 July 2014) was the most recent Iraq/Kuwait report. [Human Rights Council Document A/HRC/RES/S-22/1](#) (1 September 2014) requested a mission be urgently dispatched to investigate ISIS violations.

## Iraq (con't)

indications that a new government may not be sufficient to rein in the sectarian violence. Government bombardment of Sunni civilian areas continues, as does unchecked activity by Shi'a militias.

Abadi's cabinet was formed on 8 September but with two crucial security posts, the defence and interior ministries, unfilled, largely due to the opposition of parliamentarians aligned with Shi'a militias—in particular the Badr Organisation. The Badr Organisation, which is backed by Tehran, has played a key role in helping to secure Baghdad from ISIS. However, its militia is suspected of having run death squads against Sunni opponents since the fall of Saddam Hussein in 2003.

Iraqi parliamentarians were only able to agree on defence and interior ministry candidates on 18 October. Khaled al-Obeidi, a Sunni leader from Mosul, was approved as minister of defence. Mohammed Ghabban, from the Badr Organisation, was confirmed for the interior ministry, though media reports indicate that Hadi al-Amiri, the head of Badr's militia, will likely wield the real power. Sunnis opposed putting the Badr bloc in charge of internal Iraqi security. The appointment undermines Abadi's mandate to form an inclusive government in order to boost Sunnis' confidence in the central government.

Six Kurdish ministers were also confirmed on 18 October, three more than were initially offered when Abadi's cabinet was formed in early September. Ministerial appointees from the Kurdistan Regional Government (KRG) did not participate in the cabinet until the KRG received a larger share of the ministries and the reinstatement of the KRG's share of financial resources from the Iraqi budget, which Maliki had cut off when the KRG began unilaterally selling its own oil, bypassing the central government.

### Human Rights-Related Developments

The Human Rights Council held a special session on 1 September at the request of Iraq and adopted a resolution condemning ISIS and associated groups that had violated human rights and international humanitarian law. Since some of their actions may amount to war crimes and crimes against humanity, the resolution requested an investigative mission be urgently dispatched.

On 2 October UNAMI and the Office of the UN High Commissioner for Human Rights (OHCHR) released a joint report documenting serious violations of international humanitarian law and gross abuses of human rights perpetrated by ISIS

and associated armed groups, including attacks directly targeting civilians, executions, abductions, sexual violence, sexual slavery and other forms of violence perpetrated against women and children, forced recruitment of children, destruction or desecration of places of religious or cultural significance and denial of fundamental freedoms. The report also expressed alarm at the rise in Iraq's use of the death penalty since it was restored in 2005, with judges systematically issuing death sentences based solely on disputed evidence (i.e. confessions resulting from torture) and testimony of secret informants.

On 16 October, the High Commissioner referred to ISIS as a potentially genocidal movement and the antithesis of human rights. He added no religious or ethnic group is safe and warned of ISIS's use of social media to recruit people from across the globe.

UN Assistant Secretary-General for Human Rights Ivan Šimonović concluded a week-long mission to Iraq on 19 October. He voiced extreme concern at the widespread and systematic human rights violations by ISIS and associated armed groups and said that those committed against the Yezidi community may amount to attempted genocide. He also urged the Iraqi government to accede to the ICC statute and to immediately accept its ad-hoc jurisdiction for crimes committed during the ongoing conflict.

### Key Issues

The key issue for the Council is averting the territorial and political disintegration of Iraq, which would have major negative implications for regional and international security.

Another immediate issue is how to address the mutually destabilizing impact of the Syrian civil war and the Iraq crisis—beyond the US-led anti-ISIS operations in both countries.

A possibly more manageable issue is determining how the Council and UNAMI can encourage the factions in the newly formed government—in particular the dominant Shi'a Dawa party of Abadi and Maliki along with Kurdish and Sunni parliamentarians—to cooperate on security and humanitarian issues to build Sunni confidence in the central government and fortify Iraq's response to ISIS.

### Options

Aside from following the situation in Iraq through briefings, Council options seem limited since the security response to ISIS is happening outside the Council's purview. However, one option is to adopt a presidential statement calling for the new government to work towards enhanced security and humanitarian coordination with the KRG and Sunni leaders and for UNAMI to

support the government in that effort.

In such a statement, the Council could also condemn human rights violations by ISIS and associated armed groups (an indirect reference to former Baathists and Sunni tribal leaders) as well as by Iraqi security forces and associated armed groups (an indirect reference to Shi'a militias).

Another, though less likely option, is for the Council to support OHCHR's call for the Iraqi government to accede to the ICC and to immediately accept its ad-hoc jurisdiction for crimes committed during the ongoing conflict.

### Council Dynamics

Council members uniformly support UNAMI's mandate, which they believe is broad enough and flexible enough to allow Mladenov to fulfil the mission's good-offices role.

There has been a flurry of activity in response to the spread of ISIS since Mladenov last briefed. Nevertheless, Council members have quickly reverted to a "wait-and-see" mode and, except through the lens of counter-terrorism, have largely been unable to approach the connected crises in Iraq and Syria holistically. It is likely that Council members will continue to treat the two situations as discrete issues since condemning the Tehran-backed regime in Damascus cannot be reconciled with supporting the Tehran- and US-backed government in Baghdad.

The Council's revived engagement on Iraq has been almost exclusively ISIS-related, in that the Council has reinforced its counter-terrorism framework and issued press statements condemning various ISIS attacks and highlighting the group's threat to ethnic and religious minorities.

However, the Council has been less directly engaged in grappling with the underlying political divisions among Iraq's Shi'a, Sunni and Kurdish populations. For example, it has been difficult for Council members to formulate a response to the government-formation process beyond the routine and general call for an inclusive government.

Some Council members are concerned that a display of support now might be misinterpreted as endorsement of the Badr Organisation. Yet tempering any support with an expression of concern about the activities of the Badr militia or violations by Iraqi security forces could prove difficult given the degree

## Iraq (con't)

to which the US seeks Iraq's agreement prior to Council outcomes on Iraq.

Council members Australia, France,

Jordan, the UK and the US are part of the anti-ISIS coalition.

The US is the penholder on Iraq issues

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

## Burundi

### Expected Council Action

In November, the Special Representative and head of the UN Office in Burundi (BNUB), Parfait Onanga-Anyanga, will brief the Council. Paul Seger (Switzerland), the chair of the Burundi configuration of the Peacebuilding Commission, will also brief.

In line with Burundi's wishes, the Council adopted resolution 2137 on 13 February, extending the mandate of BNUB for the last time until 31 December.

### Key Recent Developments

While BNUB is preparing for its withdrawal, Burundi continues to experience political turmoil ahead of the legislative and presidential elections scheduled for May and June 2015, respectively. (In resolution 2137, the Council asked the Secretary-General to prepare for BNUB's transfer of responsibilities to the UN Country Team by 31 December. As requested by Burundi, the resolution calls on the Secretary-General to establish an electoral observer mission for the period before, during and after the 2015 elections.)

In the latest BNUB briefing on 6 August, Onanga-Anyanga expressed his continuing concern about deep political divisions in the country, the lack of political dialogue on major national issues and laws restricting freedom of expression. He called on opposition parties to resist the temptation to boycott the elections, as many did in 2010. He added that preparations were underway to withdraw BNUB by 31 December.

Despite public statements by government officials in support of free and fair democratic elections and a code of conduct for the elections that political parties have signed, many continue to criticize Burundi for limiting political participation and for the harassment of the opposition and civil society.

A Bujumbura court on 2 October sentenced

Léonce Ngendakumana, the head of the opposition coalition *Alliance des Démocrates pour le Changement-Ikibiri* (ADC-Ikibiri), to one year in prison for incitement to racial hatred and making damaging allegations and false accusations. Ngendakumana had on 6 February sent a letter to the UN Secretary-General on behalf of ADC-Ikibiri calling on the international community to exert pressure on the government to, among other things, forestall "political genocide". He accused the ruling party, *Conseil National Pour la Défense de la Démocratie-Forces pour la Défense de la Démocratie* (CNDD-FDD), of preparations similar to those that took place in neighbouring Rwanda before the 1994 genocide. He also compared the operations of radio station Rema FM to Kigali's Radio Mille Collines, which in 1994 encouraged and incited violence against the Tutsi. His lawyers denounced the trial as politically motivated and filed an appeal. Ngendakumana has been quoted as saying that "all credible opponents are either in exile, have been prosecuted or have been driven out from their parties".

Another opposition leader, Alexis Sinduhije, head of the Movement for Solidarity and Development (MSD), is now believed to be in Europe after fleeing because of an arrest warrant in connection with a sporting event on 8 March that turned violent, after the police alleged it was a front for illegal demonstrations. Some of the participants sought refuge in the offices of the MSD headquarters, taking two policemen hostage. Subsequently the activities of the MSD were suspended and 21 MSD members were given life sentences after being found guilty of armed revolt. (For more information see our May 2014 *Monthly Forecast*.)

Under the country's strict election laws, the government seems to be actively vetting opposition party leaders to prevent them from running. It takes the position that if individuals

precluded from running within a recognised political party still wish to participate in the election, they can do so as independent candidates. All candidates, including those recognised by the government are furthermore hampered by strict campaigning timeframes.

In security-related news, an unidentified armed group on 5 October attacked positions of the Burundian army in the Rukoko Natural Reserve in Bubanza Province, near the country's border with the Democratic Republic of the Congo (DRC). The *Forces pour la Libération Nationale*'s Nzabampema wing reportedly claimed responsibility for the attack, in which it said six soldiers were killed. An army spokesperson said that one of the attackers was killed and attributed the incident to "armed bandits". In recent weeks, both the DRC government and the UN Stabilisation Mission in the DRC have confirmed the presence of Burundian troops in the Uvira region of the DRC, in order to secure the common border.

Forty corpses were discovered in July and August, some reportedly bound and wrapped in plastic bags, on the Burundian side of Lake Rweru, which straddles Burundi and Rwanda. The general prosecutor of Burundi said on 14 October that an investigation concluded that the dead were Rwandans, but Rwanda refuted that.

### Developments in the PBC

Seger organised a high-level meeting for Burundi and its key bilateral and multilateral partners on 29 September in New York. Among the officials representing Burundi were First Vice-President Prosper Bazombanza and Foreign Minister Laurent Kavakure.

Representatives from Belgium, China, France, Japan, Kenya, the Netherlands, Nigeria, Russia, Rwanda, South Africa, Tanzania, Uganda, the UK, the US and the EU and the World Bank attended. Under-Secretary-General for Political Affairs Jeffrey Feltman, Onanga-Anyanga and Assistant Secretary-General for Human Rights Ivan

**UN DOCUMENTS ON BURUNDI** [Security Council Resolution S/RES/2137](#) (13 February 2014) extended the mandate of BNUB until 31 December 2014, when it will transition to a UN country team. [Secretary-General's Report S/2014/550](#) (31 July 2014) was the latest BNUB report. [Security Council Meeting Record S/PV.7236](#) (6 August 2014) was a briefing by Special Representative Parfait Onanga-Anyanga on BNUB. [Security Council Press Statement SC/11350](#) (10 April 2014) expressed concern over reported acts of intimidation, harassment and violence committed by youth groups in Burundi.

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## Burundi (con't)

Simonović represented the UN.

The meeting's aim was to review recent developments in Burundi and preparations for a roundtable between Burundi and its partners, scheduled tentatively for 11-12 December in Bujumbura. The objectives of the upcoming roundtable are to take stock of the progress made and challenges remaining in the implementation of the second Poverty Reduction Strategy Paper; review political reforms and pledges made by donors; assess the partnership between Burundi and the international community, particularly in light of the drawdown of BNUB; and, on the assumption that the 2015 elections will be peaceful, open, inclusive and fair, discuss a reinforced cooperation framework between Burundi and its partners in the medium and long term. The outcome of the roundtable would be a joint declaration of renewed and redefined mutual commitments in light of progress achieved and remaining challenges.

### Human Rights-Related Developments

On 9 October, the Human Rights Committee of the International Covenant on Civil and Political Rights completed its consideration of the second periodic report of Burundi – the previous report was submitted in 1992. During the discussions, committee experts raised several outstanding issues, including the criminalisation of homosexuality; extrajudicial killings, particularly perpetrated by actors responsible for law enforcement and the government-linked youth wing; trafficking; violence against women; and prison overcrowding. (CCPR/C/BDI/2)

Pierre Claver Mbonimpa, head of the Association for the Protection of Human Rights and Detained Persons, was provisionally released from detention on medical grounds on 29 September. He was arrested on 15 May and charged

with endangering state security and inciting public disobedience for his remarks on the radio about allegations that members of the *Imbonerakure* (the CNDD-FDD youth wing) were being armed by the government and receiving military training in the DRC. The European Parliament on 18 September urged the Burundian government to immediately and unconditionally release Mbonimpa and on 23 September, US President Barack Obama publicly called for Mbonimpa's release.

### Key Issues

The key issue is ensuring that, despite the upcoming withdrawal of BNUB, the security and political situation in Burundi does not deteriorate further given the history of ethnic violence between the Hutu and Tutsi ethnic groups.

Should the political situation take a significant turn for the worse, an issue for the Council will be how to act quickly and effectively in order to preserve the progress achieved over the past decade and prevent the situation from developing into an acute crisis.

An immediate issue is setting up the proper mechanisms for the UN electoral mission and ensuring that the 2015 elections are free and fair.

### Options

One option for the Council, to signal its continuing engagement with and concern about Burundi, is adopting a resolution or a

presidential statement that would: call on Burundi to ensure an open and inclusive political environment;

- convey readiness to consider extending BNUB's mandate until after the election if the situation continues to deteriorate;
- signal a possibility of imposing measures such as sanctions against perpetrators or instigators of political violence during the electoral period; or
- call on sub-regional organisations such as the International Conference of the Great Lakes Region to play a more active role in Burundi in light of BNUB's withdrawal.

### Council Dynamics

Some Council members, such as France and the US, remain concerned about the political tensions and the curbing of political opposition by Burundi's government, as these may be the first signs of what could be a relapse into the horrendous ethnic and political violence that plagued the country in the past. Several Council members believe that the Council should monitor the situation closely in the lead-up to the 2015 elections and beyond via the electoral mission, there is, however, at this point, little appetite among Council members to take strong measures to address the situation.

The penholder on Burundi is France.

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## Liberia

### Expected Council Action

As requested in resolution 2176, the Council is scheduled to be briefed prior to 15 November on the situation in Liberia, particularly regarding the Ebola crisis and the UN Mission in Liberia (UNMIL). The briefers are likely to include Under-Secretary-General for Peacekeeping Operations Hervé Ladsous and Ambassador Mårten Grunditz (Sweden), chair of the Liberia configuration of the Peacebuilding Commission. The briefing will be followed by consultations.

### Key Recent Developments

The Ebola crisis continues to worsen in West Africa. According to the World Health Organization (WHO), as of 25 October there were a total of 10,114 cases and 4,912 deaths due to Ebola within the region. Liberia has been the worst-affected country, with 4,665 cases and 2,705 deaths (Sierra Leone has had 3,896 cases and 1,281 deaths; Guinea has had 1,553 cases and 926 deaths). The rate of transmission has been most intense in the

capital city Monrovia where 305 new cases have been reported within the most recent one-week period.

Meanwhile, the political and security situation in Liberia is becoming increasingly volatile. On 17 September, the inspector general for police denied local media reports that Vice President Joseph Boakai was under investigation in connection with an alleged plot to form an interim government. On 27 September, a group of approximately 1,000 people violently protested after discovering a

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**UN DOCUMENTS ON LIBERIA** [Security Council Resolutions S/RES/2177](#) (18 September 2014) determined that Ebola constituted a threat to international peace and security. [S/RES/2176](#) (15 September 2014) extended the mandate of UNMIL until 31 December 2014. [Security Council Meetings S/PV.7279](#) (14 October 2014) was a briefing concerning the Ebola crisis in West Africa. [S/PV.7268](#) (18 September 2014) was an open debate on the Ebola crisis in West Africa. [S/PV.7260](#) (9 September 2014) was a briefing on UNMIL. [Security Council Letters S/2014/707](#) (29 September 2014) was an assessment of the Liberia sanctions regime. [S/2014/679](#) (17 September 2014) was from the Secretary-General regarding his intention to establish UNMEER. [General Assembly Document A/RES/69/1](#) (19 September 2014) welcomed the intention of the Secretary-General to establish UNMEER. [Human Rights Council Document A/HRC/PRST/27/4](#) (26 September 2014) urged states to respect human rights when implementing measures to combat Ebola.

## Liberia (con't)

body they believed had been shot at a Monrovia checkpoint of the Liberia National Police. On 6 October, Minister of Justice Christiana Tah announced her resignation, saying that her position had been repeatedly undermined. She said that included interference by President Ellen Johnson Sirleaf regarding an investigation into corruption allegations within the National Security Agency, which is headed by one of Sirleaf's sons. On 8 October, Sirleaf suspended by proclamation Senate elections scheduled for 14 October. On 10 October, the House of Representatives declined a request by President Sirleaf to further restrict political and civil rights—e.g. electoral rights, freedom of movement and freedom of speech—under the state of emergency. Sirleaf's suspension of the elections was contested on 13 October by the House and Senate, which maintained that such a decision was a legislative, not executive, prerogative. A definitive date for holding the postponed elections has not yet been agreed upon.

Due to the operational uncertainty created by the escalation of the Ebola outbreak, the Council effectively postponed for three months decisions regarding the potential modification of UNMIL's mandate. Following a briefing and consultations on UNMIL on 9 September, the Council adopted resolution 2176 on 15 September, renewing the mandate of the peacekeeping operation until 31 December. Resolution 2176 also expressed the Council's intention to subsequently renew UNMIL's mandate until 30 September 2015, pending consideration of the Secretary-General's update and analysis in the upcoming mid-November briefing.

In the interim, two UNMIL staff members have died from Ebola, the first on 25 September and the second on 13 October. On 10 October, UNMIL announced it had quarantined 41 personnel, including 20 soldiers, following the second infection. As of 28 October, all but two staff had completed the quarantine period. (The Philippines has been the one troop-contributing-country [TCC] to withdraw from UNMIL, having announced on 23 August that due to safety concerns their 115 troops would depart Liberia as soon as possible.) According to information provided to the Council by the Department of Peacekeeping Operations, UNMIL's activities in response to the Ebola outbreak include: coordination,

information and outreach; training of Liberian government workers; monitoring and advocacy; providing equipment, logistics assistance and engineering support; and supporting the UN Mission for Ebola Emergency Response (UNMEER).

The severity of the Ebola crisis in West Africa has prompted the creation of the first UN emergency health mission. On 17 September, the Secretary-General sent letters to the General Assembly and the Security Council announcing his intention to establish a system-wide, inter-agency mission, UNMEER. At the initiative of the US, the Council held an open debate on the Ebola crisis on 18 September and adopted resolution 2177, which determined that "the unprecedented extent of the Ebola outbreak in Africa constitutes a threat to international peace and security". The following day, the General Assembly adopted a resolution welcoming the establishment of UNMEER. On 23 September, Anthony Banbury was appointed Special Representative and head of UNMEER, which is now headquartered in Ghana. As of 28 October, the Ebola Response Multi-Partner Trust Fund had only \$8.8 million in deposits, \$19 million in commitments and \$88.2 million in outstanding pledges (out of \$1 billion required).

In a speech at the Centers for Disease Control and Prevention on 16 September, US President Barack Obama announced that the US would commit substantial resources to combat the Ebola crisis in West Africa, including: deployment of up to 3,200 troops; a public commitment to spend more than \$1 billion; deployment of more than 170 medical and disaster response experts; and the construction of a hospital for infected health workers, which is underway, and plans to build 17 Ebola treatment units in Liberia. Ambassador Samantha Power underscored the US commitment to tackle the Ebola outbreak with a trip to West Africa in late October, where she visited Ghana, Guinea, Liberia and Sierra Leone. Power called on other UN member states, in addition to the US and the UK (which has been active in Sierra Leone), to contribute doctors, medical supplies and financial resources to fight Ebola in West Africa. Power has also praised Cuba's sending doctors to the affected region.

The Council most recently addressed the Ebola crisis in West Africa during a briefing and consultations on 14 October. Banbury, Ladsous and Assistant Secretary-General

for Political Affairs Tayé-Brook Zerihoun briefed. Banbury emphasised the urgent need for substantial human, material and financial resources to combat Ebola; Ladsous discussed the escalating security risks associated with deepening political and social divisions in Liberia; and Zerihoun focused on the regional dimensions of Ebola's impact, including the adverse implications for cross-border cooperation on security and trade. Representatives of Guinea-Conakry, Liberia and Sierra Leone also addressed the Council.

### Human Rights-Related Developments

During its 27th session, the Human Rights Council adopted a presidential statement on 26 September deploring the loss of life in West Africa due to Ebola and urging states to be mindful of human rights and the negative effects of stigmatizing victims when implementing measures to limit the spread of the virus.

On 16 October, High Commissioner for Human Rights Zeid Ra'ad Al Hussein referred to Ebola as a monumental crisis, adding that the critical importance of rights to health, education, sanitation, development and good governance were not being discussed sufficiently. Also, he announced that his office is drawing up guidelines regarding the use of quarantines, which if imposed injudiciously could violate a wide range of human rights and accelerate the spread of Ebola.

The West Africa Regional Office of the High Commissioner for Human Rights released a paper in September, *A human rights perspective into the Ebola outbreak*, highlighting various fundamental human rights impacted by the outbreak and providing recommendations.

### Key Issues

The principal issue for the Council remains the continued stability of Liberia. The government's inadequate response to the Ebola crisis thus far has further exacerbated public perceptions of illegitimacy and threatened to provoke protest. The national police and military lack capacity, which underlines the continued importance of UNMIL's deployment within the country. Coping with the health risks Ebola poses for peacekeepers while also maintaining sufficient operational mobility in order to fulfil its mandate remains a critical challenge for UNMIL.

### Options

The most likely option for November is for the Council to take no action, as it is highly unlikely to modify UNMIL's mandate until the following month (the peacekeeping

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## Liberia (con't)

operation's mandate expires 31 December). While the meeting has been scheduled explicitly for the purpose of an update on UNMIL, the Council could also request participation by a wider range of briefers, including representatives of UNMEER and WHO.

### Council and Wider Dynamics

Among Council members, the US has shown the most initiative in response to the Ebola crisis in West Africa. (It has also made the most significant national commitment of resources on the ground in Liberia.) A record

number of 134 co-sponsors for resolution 2177 on Ebola, the establishment of the first UN emergency health mission and the unanimous adoption of the General Assembly resolution on UNMEER all suggest there is now broad support among member states for tackling the Ebola outbreak, although lagging deposits to the trust fund raise questions about the depth of this commitment.

However, the evolving dynamics with TCCs for UNMIL may be more complicated, particularly with a precedent having been established by the withdrawal from Liberia of 115 Filipino

peacekeepers. There seems to be consensus among Council members, the Department of Peacekeeping Operations and the Liberian government regarding the need for UNMIL's continued deployment. Nonetheless, there is also a possibility that some TCCs may eventually withdraw due to the health risks to their peacekeepers. This could also be due, at least in part, to domestic political pressure on the governments of TCCs for the repatriation of troops.

The US is the penholder on Liberia, and Jordan is the chair of the 1521 Liberia Sanctions Committee.

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## South Sudan

### Expected Council Action

The Council is expected to renew the mandate of the UN Mission in South Sudan (UNMISS) prior to its 30 November expiration. Given the fluid situation on the ground, it is possible that the Council may hold one or more additional meetings to discuss South Sudan during the month.

### Key Recent Developments

The political, security and humanitarian situations in South Sudan remain dire. The peace talks between the government—the Sudan People's Liberation Movement (SPLM)—and the Sudan People's Liberation Movement in Opposition (SPLM in Opposition) have continued to falter, and sporadic fighting between the sides has been reported in recent weeks in Upper Nile state. Absent a political solution to the conflict, analysts fear that fighting will increase in the coming months with the enhanced mobility that accompanies the dry season which begins in November. As of 16 October, there were 1.4 million internally displaced persons (IDPs) in South Sudan, while approximately 467,000 people had left for surrounding countries. Additionally, roughly four million people in the country face serious food insecurity. Since the conflict began in December 2013, thousands have died, and both the SPLM and the SPLM in Opposition have been accused of significant violations of international humanitarian and human rights law.

In recent months, there have been reports

of intermittent fighting between the SPLM and the SPLM in Opposition. Recurring SPLM in Opposition attacks on government forces occurred in September in Renk county, Upper Nile state, near the Paloich oil field, which remains under the control of government forces. On 10 October, government and opposition forces clashed at Doleib Hill and Obel, areas just south of Malakal, the capital of Upper Nile state. After the opposition seized Doleib Hill, government forces reclaimed the area, pushing the rebels back to northern Jonglei state.

More than 100,000 civilians are housed in UNMISS "protection of civilians sites" because they are too afraid to return home and possibly face violence. The bulk of these IDPs are in Bentiu (49,000 people), Juba (20,000) and Malakal (18,000). UNMISS has made an effort to expand the camps to accommodate the influx of civilians and to enhance security in and around these sites. On 21 October, Derk Segaar, head of relief, reintegration and protection in the UN Resident Coordinator's Office in South Sudan, announced that new facilities had been built in Juba, Malakal and Bor to accommodate approximately 28,000 of the displaced and to address the overcrowding and unsanitary conditions in the camps. (It should be noted that the civilians in these sites represent a small fraction of those displaced throughout South Sudan).

The sixth round of the Intergovernmental Authority on Development (IGAD)-mediated

negotiations in Ethiopia concluded on 5 October. The form of the proposed transitional government of national unity and the roles and responsibilities of participants in such a government were among the key issues discussed. While President Salva Kiir and rebel leader Riek Machar agreed to form a transitional government of national unity in their 9 May cessation of hostilities agreement, both leaders have yet to make the compromises necessary for this to happen.

A parallel negotiating track has opened up in Arusha, Tanzania, where an intra-SPLM dialogue was held from 12 to 18 October. Facilitated by Tanzania's ruling Chama Cha Mapinduzi party, the negotiations included representatives of the SPLM, SPLM in Opposition and SPLM former detainees (high-level SPLM officials who were detained by the government but subsequently released). Kiir met with Machar during the Arusha talks, although details on the substance of their meeting are scant. On 20 October, the various SPLM factions signed a framework agreement committing to intra-party democracy, reconciliation and healing. In an accompanying communiqué, the parties acknowledged "a collective responsibility for the crisis in South Sudan" and said the crisis "must be urgently brought to an end by the SPLM leadership through genuine and honest dialogue". The communiqué went on to say that while the Arusha process is intended to reinforce the IGAD-facilitated process

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**UN DOCUMENTS ON SOUTH SUDAN** [Security Council Resolution S/RES/2155](#) (27 May 2014) revised the mandate of UNMISS to focus on protection of civilians, facilitation of humanitarian access and human rights verification and monitoring. [Security Council Meeting Record S/PV.7282](#) (22 October 2014) was a briefing by Special Representative Ellen Margrethe Løj on UNMISS. [Secretary-General's Report S/2014/708](#) (30 September 2014) was the UNMISS report.

## South Sudan (con't)

in Ethiopia, it is distinct from it. It further noted the parties' commitment to meet again within two weeks for further talks.

On 23 October, Kiir, President Uhuru Kenyatta of Kenya, Prime Minister Hailemariam Desalegn of Ethiopia and Prime Minister Ruhankana Rugunda of Uganda met in Juba for a one-day IGAD summit. During the summit, Kiir reiterated his claim that he is committed to the peace process. In remarks to the press after the summit, IGAD's chief mediator, Seyoum Mesfin, expressed optimism that the SPLM and the SPLM in Opposition had achieved "a breakthrough" in their negotiations, but he did not elaborate. At press time, it seemed that power-sharing in the proposed transitional government of national unity remained a key sticking point between the parties.

The South Sudan parliament on 8 October approved the National Security Bill that, if enacted into law, would give security forces wide-ranging authority to detain and arrest people without safeguards of due process. Legislators from the SPLM-Democratic Change (SPLM-DC) vacated the parliament in protest during the vote. (The SPLM-DC is a political party that disagrees with Kiir's policies but has remained engaged in the political process.) At press time, Kiir had yet to sign the bill into law.

Zainab Hawa Bangura, the Special Representative on Sexual Violence in Conflict, visited South Sudan from 5 to 11 October. She met with Kiir and several other high-level government officials, civil society representatives (including women's groups), UN staff and survivors of sexual violence. Bangura also stopped in Addis Ababa, Ethiopia, where she met with SPLM in Opposition leader Riek Machar. During the trip, Bangura signed a joint communiqué with the government outlining steps it can take to prevent and address sexual violence—including the "issuance and enforcement of clear orders through the army chain of command prohibiting sexual violence [and] assistance for survivors" and the development of action plans by the army and police against sexual violence.

At a press briefing at UN headquarters in New York on 20 October, Bangura said that in her 30 years of experience she had never witnessed anything like what she had seen at the UN camp in Bentiu, where, in her words, "the IDPs seeking refuge there face a combination

of chronic insecurity, unimaginable living conditions, acute day-to-day protection concerns and rampant sexual violence". She added that both sides in the conflict have committed sexual violence, with interlocutors on her trip describing rape, gang rape, forced marriage, sexual slavery and abduction as among the crimes committed.

On 22 October, Ellen Margrethe Løj, the Special Representative and head of UNMISS, briefed the Council on the situation in South Sudan and the current UNMISS report. Bangura briefed as well, participating via video-conference from Geneva. Løj said that since she had assumed her post, she had been "shocked by the complete disregard for human life" in the conflict, emphasising that the perpetrators of human rights violations must be held accountable. Bangura reiterated many of the points from her 20 October press briefing, arguing that sexual violence in South Sudan is widespread and that the government lacks the capacity to address the challenge. Francis Deng, South Sudan's ambassador to the UN, addressed the Council as well, urging the Council to support capacity-building with regard to South Sudan's institutions, notably the police and other related security elements. In consultations following the briefing, Løj emphasised her concern at the lack of progress on the political track, while Bangura similarly said that the best way to curtail the sexual violence in South Sudan is to bring an end to the fighting.

### Key Issues

The underlying key issue continues to be the need to find a political solution to the crisis. Without a durable settlement, the fighting will likely get worse—and the suffering of civilians will increase—when the dry season begins creating conditions that facilitate enhanced movement.

Another key issue is what role the Council, in conjunction with the broader UN system and other actors, can play in strengthening the ability of UNMISS to protect civilians, facilitate humanitarian access and uphold human rights.

Also an important issue is how to approach the issue of accountability for the perpetrators of serious human rights violations. In this regard, the AU Commission of Inquiry is expected to release a report in November with recommendations for healing,

reconciliation and accountability for human rights violations in South Sudan.

### Options

The most likely option is for the Council to renew UNMISS, maintaining a streamlined mandate focusing on protection of civilians, facilitation of humanitarian access and human rights monitoring.

In renewing the mandate, the Council may decide to:

- implement targeted sanctions (i.e. an assets freeze and travel ban) on spoilers to the peace process who have committed gross violations of international human rights and humanitarian law;
- impose an arms embargo on the country;
- refer the situation in South Sudan to the ICC;
- urge troop- and police-contributing countries to expedite the deployment of remaining authorised personnel, with supporting equipment, to help the mission operate at full capacity;
- call for the use of community liaison assistants to help UNMISS peacekeepers enhance dialogue with local communities and get timely information about potential threats, as has been done constructively in the UN Stabilisation Mission in the Democratic Republic of the Congo; and
- make a special request for donors to fulfil the 2014 Crisis Response Plan for South Sudan, which was funded at only 61.3 percent at press time (\$1.1 billion of \$1.8 billion requested).

The Council could also decide to invite Olusegun Obasanjo, the chair of the AU Commission of Inquiry on South Sudan, to brief on the Commission's report.

### Council Dynamics

There is frustration among Council members about the continuing inability of the parties to forge a political solution to the conflict. Likewise, there are concerns that the fighting may escalate, with even more devastating attendant consequences for civilians, given the onset of the dry season. Several Council members have emphasised that there needs to be accountability for the serious human rights violations committed in South Sudan, but it is unclear what options the Council might pursue at this point. Targeted sanctions against spoilers have been discussed

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## South Sudan (con't)

for several months as a possible option supported by several Council members. A potential arms embargo on South Sudan also appears to be under discussion. However, some Council members remain wary of

either approach. China and Russia, in particular, have had reservations about targeted sanctions, especially without the support of IGAD, which is divided on such an approach. Given these challenging political dynamics, it

is unclear, and perhaps unlikely, whether a resolution on targeted sanctions or an arms embargo could be adopted at this time.

The US is the penholder on South Sudan.

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## Sudan (Darfur)

### Expected Council Action

In November, Ambassador María Cristina Perceval (Argentina), chair of the 1591 Sudan Sanctions Committee, is expected to provide the Council with the quarterly briefing on the Committee's work.

### Key Recent Developments

The security situation in Darfur remains unstable, marked by inter-communal violence and fighting between government and rebel groups. In early October, the Rizeigat community clashed with the Zaghawa community in Labado, East Darfur, during a cattle-rustling dispute. Two internally displaced Zaghawa were killed; as retribution, the Zaghawa killed two Rizeigat. Inter-communal violence also occurred on 11 October between members of the Rizeigat and Ma'aliya communities in Abu Dungal, East Darfur, also in an apparent cattle-rustling dispute, leading to the death of one person. Sudan armed forces reportedly clashed with Sudan Liberation Army-AbdulWahid (SLA-AW) rebels in Western Jebel Marra and Northern Jebel Marra in mid-October and in Rokero, Northern Jebel Marra on 17 October. On 19 October, the Sudanese Air Force bombed the Zaghawa areas of Orschi and Ebeiha in North Darfur, resulting in the death of a farmer. A school in Orschi was levelled in the attack, according to Mohamed Ahmed Minawi, a local politician.

On 16 October, three Ethiopian peacekeepers with the AU/UN Hybrid Operation in Darfur (UNAMID) died after they were ambushed and shot by unidentified assailants in Karma, North Darfur, while protecting a water pump that was used by internally displaced persons and students from a nearby school. Council members issued a press statement condemning the attack (SC/11603).

A total of 61 UNAMID peacekeepers have been killed since the mission was deployed in December 2007.

The violence and insecurity in Darfur continues to worsen the humanitarian situation in Darfur, with devastating results for the civilian population. As of 30 September, the UN Office for the Coordination of Humanitarian Affairs (OCHA) estimated that approximately 3.86 million people in the region required humanitarian assistance. OCHA has also reported that fighting has displaced more than 428,000 people thus far in 2014.

On 11 September, the ICC issued an arrest warrant for Abdallah Banda, a Justice and Equality Movement rebel leader accused of war crimes for orchestrating the 29 September 2007 attack on a facility run by the AU Mission in Darfur in Haskanita, North Darfur. The attack resulted in the deaths of 12 AU peacekeepers, and several others were wounded.

Perceval last briefed the Council on the work of the Sanctions Committee on 27 August. She said that systemic violations of the arms embargo continued and noted that member states needed to honour their obligation to adhere to the sanctions regime. She also noted that there had been a recent reduction in the activities of the Rapid Support Force, a pro-government militia accused of committing atrocities in Darfur earlier in 2014.

A replacement for Mohammed Ibn Chambas to serve as the Special Representative for Darfur and head of UNAMID has yet to be appointed. Chambas was appointed the Special Representative and head of the UN Office for West Africa on 12 September. He had been in charge of UNAMID since 20 December 2012.

### Human Rights-Related Developments

During its 27th session, the Human Rights Council (HRC) considered the report of the independent expert on human rights in Sudan (A/HRC/27/69). The report describes legislation adopted to improve human rights, but concludes that implementation remains protracted, with no significant improvements since 2013. It addresses persisting human rights challenges, including human rights violations during the September 2013 demonstrations, the Meriam Ibrahim apostasy case, arrests and detentions of political opponents and youth activists, the curtailment of civil society, press censorship, the escalation of armed conflicts, the increase in civilian displacement, humanitarian access problems and the government's suspension of the ICRC.

On 26 September, the HRC adopted a resolution on technical assistance and capacity-building in Sudan (A/HRC/27/L.30/Rev.1). It renewed the mandate of the independent expert for one year and requested a report at the HRC's 30th session.

### Key Issues

The underlying key issue for the Council is how to best address the ongoing security and humanitarian catastrophe in Darfur.

A related issue is ensuring that the Council does not lose its focus on the tragedy in Darfur, amidst all of the other crises in Sudan and South Sudan and elsewhere in the world.

Another key issue is what the Council can do to address violations of the arms embargo, which have been consistently referenced in the reports of the Panel of Experts over the years.

Another key issue is the safety and security of UNAMID personnel, especially in light of the ongoing attacks on UNAMID peacekeepers.

### Options

The Council may decide to listen to Perceval's briefing without taking action.

Alternatively, it could adopt a statement or resolution that:

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**UN DOCUMENTS ON DARFUR Security Council Resolutions** S/RES/2173 (27 August 2014) renewed the mandate of UNAMID for 10 months. S/RES/1593 (31 March 2005) referred the situation in Darfur to the ICC. S/RES/1591 (29 March 2005) established the 1591 Sudan Sanctions Committee and its Panel of Experts. **Security Council Press Statement SC/11603** (16 October 2014) condemned the killing of three UNAMID peacekeepers. **Secretary General's Report S/2014/515** (22 July 2014) was the Secretary-General's report on Darfur. **Sanctions Committee Documents S/2014/87** (7 February 2014) was the most recent report of the Panel of Experts.

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## Sudan (Darfur) (con't)

- condemns violations of the arms embargo and reminds states of their obligations under resolution 1591;
- strengthens language obliging states supplying arms and related equipment to Sudan to obtain credible end-user documentation, ensuring that these materials do not enter Darfur; and
- condemns aerial bombardments by Sudan in civilian areas.

### Council Dynamics

There remain strong concerns about the

continuing violence and humanitarian crisis in Darfur. There has also been a perception among some members that UNAMID could be more effective, especially given the resources that have been devoted to the mission.

At press time, Argentina, as chair of the 1591 Sudan Sanctions Committee, was planning to hold November's meeting on Sudan sanctions in an open briefing, followed by consultations. This perhaps reflects a desire to enhance the Council's transparency, building on recent efforts by some of the sanctions committee chairs to hold open briefings. For

example, Lithuania has held open briefings on the work of the sanctions committees that it chairs on the Central African Republic and Yemen in recent months, while Chile briefed the Council on the work of the Côte d'Ivoire sanctions committee in an open session on 29 October. (This represents a departure from the standard practice of holding country-specific sanctions committee briefings in closed consultations.)

The UK is the penholder on Darfur, and the US is the penholder on Sudan/South Sudan issues.

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## Somalia

### Expected Council Action

In November, the Council is expected to adopt a resolution renewing counter-piracy measures for Somalia, due to expire on 18 November.

### Key Recent Developments

During the last month, Operation Indian Ocean, a joint Somali National Army (SNA) and AU Mission in Somalia (AMISOM) military offensive against *Al-Shabaab*, has made significant progress, while terrorist attacks in Mogadishu have also underscored a situation of prevailing insecurity in Somalia. On 5 October, SNA and AMISOM troops captured the coastal city of Baraawe, a key *Al-Shabaab* stronghold that had been instrumental as a port for the illicit export of charcoal and import of arms. On 12 October and 15 October, car bombs detonated outside restaurants in Mogadishu, killing numerous people in each instance. *Al-Shabaab* is presumed to have been responsible for the attacks. On 14 October the Federal Government of Somalia and the semi-autonomous region of Puntland signed an agreement regarding bilateral relations, political boundaries and security.

Regarding piracy, there has been a sharp decline in incidents off the coast of Somalia since the period from 2009 to 2011, when there was an average of 171 attacks and 39 ships pirated per year. There have been only

two attacks by Somali pirates so far in 2014, but neither was successful. It has been more than two years since the last commercial ship was hijacked by pirates off the coast of Somalia. Somali pirates are believed to still hold 37 hostages, but no vessels remain under their control. Despite the decline in pirate attacks, the US-based NGO Oceans Beyond Piracy estimates that Somali piracy had an economic cost of \$3 to \$3.2 billion in 2013, with approximately one-third incurred by governments and regional organisations deploying naval forces and two-thirds assumed by the private sector (i.e. security, labour, fuel and insurance).

On 22 October, Under-Secretary-General for Political Affairs Jeffrey Feltman briefed the Council on the latest Secretary-General's report on piracy and armed robbery off the coast of Somalia and other recent developments. The report notes progress made in targeting Somali pirate kingpins for arrest and prosecution, particularly Mohamed Abdi Hassan, who was arrested in Brussels in October 2013, and Mohamed Garfanji, who was arrested in Mogadishu in August 2014. The report also strongly condemned the 7 April killing of Clément Gorissen and Simon Davis, two staff members of the UN Office on Drugs and Crime (UNODC) who were investigating illicit financial flows from piracy. The Secretary-General also emphasised the need for judicial

institutions to prosecute pirates, economic development in coastal areas and a national coastal and maritime security capacity.

October was a busy month in the Council for other Somalia-related meetings. On 14 October, the Special Representative and head of the UN Assistance Mission in Somalia, Nicholas Kay, and the AU Special Representative for Somalia and head of AMISOM, Maman Sidikou, briefed the Council via video-teleconference. On 15 October, Ambassador Oh Joon (Republic of Korea), chair of the 751/1907 Somalia-Eritrea Sanctions Committee, briefed Council members in consultations about sanctions developments during the most recent 120-day period and the final reports of the Somalia and Eritrea Monitoring Group. Lastly, under "any other business" on 22 October, Emergency Relief Coordinator Valerie Amos briefed Council members in consultations on the deteriorating humanitarian situation in Somalia.

On 24 October, the Council adopted resolution 2182 reauthorising AMISOM for one year. The resolution also included several sanctions-related measures: authorising naval deployments to interdict charcoal exports and arms imports violating the 751/1907 Somalia-Eritrea sanctions regime, reauthorising the mandate of the Somalia and Eritrea Monitoring Group, reauthorising

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**UN DOCUMENTS ON SOMALIA** [Security Council Resolutions S/RES/2182](#) (24 October 2014) authorised naval interdiction of illicit charcoal and illicit arms, renewed authorisation for AMISOM and renewed sanctions measures. [S/RES/2125](#) (18 November 2013) renewed Somalia anti-piracy measures for one year. [Security Council Meetings S/PV.7286](#) (24 October) was the adoption of resolution 2182, with explanations of votes by Jordan and Russia who abstained. [S/PV.7284](#) (22 October 2014) was a briefing on piracy in Somalia. [S/PV.7278](#) (14 October 2014) was a briefing on UNSOM. [Security Council Letter S/2014/760](#) (23 October 2014) was a letter from Egypt requesting postponement of the vote on resolution 2182. [Secretary-General's Report S/2014/740](#) (16 October 2014) was a report of the Secretary-General on piracy in Somalia. [Sanctions Committee Documents S/2014/727](#) (10 October 2014) was the final report on Eritrea of the Monitoring Group. [S/2014/726](#) (10 October 2014) was the final report on Somalia of the Monitoring Group.

**USEFUL ADDITIONAL RESOURCE** [The State of Maritime Piracy 2013](#), Oceans Beyond Piracy, May 2014.

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## Somalia (con't)

the humanitarian exemption, and reauthorising a partial lifting of the arms embargo for Somali government security forces. On 22 October and 23 October, Kuwait and Egypt, representing the Gulf Cooperation Council and the Arab Group respectively, transmitted letters to the Council requesting (unsuccessfully) a postponement of the vote on resolution 2182. The Arab Group specifically opposed authorisation for maritime interdiction beyond Somalia's coastal waters and by the naval forces of individual member states. Accompanied by Russia, Jordan abstained during the vote adopting resolution 2182.

### Key Issues

The principal issue facing the Council in November concerns the on-going (albeit reduced) danger of piracy in the Gulf of Aden, which potentially threatens to re-emerge in the absence of continued counter-piracy measures.

Another issue concerns the sustainability of counter-piracy naval deployments—currently estimated to cost approximately \$1 billion per year—and a relative lack of financial resources dedicated to land-based approaches to piracy prevention. Relevant factors include a chronic lack of alternative

economic opportunities in piracy affected areas, the resilience of support networks for piracy and insufficient domestic institutions for prosecuting and imprisoning pirates.

### Options

The most likely option for the Council would be to renew for one year the counter-piracy measures most recently reauthorised in resolution 2125. More specifically, the Council could also consider:

- creating specialised anti-piracy courts in Somalia with substantial international financial and technical support and participation (i.e. hybrid model);
- urging the financial support from member states for the Trust Fund to Support Initiatives of States Combatting Piracy off the Coast of Somalia;
- reiterating its support for the work of the UNODC and requesting member states to contribute to the Maritime Crime Programme; and
- requesting member states and regional organisations to work with the Somali government toward creating a national maritime patrol capacity to deter piracy.

### Council and Wider Dynamics

There continues to be considerable support in the Council regarding counter-piracy measures for Somalia. More than half of current Council members are represented through the CTF-151 of the Combined Maritime Forces (i.e. Australia and Republic of Korea), EU Naval Force Atalanta, NATO Operation Ocean Shield and national deployments (i.e., China and Russia). However, the interdiction measures authorised with resolution 2182 for charcoal exports and arms imports in violation of the 751/1907 Somalia-Eritrea sanctions regime are more contentious. In explaining its abstention, Jordan specifically mentioned three issues: the authorisation to individual member states, “reasonable grounds” as an insufficient threshold, and the extension beyond Somalia's coastal waters. Russia (which abstained) and China (which voted in favour) also stated that more attention should have been given to the concerns of the Arab Group.

The UK is the penholder on Somalia, the US is the penholder on piracy, Russia is the penholder on legal aspects of counter-piracy measures and the Republic of Korea is the chair of the 751/1907 Somalia-Eritrea Sanctions Committee.

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## Guinea-Bissau

### Expected Council Action

In November, the Council is expected to extend the mandate of the UN Integrated Peacebuilding Office in Guinea-Bissau (UNIOGBIS), which expires on 30 November.

Prior to the mandate renewal, Special Representative Miguel Trovoadá, will brief the Council along with the chair of the Peacebuilding Commission's Guinea-Bissau country configuration, Ambassador Antonio de Aguiar Patriota (Brazil). The Council will consider a written update from the Secretary-General on his comprehensive review of UNIOGBIS.

### Key Recent Developments

Guinea-Bissau's recently elected president, José Mário Vaz, issued a decree on 15 September dismissing the chief of general staff

of the armed forces, General Antonio Indjai, who led the 12 April 2012 coup. On 17 September, Vaz appointed Biahay Na N'tan as his replacement. Like Indjai, he comes from the country's Balanta ethnic group.

The new Prime Minister, Domingos Simões Pereira, addressed the General Assembly on 29 September, outlining a three-phased set of reforms. An urgent programme to meet people's immediate needs in education and power and water supplies; ensure food security; pay civil servants' overdue salaries; and provide basic health care, including contingency planning to handle possible Ebola cases. Reforms in natural resource management are intended to ensure transparency and accountability in the sector. He also noted a medium-term development programme, for

which the government will seek funding at a planned donors' conference in early 2015.

On the margins of the General Assembly, Guinea-Bissau's international partners met on 26 September to discuss the report of the AU-led assessment mission conducted from 15 to 18 September. In a communiqué, they took note of the recommendation to extend the Economic Community of West African States (ECOWAS) Security Mission in Guinea-Bissau (ECOMIB) beyond its 31 December mandate, urging partners to provide ECOMIB necessary support. Among other points, they agreed to mobilise support for the donors' roundtable and to revitalise the International Contact Group on Guinea-Bissau, which had stopped meeting in June 2012 shortly after the coup due to disagreements

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**UN DOCUMENTS ON GUINEA-BISSAU** Security Council Resolution S/RES/2157 (29 May 2014) renewed UNIOGBIS for a six months. **Secretary-General's Report S/2014/603** (18 August 2014) was the final report on the restoration of constitutional order. **Security Council Letters S/2014/601** (15 August 2014) and **S/2014/600** (13 August 2014) was an exchange of letters between the Security Council and the Secretary-General, agreeing that the August 2014 report on the restoration of constitutional order be the last and that future relevant developments be included in reports on UNIOGBIS. **S/2014/529** (23 July 2014) and **S/2014/528** (21 July 2014) was an exchange of letters between the Security Council and the Secretary-General, agreeing to three-month extension to report on the comprehensive review of UNIOGBIS's mandate.

## Guinea-Bissau (con't)

between ECOWAS and Community of Portuguese Language Countries (CPLP). The contact group, co-chaired by ECOWAS and the CPLP, will coordinate international efforts.

Regarding the Ebola epidemic in neighbouring Guinea and nearby Sierra Leone and Liberia, the government closed its borders with Guinea on 19 August. In 14 October consultations following the Council's meeting on the Ebola epidemic in West Africa, Assistant Secretary-General for Political Affairs Tayé-Brook Zerihoun described preparations taken by UNIOGBIS in case the disease appears in the country.

Council members last met on Guinea-Bissau on 26 August, when Under-Secretary-General for Political Affairs Jeffrey Feltman briefed on the Secretary-General's final report pursuant to resolution 2048 on the restoration of constitutional order. During consultations, Feltman said that civil-military relations appeared to be moving in the right direction and that it was a positive sign that the international community was reengaging with Guinea-Bissau.

Trovoada arrived in the country on 21 August to take up his office as Special Representative. Two new deputy special representatives to UNIOGBIS were also recently appointed: Maria do Valle Ribeiro of Ireland on 13 August and Marco Carmignani of Brazil on 8 May.

At press time, the UN was set to conduct a strategic review of UNIOGBIS from 3 November to 14 November. This is the comprehensive review of the mission that the Council called for in resolution 2157 to

ensure that UNIOGBIS's mandate is aligned with the newly elected government's priorities.

### Developments in the PBC

Patriota travelled to Guinea-Bissau from 28 to 30 October. He attended a meeting of CPLP ministers in the country and met with several officials of the new government. It was Patriota's first trip to the country since the elections.

### Key Issues

Renewing the mandate of UNIOGBIS while ensuring it is aligned with the priorities of the government will be the key issue.

Another key issue is how the Council can best support the resumption and consolidation of constitutional order. Related to this is an update on civil-military relations, progress in security sector reform and the work of ECOMIB.

Guinea-Bissau's preparations and capacity to deal with Ebola will likely be an important issue since an outbreak in the country could severely undermine recent positive developments.

Combating drug trafficking and the illegal exploitation of natural resources, along with addressing accountability for past political violence, are ongoing issues of concern.

### Options

The Council could:

- authorise a technical rollover of the mission for three or four months in order to consider the Secretary-General's report that is due by 30 January with recommendations based on the UN's comprehensive

review of UNIOGBIS and the government's priorities for UN support; or

- renew the mandate of UNIOGBIS for 12 months to continue its focus on supporting inclusive political dialogue, security sector reform, justice and public administration reforms and efforts to combat drug trafficking and other illicit activities, as well as protecting human rights and fighting impunity.

### Council and Wider Dynamics

Council members tend to be united in their approach to Guinea-Bissau, following the lead of ECOWAS. However, for the renewal of UNIOGBIS's mandate last May, divisions emerged among members over the time period for extending the mission. France, in particular, preferred a longer extension in line with the Secretary-General's recommendation of a one-year renewal, which the UN had recommended in order to provide time to conduct the strategic review. The US, though, wanted a three-month renewal. The compromise was a six-month extension until 30 November. However, recommendations from the UN's strategic review are not expected until January following the Council's granting of a three-month extension for the Secretary-General's report. Thus another short-term extension of the mission's mandate may be necessary, which some members may not easily accept, anticipating a year-long renewal of UNIOGBIS this time.

CPLP states have proposed in recent months that ECOMIB be transformed into a larger, UN-mandated African-led mission.

Nigeria, the major contributor to ECOMIB, is the penholder on Guinea-Bissau.

## Libya

### Expected Council Action

In November, ICC Prosecutor Fatou Bensouda the Council will deliver her semi-annual briefing by on recent developments concerning cases in Libya.

The mandates of the UN Support Mission in Libya (UNSMIL) and the Panel of Experts assisting the 1970 Libya Sanctions Committee expire on 13 March and 13

April 2015, respectively.

### Key Recent Developments

On 25 July, Bensouda expressed great concern about recent reports of alleged attacks carried out against civilians in Tripoli and Benghazi and said she will not hesitate to investigate and prosecute crimes under the ICC's jurisdiction irrespective of the perpetrators' official

status or affiliation. (Pursuant to resolution 1970, the Office of the Prosecutor may exercise its jurisdiction over international crimes committed within the territory of Libya since 15 February 2011.)

Until recently, the investigations of the Office of the Prosecutor had focused on crimes committed during the 2011 revolution and had only started proceedings against

**UN DOCUMENTS ON LIBYA** [Security Council Resolutions S/RES/2174](#) (27 August 2014) imposed sanctions on those obstructing or undermining the successful completion of the political transition. [S/RES/1970](#) (26 February 2011) referred the situation in Libya to the ICC. [Secretary-General's Report S/2014/653](#) (5 September 2014) was on UNSMIL. [Security Council Meeting Records S/PV.7285](#) (23 October 2014) was the fifth annual open debate on working methods and the ICC Prosecutor briefed. [S/PV.7173](#) (13 May 2014) was the seventh briefing by the Prosecutor of the ICC on Libya. [Security Council Press Statement SC/11585](#) (2 October 2014) welcomed the UN-facilitated meeting between members of the House of Representatives in Ghadames.

## Libya (con't)

then-high-level Libyan officials. Relations between Libya and the ICC have been tense since the decision by the ICC to try Saif Al-Islam Qaddafi, son of deposed leader Col. Muammar Qaddafi, in The Hague, as per the ICC referral in resolution 1970. In May, the Appeals Chamber of the ICC upheld the decision of Pre-trial Chamber I, which directed Libya to hand Qaddafi over to the Court. Briefing the Council on 13 May, Bensouda stated that national judicial proceedings can never be an excuse for failure to comply with the Chamber's order. A decision from the Pre-Trial Chamber on a request for a finding of non-compliance for the non-surrender of Qaddafi is now expected. Such a finding might result in the referral of the case back to the Security Council to ensure compliance by Libya.

In a 11 October 2013 decision, Pre-Trial Chamber I concluded that the case against former intelligence chief Abdullah Al-Senussi was being investigated by Libya, thus making it inadmissible before the ICC. The decision, which had been challenged by Al-Senussi's legal counsel, was upheld on 24 July by the Appeals Chamber, bringing proceedings against Al-Senussi before the Court to an end.

A trial of 37 Qaddafi-era officials accused of serious crimes during the 2011 revolution—including Qaddafi testifying via video link as well as Al-Senussi—has been ongoing intermittently in Tripoli since 24 March and was postponed on 12 October until early November. UNSMIL has raised concerns about difficulties in ensuring full and fair legal representation for all defendants. The UN Working Group on Arbitrary Detention characterised Qaddafi's detention as arbitrary.

In her last briefing to the Council, the Prosecutor noted that her Office was collecting evidence against pro-Qaddafi officials outside of Libya. Bensouda also stated that the forced displacement of civilians from Tawergha in the period from August 2011 to April 2014 appears to meet the elements of deportation or forcible transfer of the civilian population as a crime against humanity and a war crime under the Rome Statute. On 27 May, Libya signed a Memorandum of Understanding with the Registry of the Court recognising the privileges and immunities of Court staff conducting investigations in Libya.

Briefing the Council on 23 October during a debate on working methods, Bensouda argued for the Council to use stronger

language in its referrals to counter the current ambiguity as to whether all states are obliged to cooperate and for the Council to support carrying out the arrest warrants issued by the Court. She also informed the Council how the lack of bilateral or UN financing for Council referrals negatively impacts the ability of her Office to conduct investigations in both Darfur and Libya.

Clashes continue in Libya between Misrata-based and Islamist militias (Libya Dawn) and Zintan-based militias that supported the 16 May failed coup by rogue General Khalifa Haftar. Currently, the new Tobruk-based House of Representatives (which is considered the only legitimate legislative body by the Security Council and most in the international community) is being challenged by the former parliament, the General National Congress, which sits in Tripoli. Both parliaments have appointed rival governments. Following an agreement of military cooperation between the House of Representatives and Egypt, new airstrikes were reportedly conducted by Egypt in mid-October against militia-held positions in Benghazi. While Tripoli remains under the control of Libya Dawn, fighting continues in the west and dozens were reported killed in Benghazi in clashes and as part of a campaign of targeted assassinations that has been ongoing for months. In a 25 September meeting about Libya on the margins of the UN General Assembly, French Foreign Minister Laurent Fabius called for the listing of terrorist group *Ansar al-Sharia* under the 1267/1989 Al-Qaida sanctions regime.

Special Representative and head of UNSMIL, Bernardino León, facilitated two meetings of members of the House of Representatives in Ghadames and Tripoli on 29 September and 11 October (some had refused to attend the meetings of the House). Secretary-General Ban Ki-moon presided over the latter meeting. Despite calls for a ceasefire, the security situation remains critical.

### Human Rights-Related Developments

A joint report by UNSMIL and the Office of the High Commissioner for Human Rights, released on 4 September, provides an overview of violations of international human rights and humanitarian law in Tripoli and Benghazi, including indiscriminate shelling and attacks on civilian targets, shelling of hospitals, abduction of civilians, torture and unlawful killings. The report also details accounts of civilian casualties, including women, children and foreign nationals.

High Commissioner for Human Rights Zeid Ra'ad Al Hussein warned on 14 October that human rights defenders, political activists, bloggers and media professionals have been under increasing attack from armed groups in Libya since mid-May, with numerous reports of intimidation, harassment, abductions and murder of members of civil society. In Benghazi on 19 September, ten people were murdered on a single day, including two prominent young civil society activists. In Derna, east of Benghazi, lawyer Usama al-Mansuri was killed on 6 October, apparently after publicly criticising a declaration by armed groups pledging allegiance to the Islamic State of Iraq and al-Sham. The High Commissioner condemned these and other attacks, adding that female activists are particularly vulnerable, and urged the Libyan authorities to investigate and hold those found responsible accountable.

### Key Issues

A key issue for the Council is the disagreement between Libya and the ICC regarding the Qaddafi trial. A possible issue in the near future is the Council's response if the ICC refers the matter back to the Council, following Libya's failure to cooperate with the Court.

An ongoing overarching issue is the continuing conflict among militias and the fragile security and political situation.

### Options

With respect to the ICC, receiving a briefing and taking no action seems the most likely option, but the Council could use the opportunity to issue a presidential statement signalling its ongoing concern about the overall situation, including:

- expressing concern about attacks against civilians in Libya that can amount to international crimes;
- urging Libya to implement the provisions of the December 2013 law regarding transitional justice and the mandate of the fact-finding and reconciliation commission;
- reiterating its call for armed militias to disarm and accept the authority of the state, including transferring Qaddafi to the custody of the state;
- urging the government and militias to ensure the protection of the estimated 7,000 conflict-related detainees being held without due process; and
- reiterating its support for the ongoing ICC investigations into serious crimes committed by other former regime officials and by rebel forces during the revolution.

## Libya (con't)

A further option for the Council is to impose measures under resolution 2174 against armed militias and other spoilers that threaten the peace, stability or security of Libya by significantly undermining state authority and its monopoly on the legitimate use of force.

### Council and Wider Dynamics

The overall deterioration of the security situation and the fragility of the political situation are sources of concern for Council members.

Regarding the tension between Libya and the ICC over the trial of Qaddafi, it seems unlikely that the Council will take a strong stance on this unless the ICC issues a finding of non-compliance.

An 18 October joint statement by France, Germany, Italy, the UK and the US showed these countries' concerns about Haftar's attacks in Benghazi. The statement—which emphasises the need to counter terrorism “by regular armed forces under the control of a

central authority which is accountable to a democratic and inclusive parliament”—constitutes a departure from previous statements by key international actors in Libya that had for the last five months avoided mentioning the Haftar by name. A similar attempt to do so in the Council encountered the opposition of Russia who claimed that naming and shaming Haftar could have a negative impact in the political process.

The UK is the penholder on Libya.

## Syria

### Expected Council Action

In early November, Special Adviser Sigrid Kaag will brief on the destruction of Syria's chemical weapons. Later in the month, Under-Secretary-General for Humanitarian Affairs Valerie Amos will brief on the humanitarian situation in Syria.

The authorisation in resolution 2165 for cross-border and cross-line humanitarian access in Syria, including the monitoring mechanism expires in mid-January 2015.

### Key Recent Developments

The civil war continues on its devastating course, and the militarisation of the conflict has escalated with the advent of US-led airstrikes against the Islamic State of Iraq and al-Sham (ISIS). The strikes have been particularly focused around the Kurdish town of Kobani in northern Syria to counter the ISIS offensive to seize the town and consolidate its control along the Turkish border.

The US has said that it will not coordinate its military activities with Damascus. However, it seems there is at least a tacit agreement that Syrian offensives should avoid interfering with the US-led airstrikes against ISIS.

Meanwhile, since these airstrikes began on 22 September, the Syrian military has ramped up its own air campaign against rebel-held areas. Anti-ISIS strikes are enabling President Bashar al-Assad's regime to refocus its attacks on opposition groups and regain ground around Damascus and Aleppo and along its border with Jordan. Analysts have

noted that another government objective is to weaken rebel groups before they receive promised, yet elusive, equipment and training from the US in Saudi Arabia and Turkey.

Ankara is part of the anti-ISIS coalition but has not allowed its Kurdish population to be armed and cross into Syria to help defend Kobani, largely due its decades-long struggle with the Kurdistan Workers' Party in Turkey. But it has given permission for 200 Peshmerga forces from the autonomous Kurdish region of Iraq and 1,300 Free Syrian Army fighters to transit Turkey into Syria to defend Kobani. On 19 October, the US air-dropped material supplied by Iraqi Kurdish authorities—weapons, ammunition and supplies—into Kobani.

In exchange for more direct military support against ISIS, Turkey has advocated for a buffer zone in Syria and widening the targets to include the regime. These demands have strained relations between Washington and Ankara and have demonstrated the gap between the immediate aim of the US—namely to contain ISIS—and the much broader objectives of Turkey which also include a political transition that excludes Assad and a halt in the nascent formation of Kurdish autonomy in Syria.

Visiting Turkey between 18 and 20 October, Amos said the ISIS onslaught around Kobani had caused nearly 190,000 civilians to flee to Turkey in a matter of weeks. Meanwhile, Lebanon has announced it will stop receiving Syrian refugees. She also said that humanitarians can save lives but they can't

deliver safety and security and that a political solution in Syria was urgently needed.

Special Envoy for Syria Staffan de Mistura briefed Council members on 30 October on possible ways to revive the political process following his meetings with key players in Damascus, Amman, Ankara, Beirut, Cairo, Moscow, Riyadh and Tehran. Since he took up his post in September, he has been working around the “Assad knot” enshrined in the 30 June 2012 Geneva Communiqué—i.e. trying to find openings between Iran and Russia's support for the Assad regime and the position of the P3 and their Arab allies that Assad must go. De Mistura is expected to return to Damascus in early November.

Assistant Secretary-General for Humanitarian Affairs Kyung-wha Kang also briefed on 30 October and presented the Secretary-General's report on the humanitarian situation in Syria. There are 3.2 million refugees and 6.4 million internally displaced persons, according to the report, and almost half of the population, 10.8 million, require humanitarian assistance. Of those, 4.7 million are in hard-to-reach areas and 241,000 are in besieged areas. The report said that since the adoption of resolution 2165, there had been 23 cross-border aid deliveries, but cross-line deliveries within Syria occur but remain difficult. The government continues to use administrative obstacles to slow aid delivery, in particular truck-sealing procedures and case-by-case negotiations of deliveries to hard-to-reach areas. Armed opposition groups and terrorist groups block access

**UN DOCUMENTS ON SYRIA** [Security Council Resolutions S/RES/2165](#) (14 July 2014) and [S/RES/2139](#) (22 February 2014) were on humanitarian access. [S/RES/2118](#) (27 September 2013) was on chemical weapons. [Security Council Meeting Records S/PV.7293](#) (30 October 2014) was a briefing on the humanitarian situation in Syria. [Security Council Press Statements SC/11590](#) (3 October 2014) condemned ISIS for the murder of UK aid worker Alan Henning. [SC/11589](#) (3 October 2014) condemned the 1 October twin bomb attacks on a school complex in a government controlled area of Homs. [Secretary-General's Reports S/2014/756](#) (23 October 2014) was on humanitarian access. [S/2014/706](#) (26 September 2014) was on chemical weapons.

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## Syria (con't)

to each other's areas of control. Key elements of resolution 2139, such as observing medical neutrality and ceasing aerial bombardments, remain unimplemented. The report also identified some civilian death and displacement resulting from anti-ISIS strikes.

Kaag briefed on 7 October, reporting on the destruction plan for chemical weapons production facilities in Syria—in particular the four additional facilities disclosed by Syria only in September. She also updated Council members on the 10 September OPCW report that found evidence that chlorine had been used consistently and repeatedly in barrel bombs dropped from helicopters. Media reports indicate that there has been an upsurge in the government's use of chlorine bombs against rebel-held areas since the US-led air strikes against ISIS began.

### Human Rights-Related Developments

On 16 October, High Commissioner for Human Rights Zeid Ra'ad Al Hussein said his office intends to issue an updated count of reported deaths in Syria by the end of the year, which will be well over the conservative estimate of 200,000.

Over the next several months, the Commission of Inquiry on Syria is planning to release thematic reports on abuses perpetrated by ISIS, deaths in custody, torture and forced disappearance, the impact of the conflict on women and attacks on journalists and human rights defenders.

### Key Issues

The key issue for the Council—in the fourth year of a civil war that can no longer be contained inside Syria—is to ensure that its recent focus on counter-terrorism efforts does not diminish its attention to reports that the Assad regime remains responsible for the majority of violations in the conflict.

A related issue is whether Council members will meaningfully engage with De Mistura to find ways to support a cessation of violence and resuscitate efforts for a political solution.

Ongoing issues include tracking implementation of resolutions 2139 and 2165 on the humanitarian situation and 2118 on the destruction of chemical weapons—in particular aerial bombardment and the use of chlorine bombs.

### Options

Aside from following the Syrian situation through briefings, Council options seem limited. However, one option would be to issue a statement of support and priorities for mediation ahead of De Mistura's next round of talks with Damascus.

Another option for Council members who are concerned that elements of resolution 2139, such as human rights and protection of civilians, are being ignored is to request to be regularly informed of the work of the Commission of Inquiry on Syria. (A 25 September Human Rights Council resolution decided to transmit all of the Commission's reports to the Secretary-General for "appropriate action". The Secretary-General could choose to bring the report to the attention of the Council using his article 99 powers.)

An important, though less likely, option in the face of the ever-increasing militarisation of the conflict is for the Council to heed the Secretary-General's call for the international community to stop the flow of arms into Syria and impose an arms embargo.

### Council and Wider Dynamics

Despite a dramatic shift of the situation on the ground, the Council continues to be in a holding pattern on Syria. Activity on both the chemical weapons and humanitarian tracks remains in monitoring mode. It is unlikely either will garner much attention before year's end when the authorisation for cross-border aid deliveries will need to be revisited and Kaag leaves her "good offices" role on

the chemical weapons track.

Council members' response to US-led airstrikes has been muted. Recent activity by the Council vis-à-vis Syria has been limited to counter-terrorism efforts, and the US-led military response to ISIS as a wider regional threat is likely to exacerbate that trend.

While the US and its allies in the region, such as Saudi Arabia, have a convergence of interest with Iran in confronting ISIS, the struggle between Riyadh and Tehran for regional influence remains the defining factor in the Syrian civil war as well as an obstacle to any political solution. The Council's counter-terrorism approach and the international response to ISIS do not seem to have shifted this fundamental underlying dynamic. The overwhelming focus on ISIS has left Assad in a strengthened position. If a political process were started in the current environment, there would be very little incentive for the government to make any serious concessions to the Syrian opposition.

Nevertheless, some Council members think that it is not acceptable that the Council has ignored the political track for so long, and there is an eagerness to hear regularly from the new Special Envoy. However, De Mistura will likely want to limit expectations that there will be any bold plans forthcoming in the near term. Few Council members expect that there will be an attempt at a third round of highly publicised peace talks and instead presume his efforts will be focused on discreet shuttle diplomacy.

France is the penholder on Syria overall, while Australia, Jordan and Luxembourg are the penholders on the humanitarian track. In practice, however, most texts need to be agreed between Russia and the US prior to agreement by the broader Council.

Council members Australia, France, Jordan, the UK and the US are part of the anti-ISIS coalition.

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## Lebanon (UNIFIL)

### Expected Council Action

In November, Special Coordinator for Lebanon Derek Plumbly will brief Council members in consultations on the Secretary-General's report on the implementation of resolution 1701, which called for a cessation

of hostilities between Hezbollah and Israel in 2006.

The mandate of the UN Interim Force in Lebanon (UNIFIL) expires on 31 August 2015.

### Key Recent Developments

Lebanon is experiencing serious challenges from both internal and external threats. The domestic political situation remains stagnant. More than five months after the term of President Michael Sleiman expired on 25 May,

## Lebanon (UNIFIL) (con't)

Lebanon's parliament remains unable to elect a new head of state, compromising Lebanon's ability to address its myriad challenges. The parliament's term expires on 20 November, and at press time it remained unclear whether this term would be extended in order to avoid electing a new parliament before a president is elected. Meanwhile, fighting along both Lebanon's southern border with Israel and its north-eastern border with Syria continues to impact stability.

On 5 October, the Lebanese Armed Forces (LAF) informed UNIFIL that an LAF soldier had been shot and wounded by an Israel Defence Forces (IDF) soldier in the Sheb'a Farms area. Two days later, the IDF informed UNIFIL that two of its soldiers had been injured by an improvised explosive device detonated in the Sheb'a Farms area. Thirty minutes after that, the IDF again contacted UNIFIL to report that there had been another explosion, to which the IDF had responded with artillery fire directed at two Hezbollah targets near the border, according to an IDF spokesperson. A Hezbollah cell calling itself the Ali Hassan Martyr Unit took responsibility for the blasts and reported wounding Israeli soldiers. The IDF placed responsibility for the explosions on both Hezbollah and the Lebanese government, calling the incidents "a flagrant violation of Israel's sovereignty".

UNIFIL urged maximum restraint after the incidents, which were in violation of resolution 1701. "Such actions are in contravention of efforts to reduce tensions and establish a stable and secure environment in southern Lebanon", UN spokesman Stéphane Dujarric told reporters on 7 October in New York. He added that UNIFIL had contacted both parties, asking them to cooperate with the mission to reduce tension and prevent escalation. UNIFIL launched an investigation into the incident.

At least 11 soldiers, eight civilians and 22 militants were killed in three days of heavy fighting between the LAF and Islamist gunmen in the predominantly Sunni northern city of Tripoli that began on 24 October. On the morning of 27 October, Al-Nusra Front issued a threat that it would kill a captured Lebanese soldier unless the army stopped its operation in Tripoli. Around 30 Lebanese

security personnel were captured in August by Al-Nusra and the Islamic State in Iraq and al-Sham near Aarsal, close to the Syrian border. Three have since been executed.

Hezbollah clashed with Sunni extremist fighters from Al-Nusra along Lebanon's north-eastern border with Syria for two days beginning on the evening of 5 October, after Al-Nusra fighters attacked three Hezbollah military posts in the village of Brital, in the Baalbek region. As the border is undefined in the area, it was unclear whether the clashes occurred in Lebanon or Syria. Nearly two dozen militants were reportedly killed in the fighting. Hezbollah acknowledged that eight of its fighters were killed, and 14 members of Al-Nusra were reportedly killed. Furthermore, Hezbollah captured five Al-Nusra fighters.

Al-Nusra also released what it claimed was video footage from the fighting, and said the operation was in retaliation for the burning of Syrian refugee camps in Aarsal during an LAF raid in late September, referring to a 25 September raid on a refugee camp during which, the army contends, unknown assailants torched several tents. Attacks on LAF soldiers by Sunni extremists in Aarsal have increased, and Lebanese forces have in turn arrested hundreds of Syrians in the area. Some of the militants responsible for the attacks were believed to have hidden in refugee camps, and refugees have complained that innocent Syrians have been among those arrested.

On 20 October, Lebanon's social affairs minister, Rashid Derbas, announced that Lebanon would not accept any more Syrian refugees, but the borders would remain open to people travelling for other purposes, adding that "any Syrian national is welcome, but not as a refugee". At least 1.13 million Syrian refugees have registered with the UN in Lebanon. However, officials say the actual number is much higher. On 21 October, Special Coordinator Plumbly, accompanied by the UN High Commissioner for Refugees representative in Lebanon, met with the Baalbek-Hermel district governor to discuss Syrian refugee issues. Plumbly said they discussed the difficult conditions in which Syrian refugees were living and he expressed solidarity with Lebanon in light of the border attacks by Al-Nusra.

On 20 October, Iranian Defence Minister Hossein Dehghan announced that Iran was ready to send military supplies to Lebanon to assist in its fight against terrorism, "with the aim of consolidating national authority and reinforcing security". Lebanese Defence Minister Samir Moqbel said during a visit to Tehran that Iran's military support would play an important role in helping push back radical Islamist groups in the border regions. Iran's pledge of military aid has been a source of controversy, and it is unclear whether Lebanon will actually accept the aid, as several ministers affiliated with the anti-Syrian March 14 Alliance have expressed concern that such a deal would contravene UN sanctions against Iran.

Council members last met on Lebanon on 15 October, when Special Envoy Terje Rød-Larsen briefed in consultations on the latest report of the Secretary-General on the implementation of resolution 1559, which urged the disarmament of all militias and the extension of government control over all Lebanese territory. The report expressed concern that Lebanon continues to face serious challenges to its stability and security, both internally and along its borders with Syria, including from extremist groups, arms smuggling and further influxes of refugees. It urged the government and LAF to take all measures necessary to prevent Hezbollah and other armed groups from building paramilitary capacity outside the authority of the state.

### Human Rights-Related Developments

A summary account of the results of a confidential inquiry on Lebanon by the Committee Against Torture, assisted by the Office of the High Commissioner for Human Rights, was released on 2 October as part of the committee's annual report (A/69/44). The inquiry began in May 2012 and ended in November 2013, and the committee concluded torture in Lebanon is a pervasive practice routinely used by the armed forces and law enforcement agencies for the purpose of investigation, securing confessions, and punishment. Furthermore, conditions observed in most of the detention facilities could be described as cruel, inhuman and degrading according to the report. The committee issued 34 recommendations and asked Lebanon to submit a follow-up report by 22 November.

**UN DOCUMENTS ON LEBANON** [Security Council Resolutions S/RES/2172](#) (26 August 2014) extended the mandate of UNIFIL for one year. [S/RES/1559](#) (2 September 2004) urged withdrawal of all foreign forces from Lebanon, disarmament of all Lebanese and non-Lebanese militias and extension of the Lebanese government's control over all Lebanese territory. [Security Council Presidential Statement S/PRST/2014/10](#) (29 May 2014) expressed disappointment that presidential elections were not completed within the constitutional timeframe and urged Lebanon to hold elections quickly. It also called on all parties to respect Lebanon's policy of disassociation and to refrain from any involvement in the Syrian crisis. [Secretary-General's Reports S/2014/720](#) (7 October 2014) was most recent report on the implementation of resolution 1559. [S/2014/438](#) (26 June 2014) was the most recent report on the implementation of resolution 1701. [Security Council Press Statement SC/11507](#) (4 August 2014) condemned the attacks by violent extremist groups on the LAF and Internal Security Forces.

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## Lebanon (UNIFIL) (con't)

### Key Issues

The key issue for the Council is the need to prevent the recurrence or escalation of hostilities between Israel and Lebanon.

A related issue is the weaponry in the hands of Hezbollah and other non-state actors, which continues to restrict the ability of the state to exercise full authority over its territory, poses a threat to Lebanon's sovereignty and stability and contravenes its obligations under resolutions 1559 and 1701.

Ongoing issues include other violations of resolution 1701, such as regular Israeli overflights in Lebanese airspace.

Several pressing issues arise from the conflict in neighbouring Syria, including the engagement of Lebanese elements in the war there and the immense burden of hosting

growing numbers of Syrian refugees, which continues to have adverse social, political and economic effects on Lebanon.

### Options

One option is for the Council to merely receive the briefing and take no action.

Given the lack of progress towards electing a president and the looming end of term of the parliament, another option is to issue a presidential statement encouraging the election to take place in an expeditious manner in order to maintain stability. Such a statement could also reiterate support to the Government of Lebanon, including in its fight against terrorism, and stress the need for all Lebanese parties to abide by its policy of dissociation from the Syrian

conflict, outlined in the Baabda Declaration of June 2012.

### Council Dynamics

There is consensus in the Council that UNIFIL contributes to stability between Israel and Lebanon and has become even more crucial in the context of the fighting in Gaza and the ongoing Syrian crisis. The Council remains united in its support for Lebanon's sovereignty, territorial integrity and security. The Council is also united in its concern about the continued vacancy in the presidency, particularly given the extreme challenges facing Lebanon at this time.

France is the penholder on Lebanon in the Council.

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## UN Policing

### Expected Council Action

At the initiative of Australia, Under-Secretary-General for Peacekeeping Operations Hervé Ladsous will brief the in November on cross-cutting thematic issues in UN policing. The Council will also hear from three heads of police components of UN missions. The adoption of the first stand-alone resolution on UN policing is the likely outcome.

### Background

In February, the Secretariat promulgated its Policy on UN Police in Peacekeeping Operations and Special Political Missions, which defines policing as "a function of governance responsible for the prevention, detection and investigation of crime; protection of persons and property; and the maintenance of public order and safety".

Although UN police are deployed in most peacekeeping operations and policing tasks more broadly are included in many of the Council's country-specific mandates, the Council has not discussed the subject except as part of wider discussions on peacekeeping or peacebuilding. For example, resolution 2086 of 21 January 2013 emphasised the importance

of strengthening the rule-of-law institutions of the host country and helping national authorities develop critical rule-of-law priorities and strategies to address the needs of police, judicial institutions and corrections system.

Along the same lines, resolution 2151 of 28 April on security sector reform, noted the important role that UN police can play in "supporting, and coordinating international support for, reform of national police institutions and building police capacity in a comprehensive way that emphasises a community-oriented approach and *inter alia* builds strong governance, oversight and accountability mechanisms within the framework of a functional judicial and corrections system".

Discussions among Council members focusing specifically on UN police have taken place mostly in the Working Group on Peacekeeping, illustrating the usefulness of that forum to tackle issues that are not getting the attention of the Council as such. On 17 October, the Working Group, under the chairmanship of Ambassador Eugène-Richard Gasana (Rwanda) held a meeting on the multi-year strategy for UN police. The Police Adviser, Stefan Feller, briefed the Working

Group on the strategic priorities for UN police: a focus on field missions, prudent and effective management, holistic doctrine and consistent training and the development of partnerships in order to maximise impact. Previously, on 15 November 2013, under the chairmanship of Ambassador Masood Khan (Pakistan), the Working Group discussed the role of UN police in peacekeeping operations and its related challenges and opportunities, including its role in addressing organised crime and emerging threats.

The first police officers deployed in a UN peacekeeping operation were mandated by resolution 143 in 1960 and served in the UN Operation in the Congo. As of 30 September, 12,516 police officers were serving in 13 peacekeeping operations and six special political missions.

In early missions, police officers were deployed primarily as observers, but UN police undertook increasingly complex tasks with the surge in peacekeeping in the 1990s. Following the signature of the Dayton Agreement in 1995, the Council established a 1,721-strong UN International Police Task Force in Bosnia and Herzegovina. In 1999, the

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**UN DOCUMENTS ON UN POLICING** Security Council Resolutions S/RES/2151 (28 April 2014) was the first stand-alone resolution on security sector reform. S/RES/2086 (21 January 2013) emphasised the relationship between peacekeeping and peacebuilding. Security Council Letters S/2014/213 (21 March 2014) was the final report of the Finnish workshop "Hitting the Ground Running". S/2013/786 (30 December 2013) was a letter by Pakistan with a report of the activities of the Working Group on Peacekeeping in 2013. General Assembly Document A/66/615 (15 December 2011) was a report on UN police. Other DPKO/DFS Policy on UN Police in Peacekeeping Operations and Special Political Missions 2014, Ref. 2014.01

**USEFUL ADDITIONAL RESOURCE** *Police in UN Peacekeeping: Improving Selection, Recruitment, and Deployment*, William J. Durch and Michelle Ker, International Peace Institute, November 2013.

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## UN Policing (con't)

first Formed Police Unit—a cohesive mobile police unit that provides support to UN operations, primarily in public-order management—was deployed in Kosovo. Civilian police—its name was changed to UN police in 2005—contributed to the implementation of executive mandates in Kosovo and East Timor. In 2006, the UN created a 40-member Standing Police Capacity based in Italy that became operational by October 2007 with a mandate to be rapidly deployed to help set up the police component in UN missions.

In 2011, the Special Committee on Peacekeeping Operations requested the Secretary-General to prepare a report on the functioning of the Police Division of the Department of Peacekeeping Operations and the challenges faced by the police components in peacekeeping missions (A/66/615). The report identified a number of challenges, such as the need for standardised pre-deployment training including developing expertise to deal with the protection of civilians, sexual and gender-based violence and similar issues; the delivery of coherent and consistent advice and support to host-state counterparts; the inability to recruit and deploy appropriately experienced and qualified police personnel on a timely basis and unpredictable international funding for police reform projects.

### Key Issues

Enhancing the Council's own understanding of the opportunities and challenges of policing performed in UN field missions is a key issue.

The impact of this understanding on the

timing and design of peacekeeping mandates is a related issue.

Ensuring that there is system-wide coherence in the way UN policing is conducted and that practical steps are taken by the Secretariat to improve coherence is a further related issue.

### Options

Options for the Council in adopting a resolution include:

- stressing the crucial role and added value of UN policing in peacekeeping and post-conflict peacebuilding;
- recognising the key role of UN policing in protecting civilians and in pursuing thematic issues such as women, peace and security;
- urging the Secretariat to continue expanding the range of police contributors and promoting the deployment of female police officers;
- recalling the importance of establishing realistic mandates and allocating enough resources to ensure their implementation;
- highlighting the importance of pre-deployment and in-theatre training for UN police as a way of ensuring their common standards in implementing Council mandates;
- stressing the need for all UN mandated police components to operate within strict observance of international humanitarian and human rights law; and
- acknowledging the importance of national ownership and demand-driven approaches to UN policing, while preserving a principled action.

### Council and Wider Dynamics

This will be the first time heads of police components of UN missions brief the Council. Since 2010, the Council has received an annual briefing by force commanders on cross-cutting operational issues in UN peacekeeping. According to the report of the Finnish workshop for newly elected Council members, held on 21–22 November 2013, some Council members cited the annual briefing by the force commanders as a model for Council meetings because of the substance of the topics discussed and the interactivity allowed by the format. As an outcome of the workshop, it was agreed that a similar briefing would take place with heads of police components when they visit New York in November (S/2014/213).

There seems to be widespread agreement among Council members about the timeliness of this discussion given the frequency with which the Council authorises the deployment of police officers within UN missions and includes policing tasks within its mandates. However, in previous negotiations on issues related to the continuum between peacekeeping and post-conflict peacebuilding (such as security sector reform) at least one Council member opposed routine inclusion of rule-of-law-related tasks (like policing) in all Council-mandated missions.

As of 30 September there were 89 police-contributing countries, but just the top ten (Council members Jordan and Rwanda among them) contribute more than 60 per cent of UN police personnel.

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## Sanctions

### Expected Council Action

At the initiative of Council President Australia, the Council is scheduled to be briefed on sanctions in November, most likely by Under-Secretary-General for Political Affairs Jeffrey Feltman and incoming Interpol Secretary-General Jürgen Stock. A resolution is a potential outcome.

### Key Recent Developments

At a 28 May briefing in the Trusteeship Council chambers, Australia, Finland, Germany, Greece and Sweden—in partnership with the consultancy Compliance and Capacity International and the Watson Institute at Brown University—launched the High Level Review of United Nations Sanctions (HLR). The goal

of the HLR is to enhance the effectiveness of UN sanctions through better integration and coordination, both within the UN system and with external institutions and legal instruments.

The HLR has proceeded through a series of meetings held by three working groups, with participation by member states, the Secretariat and UN agencies and civil society. The

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**UN DOCUMENTS ON SANCTIONS** Security Council Meeting Record S/PV.7285 and Resumption 1 (23 October 2014) was an open debate on working methods. S/PV.6964 (10 May 2013) was a Council briefing on subsidiary organs. Security Council Letters S/2007/734 (12 December 2007) transmitted the report from a symposium organised by Greece, "Enhancing the Implementation of United Nations Security Council Sanctions". S/2006/331 (19 May 2006) transmitted the Watson White Paper, *Strengthening Targeted Sanctions Through Fair and Clear Procedures*. Notes by the President of the Council S/2014/393 (5 June 2014) concerned the appointment of chairs of subsidiary organs and other transition processes. S/2012/937 (17 December 2012) concerned the appointment of chairs of subsidiary organs and other transition processes. Working Group Document S/2006/997 (18 December 2006) transmitted the final report of the Informal Working Group of the Security Council on General Issues of Sanctions.

**USEFUL ADDITIONAL RESOURCE** Enrico Carisch, Sue Eckert, and Loraine Rickard-Martin, *High Level Review of UN Sanctions Background Paper*

## Sanctions (con't)

first working group has assessed integration and coordination within the UN system (e.g. sanctions committees, expert groups, the Secretariat, the Ombudsperson, peacekeeping operations and special political missions). The second working group has focused on linkages between UN sanctions and external institutions and instruments (e.g. arms control and disarmament agencies, financial and economic regulatory bodies, and international criminal justice institutions). The third working group has examined sanctions in relation to violations of human rights and international humanitarian law, regional organisations and implementation issues, and relevant emerging threats. It appears that the final outcome document for the HLR will not be published prior to the Council event in November. At press time, the chairs of the three working groups were due on 31 October to brief the Secretariat and UN member states on the findings of the HLR.

On 23 October, the Council held its fifth annual debate on working methods (S/PV.7285 and Resumption 1). Kimberly Prost, the Ombudsperson, and Fatou Bensouda, Prosecutor of the International Criminal Court (ICC), briefed the Council. Each advocated the extension of the mandate of the Office of the Ombudsperson from the 1267 Al-Qaida sanctions regime to the other UN sanctions regimes. (Bensouda also suggested the creation of a working group on international tribunals.) Council members emphasised due process and transparency in their sanctions-related remarks. Ambassador Geir O. Pedersen (Norway), speaking on behalf of the group of like-minded states on targeted sanctions, made recommendations regarding due process, information sharing, transparency and delisting processes.

### Background

The High Level Review of United Nations Sanctions has several notable precedents. Much of the early work was state-led, involving the governments of Germany, Switzerland and Sweden: the Bonn-Berlin Process, resulting in the 2001 report, *Design and Implementation of Arms Embargoes and Travel and Aviation Related Sanctions*; the Interlaken Process, resulting in the 2001 report, *Targeted Financial Sanctions: A Manual for Design and Implementation*; and the Stockholm Process, resulting in the 2003 report, *Making Targeted Sanctions Effective: Guidelines for the Implementation of UN Policy*

*Options*. Building on these efforts, the Informal Working Group on General Issues of Sanctions, set up in April 2000, transmitted its final report on 18 December 2006 (S/2006/997). On 30 April 2007, Greece sponsored a symposium at the UN on enhancing the implementation of UN sanctions (S/2007/734). Other studies have been undertaken by civil society actors, such as the white paper by the Watson Institute of Brown University, *Strengthening Targeted Sanctions through Fair and Clear Procedures*, transmitted to the General Assembly and the Security Council on 19 May 2006 (A/60/887 – S/2006/331).

### Key Issues

The core issue is the relative lack of effectiveness of UN sanctions to date. Closely related issues are: assessing what measures would most improve UN sanctions design and implementation and then determining how these components could be most usefully incorporated within a Security Council resolution.

On the sanctions management side, an immediate sanctions-related issue is the upcoming process of the appointment of Council sanctions committee chairs.

### Options

Options for sanctions design and implementation the Council may wish to consider include:

- making pre-authorisation evaluation processes (i.e. strategic objectives and unintended consequences) a standard component of sanctions design;
- analysing options to make more frequent use of secondary sanctions in response to chronic non-compliance;
- authorising incremental due process reforms to enhance the functioning and legitimacy of UN sanctions;
- creating a subsidiary body of the Council or a mechanism within the Secretariat to improve the coordination and integration of sanctions implementation;
- undertaking more frequent field missions by the chairs of sanctions committees to improve implementation and compliance;
- increasing the transparency of sanctions committees while also augmenting public outreach and information dissemination;
- systematically incorporating a consultation process for sanctions committees with member states directly affected by sanctions regimes;

- examining the possibilities, in conjunction with the Secretary-General, for increasing the resources available to the Secretariat for administration;
- reforming the process of the appointment of sanctions committee chairs and subsequent transition processes between the outgoing and incoming chairs (S/2014/393 and S/2012/937); and
- instituting a mechanism requiring consultation between penholders and sanctions committee chairs prior to drafting sanctions resolutions.

### Council and Wider Dynamics

Council dynamics on sanctions are multifaceted, complex and in some contexts ambiguous. The history of the Informal Working Group on General Issues of Sanctions, which deliberated over the content of a final report for several years before the Council eventually decided the Working Group had exhausted its mandate and merely took “note with interest of the best practices and methods contained in the Working Group’s report”, illustrates some of the difficulties facing efforts to reform UN sanctions.

One potential divide among Council members apparently relates to differences regarding innovation in the types of sanctions measures, such as the recent authorisation of naval interdiction of illicit charcoal exports and arms imports in the case of Somalia (S/RES/2182). Another aspect of sanctions where there seems to be a range of perspectives among Council members concerns national sovereignty and to what extent this should limit the scope of UN sanctions (e.g. the positions of China and Russia compared to the other three permanent members regarding natural resource management). A third area where the positions of Council members apparently diverge is due process. This is also an issue on which there seems to be a wide gap between the positions of certain P5 members of the Council (e.g. Russia and the US) and other Council members and UN member states, particularly the group of like-minded states on targeted sanctions, which has advocated extending the mandate of the Ombudsperson to all sanctions regimes (S/PV.6964).

Where there appears to be sufficient common ground among Council members is a shared recognition on two points: UN

## Sanctions (con't)

sanctions are not as effective as they should and could be, and there are technical reforms that could be made to improve

implementation. The resolution which may be adopted in November will most likely focus on efficiency, consistency and

effectiveness of implementation through better coordination and integration.

## Kosovo

### Expected Council Action

In November, the Council will hold its quarterly debate on Kosovo. Farid Zarif, the Special Representative and head of the UN Interim Administration Mission in Kosovo (UNMIK), is expected to present the latest Secretary-General's report. High-level participation in the debate from both Serbia and Kosovo is likely.

No Council action is expected.

### Key Recent Developments

Four months after elections, Kosovo remains deadlocked in a constitutional and political crisis stemming from the inability of political leaders to reach an agreement on the formation of a new government. On 8 June, Kosovo held its first general election under a unified legal framework, with the participation of all voters, including Kosovar Serbs. Both the EU and the Organisation for Security and Cooperation in Europe (OSCE) declared the elections to be a successful exercise of democracy. At the last Council debate, held on 29 August, Zarif and the majority of Council members urged political leaders in Kosovo to address the issue of forming a new government with utmost immediacy. At press time, Kosovo leaders still had not formed a new government.

The stalemate is a result of a disagreement between Prime Minister Hashim Thaçi's Democratic Party of Kosovo (PDK) and the opposition coalition bloc led by the Democratic League of Kosovo (LDK), which includes the Alliance for the Future of Kosovo (AAK) and the Initiative for Kosovo. Of 120 seats in the Assembly, the PDK won the most seats (37) and, as a result, the right to form a government. After the elections, the LDK (30 seats), AAK (11 seats) and the Initiative for Kosovo (6 seats) formed a 47-seat coalition and claimed the right to form a new government because their combined seat count was now the largest. On 10

September, the nationalist Self Determination party (16 seats) joined the coalition in exchange for running a dialogue with Serbia in a new government.

Seeking a solution to the crisis, Kosovo President Atifete Jahjaga referred the issue to the Constitutional Court, which ruled that the PDK had the right, as the party that won the most votes in the election, to nominate the candidate for speaker of the assembly. The court also ruled that the president should nominate a PDK candidate for prime minister. On 18 September, the PDK proposed a candidate only to be blocked by the majority of the assembly members. Unable to elect its president, the assembly adjourned the session.

Though initially planned for 2 October, the third session of the assembly was postponed until further notice with the aim of finding an alternative solution to the crisis. On 9 October, the opposition bloc gathered in the assembly but failed to reach a quorum for a regular session due to the absence of 58 members, mainly from the PDK and minority parties. In the meantime, Jahjaga continued consultations with the leaders of the major political parties aimed at solving the political impasse in a way that complied with the ruling of the Constitutional Court. The consultations did not result in any form of agreement on the issue.

The ongoing constitutional crisis impacted the EU-facilitated dialogue between Belgrade and Pristina, causing a standstill in high-level meetings; the last one was held on 31 March. However, the dialogue has continued on a technical level, with several meetings on the implementation of 19 April agreement having taken place since March. On 8 October, the European Commission issued its progress report on Kosovo, which outlined the main areas of progress towards EU integration. While noting some positive developments, the report stressed the political crisis.

The report stated that failure to constitute the new legislature smoothly and in a timely manner has been a setback and that the new government would need to launch a range of comprehensive reforms, in particular electoral reform and public administration reform.

Earlier this year, the assembly adopted a law transferring the functions of the EU Rule of Law Mission (EULEX) special investigative task force to a special court that will investigate cases involving war crimes and allegations of organ trafficking by the Kosovo Liberation Army during the conflict in Kosovo. Though expected to be fully operational at the beginning of 2015, establishment of the court could be postponed pending formation of the new government and adoption of legislation necessary for the functioning of the court.

On 23 October, Belgrade hosted an EU Commission-sponsored Western Balkans ministerial conference with participation of foreign ministers from the region. Enver Hoxhaj, Kosovo's foreign minister, took part in the meeting, making it the first high-level visit by a Kosovo official to Belgrade. Addressing the media, Hoxhaj said that his visit "shows that the process of normalization of relations between Kosovo and Serbia as two sovereign and independent states is at an important phase". Furthermore, Hoxhaj told reporters that the dialogue between Belgrade and Pristina should end with a peace treaty that included Serbia's recognition of Kosovo as an independent state and of Kosovo's admission to the UN.

The security situation in Kosovo remained stable without major incidents. Kosovo authorities have continued addressing the issue of terrorism and participation of Kosovars in the conflicts in Syria and Iraq. On 17 September, Kosovo police arrested 15 suspects on charges of terrorism, threatening the constitutional order and inciting religious hate speech. Earlier in August, Kosovo police

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## Kosovo (con't)

arrested 40 persons suspected of supporting extremist organisations.

### Key Issues

Maintaining stability in Kosovo remains the main issue for the Council, especially in light of the current political crisis, which could potentially have destabilising effect on Kosovo.

Resumption of the EU-facilitated dialogue and implementation of the existing agreements between Belgrade and Pristina is also an issue for the Council.

### Options

An option for the Council would be to issue a statement calling on political leaders in Kosovo to engage constructively in finding a

solution to the current crisis and forming a new government in line with democratic and constitutional principles.

Once the constitutional crisis recedes, an option would be to consider lengthening the reporting cycle on Kosovo in consideration of the stabilisation of the situation following the 19 April agreement on the normalisation of relations between Belgrade and Pristina.

A likely option is for the Council to take no action, as has been the case for several years.

### Council Dynamics

Kosovo remains an issue of relative low intensity in the Council as a result of the more active role of other international organisations, primarily the EU, NATO and the OSCE.

Council dynamics on Kosovo remain unchanged, with clear division among the permanent members. France, the UK and the US recognise Kosovo while Russia is strongly supportive of Serbia on the Council. This division will likely prevent any action by the Council that would significantly alter UNMIK's mandate.

The contact and drafting group on Kosovo consists of France, Germany, Italy, Russia, the UK and the US and also includes Australia, Lithuania and Luxembourg as current Council members representing the two regional groups that include European states.

In November, Lithuania will take the lead on Kosovo within the contact and drafting group.

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## DPRK (North Korea)

### Expected Council Action

In November, the chair of the 1718 Democratic People's Republic of Korea (DPRK) Sanctions Committee, Ambassador Sylvie Lucas (Luxembourg), is due to brief Council members in consultations on the work of the Committee.

### Key Recent Developments

Lucas last briefed Council members on 5 August. There was also a discussion on the DPRK during consultations on 20 August under "any other business". On that occasion, Council members considered an 18 August letter from the DPRK, in which it reiterated its 21 July request for the Council to hold an urgent meeting on the US-Republic of Korea (ROK) joint military exercises, but did not grant the request.

The Sanctions Committee met on 3 September to consider the mid-term report from its Panel of Experts. In addition, the Committee discussed a 1 August update to the Panel's 28 April incident report concerning the 26 March medium-range ballistic missile launches. The update covered the missile launches conducted in June and July and reiterated the Panel's recommendation that the Committee designate the DPRK's

strategic rocket fire command and its head as subject to sanctions. Meanwhile, the DPRK reportedly fired three short-range missiles on 6 September.

On the Korean Peninsula, attempts to restart the political dialogue between the DPRK and the ROK progressed slowly. On 4 October, officials from the two countries agreed to resume high-level talks later that month or in November. (The last such talks, and the first in seven years, were held on 12 February.) On 7 October, however, the two countries' navies exchanged fire after a DPRK vessel crossed the Northern Limit Line, the disputed sea border in the Yellow Sea. Furthermore, on 10 October, the DPRK opened fire near the demilitarised zone dividing the Korean Peninsula after activists in the ROK sent balloons across the border carrying propaganda leaflets. Top military officials from the two sides met on 15 October to discuss the incidents but apparently failed to narrow any differences. On 19 October, there was yet another exchange of gunfire within the demilitarised zone. In a later development, the DPRK rejected an ROK proposal to hold talks on 30 October, citing the ROK's failure to prevent the continuation of leaflet launches.

There were reports about reviving the six-party talks that have been stalled since

2009—these talks focused on the DPRK's nuclear programme and involve China, the DPRK, Japan, the ROK, Russia and the US. On 1 October, Russian Foreign Minister Sergei Lavrov said after a meeting in Moscow with his DPRK counterpart that he saw a possibility for the talks to resume and on 2 October the DPRK Ambassador in Geneva, So Se-pyong, reiterated that his country was ready to restart the talks. The US Special Envoy for Six-Party Talks, Sydney Seiler, travelled to Seoul, Beijing and Tokyo for consultations from 28 September to 1 October together with the US Special Representative for North Korea Policy, Glyn Davies, and again from 27 October to 1 November.

International focus on the human rights situation in the DPRK intensified as the General Assembly's Third Committee began negotiations on the annual resolution on the human rights situation in the DPRK sponsored by Japan and the EU. The initial draft encouraged the Security Council to consider the recommendations of the Commission of Inquiry established by the Human Rights Council, including referring the situation in the DPRK to the ICC and imposing targeted sanctions against those most responsible for crimes against humanity. (The Commission's

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**UN DOCUMENTS ON THE DPRK** [Security Council Resolution S/RES/2141](#) (5 March 2014) extended until 5 April 2015 the Panel of Expert's mandate and requested a mid-term report by 5 August. [Security Council Letters S/2014/668](#) (15 September 2014) was from the DPRK transmitting its own human rights report. [S/2014/604](#) (18 August 2014) was from the DPRK reiterating a 21 July request that the Council formally consider the US-ROK joint military exercises. [S/2014/276](#) (14 April 2014) transmitted the Commission of Inquiry report to the Council. [Human Rights Council Document A/HRC/27/10](#) (2 July 2014) was the report of the working group on the Universal Periodic Review of the DPRK.

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

report was transmitted to the Council on 14 April by Australia, France and the US.)

Meanwhile, in a 15 September letter the DPRK submitted its own report on the human rights situation in the country. According to the letter, the report “reflects efforts...to lay bare the false nature of the reckless anti-DPRK ‘human rights’ racket kicked up by hostile forces”. The DPRK also proposed in the Third Committee an alternative to the draft resolution circulated by Japan and the EU that would exclude any reference to international justice mechanisms and instead call for dialogue and negotiations. On 27 October, in New York, DPRK officials for the first time met with the Special Rapporteur on the situation of human rights in North Korea, Marzuki Darusman, and invited him to visit Pyongyang, but on the condition that any reference to the ICC would be dropped from the draft resolution under consideration in the Third Committee. In a briefing to the Third Committee on 28 October, Darusman welcomed the DPRK’s willingness to engage in a discussion on human rights and also said the change in attitude had perhaps been prompted by the increased attention resulting from the Commission of Inquiry report.

### Human Rights-Related Developments

The Human Rights Council adopted the outcomes of the Universal Periodic Review of the DPRK on 19 September. The DPRK for the first time accepted some of the report’s recommendations (113 out of 268). Speakers welcomed the DPRK’s engagement and acknowledged progress in the rights of persons with disabilities. They stressed, however, the importance of genuine cooperation with the international community to address the human rights situation and expressed grave concern that more than half of the recommendations were rejected, including calls to close political prison camps immediately, abolish the death penalty,

prohibit the use of torture and ill-treatment, establish a system to prevent sexual violence against female prisoners and an end arbitrary detention and enforced disappearances.

### Key Issues

A key issue for the Council is how to respond to the DPRK’s continued flouting of all relevant resolutions, in particular its recent missile launches.

A further key issue is the DPRK’s continued refusal to engage in any sustained dialogue with the international community.

An additional issue is whether the Council should address the human rights situation in the DPRK.

At the Sanctions Committee-level, a key issue is the overall effective implementation of the sanctions regime. A key procedural issue is whether to update the Committee guidelines, which have not been revised since first agreed on 20 June 2007. (At press time, the chair had indicated that a proposal for revised guidelines would soon be circulated.)

### Options

With regard to the upcoming chair’s briefing, Council members could reiterate their support for the recommendations of the Commission of Inquiry while emphasising the link between the DPRK’s proliferation activities and its human rights violations. They could also indicate that they would welcome regular briefings by the High Commissioner for Human Rights on the situation in the DPRK.

In the Sanctions Committee, Council members could agree to the new sanctions listings recommended by the Panel of Experts. Alternatively, the Committee could send a letter to the DPRK with the updated incident report and request a written

response. A further option would be to revise the guidelines.

### Council and Wider Dynamics

The discussions in the Sanctions Committee on how to respond to the DPRK’s rocket launches have followed traditional dividing lines between those calling for a strong response such as additional sanctions designations, including the US and like-minded countries, and more cautious members, such as China and Russia. China in particular continues to argue that any further Council action will only be counterproductive and aggravate tensions in the region while advocating for a resumption of the six-party talks. Russia appears sympathetic to the DPRK’s criticism of the US-ROK joint military exercises.

With regard to the human rights situation, at press time Council members were focused on the negotiations underway in the General Assembly. Members supporting further action seemed to be hoping for a strong Third Committee resolution, including clear recommendations to the Council that could serve to increase the pressure against the DPRK, and also against China, which would be expected to veto an ICC referral. While they welcomed the DPRK’s apparent willingness to engage with the international community, they also stressed that the regime in Pyongyang had to be judged by its actions and not by its words. In the past this resolution has traditionally been adopted by consensus, but it seems this year the sponsors have signalled a willingness to take it to a vote if necessary to achieve a strong outcome. (Final adoption of the resolution is expected in late November.)

The US is the Council penholder on the DPRK.

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## Bosnia and Herzegovina

### Expected Council Action

In November, the Council is expected to hold its semi-annual debate on Bosnia and

Herzegovina and to renew the authorisation for the EU-led multinational stabilisation force (EUFOR ALTHEA) for a year. At the

debate, High Representative Valentin Inzko is expected to brief on recent developments and present his office’s latest report to the Council.

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**UN DOCUMENTS ON BOSNIA AND HERZEGOVINA** Security Council Resolution S/RES/2123 (12 November 2013) reauthorized the EU-led multinational stabilisation mission in Bosnia and Herzegovina. Security Council Meeting Record S/PV.7176 (15 May 2014) was a briefing by the High Representative during the Council debate on the situation in Bosnia and Herzegovina. Security Council Letters S/2014/531 (25 July 2014) was the report on the activities of EUFOR from 1 December 2013 to 28 February 2014. S/2014/314 (5 May 2014) was the High Representative’s report covering the period 21 October 2013 to 21 April 2014.

**USEFUL ADDITIONAL RESOURCES** *Bosnia’s Future*, Europe Report Number 232, International Crisis Group, 10 July 2014. *Statement of Preliminary Findings and Conclusions of 12 October 2014, BiH General Elections*, OSCE International Election Observation Mission.

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## Bosnia and Herzegovina (con't)

The current authorisation for EUFOR ALTHEA expires on 12 November.

### Key Recent Developments

General elections were held on 12 October for Bosnia and Herzegovina's three-member presidency, the national parliament and entity and local governments. The Organization for Security and Co-operation in Europe (OSCE), which had a 294-person monitoring team on the ground, released a statement that the elections had been conducted in an orderly manner, candidates had been able to campaign freely and that freedoms of expression, association and assembly were respected. The statement highlighted, however, that ethnicity-based legal restrictions place limits on voting rights and candidates' ability to run for office, contrary to OSCE standards and EU law.

It appears that Milorad Dodik will retain his position as president of the Republika Srpska, one of the two entities in Bosnia and Herzegovina, but the results were seen as disappointing for his ruling Alliance of Independent Social Democrats party (SNSD). An opposition candidate, Mladen Ivanić won the Bosnian-Serb seat of the rotating presidency, and the SNSD lost seats in the parliament and the Republika Srpska assembly.

In the Federation of Bosnia and Herzegovina—the other entity that is predominantly Bosniak and Croat—the Social Democratic Party, which had been the largest, did very poorly across the national parliament, entity and cantonal elections, losing most of its seats. Bakir Izetbegović of the Party for Democratic Action retained the Bosniak seat in the tripartite presidency. The Croat seat in the presidency was won by Dragan Čović, whose nationalistic party has advocated the creation of a third separate Croat entity. He replaces Željko Komšić as the Croat member of the rotating presidency, who opposed a separate entity. In several media interviews during October, Dodik said that he would support the creation of a Croat entity.

To maintain stability during the election period, EUFOR ALTHEA was reinforced in June with two UK reconnaissance platoons totalling 90 personnel for a period of up to six months.

In May, Bosnia and Herzegovina suffered severe floods following some of the heaviest rains ever recorded in the region. At least 20 people died, 90,000 people were displaced and

damages and economic losses amounted to around 2 billion euros. Neighbouring Serbia also experienced severe damage from flooding, estimated at 1.5 billion euros. The government's handling of relief efforts generated criticism from both the public and the international community. However, over the last six months, the civic activism that followed a wave of major protests in February over socioeconomic conditions and political corruption has mostly faded.

On 8 October the EU Commission issued its annual progress reports on the EU integration of Western Balkan countries. In its report on Bosnia and Herzegovina, the Commission concluded that the country's integration remained at a standstill while most of its neighbours were moving ahead decisively and that its leaders lacked the political will to address the reforms required for progressing on the EU path.

On 20 October, the EU Foreign Affairs Council adopted its conclusions on Bosnia and Herzegovina, welcoming the way the elections had been conducted and reiterated calls for the leadership to address the challenges facing the country as it moves towards European integration. The conclusions expressed the EU's intentions to maintain EUFOR ALTHEA under a UN mandate.

A civil court in The Hague ruled on 16 July that the Netherlands must compensate the families of around 300 Bosnian Muslims killed at Srebrenica after Dutch peacekeepers in July 1995 turned the men, who were in their compound, over to Bosnian Serb forces. The court, however, found that the Netherlands could not be held liable for the majority of the 8,000 Bosnian Muslims killed at Srebrenica, a UN designated safe area, because they were never in the direct custody of the Dutch troops.

### Key Issues

The immediate issue for the Council is renewing the authorisation of EUFOR ALTHEA under Chapter VII.

Another issue is Bosnia and Herzegovina's political gridlock and the failure of its political system and leaders to address the socioeconomic challenges facing the country, which sparked major protests last February and has stalled European and NATO integration.

Ethnic divisions between Bosniaks, Croats and Serbs and secessionist rhetoric from Republika Srpska, which is a direct challenge

to Bosnia and Herzegovina's territorial integrity and the 1995 Dayton Accords that ended the country's war, is an ongoing related issue.

Continuing lack of progress towards achieving a set of objectives and conditions established by members of the Peace Implementation Council Steering Board (Canada, France, Germany, Italy, Japan, Russia, UK, US, the EU, the European Commission and the Organisation of the Islamic Conference) for closing the Office of the High Representative is another issue likely to be recalled at the debate.

### Options

One option is to renew the authorisation of EUFOR ALTHEA for a further 12 months and, while reflecting the recent developments and the conclusions of the EU Foreign Affairs Council, refrain from making substantive changes to the resolution.

A less likely option is to renew the authorisation but also call for a revision of the criteria for closing the Office of the High Representative.

### Council Dynamics

Bosnia and Herzegovina is an issue on which the Council follows the lead of the EU Foreign Affairs Council. Most members are concerned about the political gridlock and economic stagnation and are critical of Dodik's divisive rhetoric. Within the EU, the UK—siding with the US—has been more vocal about maintaining international engagement in Bosnia and Herzegovina, compared to France, which has been less convinced about the continuing need for EUFOR and the Office of the High Representative. Ongoing problems in Bosnia and Herzegovina appear to be one reason why it is expected that there will be little change in the upcoming resolution. Russia feels that Republika Srpska is wrongly blamed for the country's problems and wants the Office of the High Representative closed.

The Contact and Drafting Group, which drafts decisions on Bosnia and Herzegovina before they are considered by the Council, consists of France, Germany, Italy, Russia, the UK and the US and elected members of the Council from the Western European and Other Group and the Eastern European Group. That means Australia, Lithuania and Luxembourg are currently also part of the drafting group. The penholder rotates monthly and in November is Lithuania.

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# International Court of Justice

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## Expected Council Action

The Security Council and General Assembly will hold elections for the International Court of Justice (ICJ) on 6 November. Five judges will need to be elected to the ICJ, each for a term of nine years commencing on 6 February 2015.

## Background

The ICJ consists of 15 judges elected for nine year terms by the General Assembly and the Council. Five seats come up for election every three years.

Candidates are nominated by national groups represented on the Permanent Court of Arbitration. When making nominations, members of each national group are recommended to consult their highest national court, national legal faculties and national schools of law. No group may nominate more than four persons. The names of candidates are then communicated to the Secretary-General to prepare a list of nominations.

Although there is no formal requirement for geographical distribution, article 9 of the ICJ Statute requires representation of the “main forms of civilization and of the principal legal systems of the world”. In practice, the Court’s composition reflects that of the Security Council with the P5 always having a judge on the bench. Currently, the distribution is as follows: Africa, 3; Latin America and the Caribbean, 2; Asia, 3; Western Europe and other states, 5; and Eastern Europe, 2. The five judges whose terms are to expire are nationals of Mexico, Morocco, New Zealand, Russia and the US.

## Candidates

In this election, nine candidates are contesting five positions. The candidates are: Susana Ruiz Cerutti (Argentina), James Richard Crawford (Australia), Sayeman Bula-Bula (Democratic Republic of the Congo), Patrick Lipton Robinson (Jamaica), Eugénie Liliane Arivony (Madagascar), Jemal Ould Agatt (Mauritania), Mohamed Bennouna

(Morocco), Kirill Gevorgian (Russia) and Joan E. Donoghue (US). Two candidates—Donoghue (US) and Bennouna (Morocco)—are current members of the ICJ. (ICJ judges may be re-elected for up to two further terms.)

## Election Process

Article 8 of the ICJ Statute states the General Assembly and Security Council shall proceed independently of one another to elect the members of the Court in a secret ballot. Candidates who obtain an absolute majority of votes (i.e. a majority of all electors, whether or not they vote or are allowed to vote) in both the General Assembly and the Council are elected. A candidate therefore must obtain 97 votes in the former and eight votes in the latter. In the Council vote, there is no distinction between permanent and non-permanent members.

Each elector may vote for five candidates on the first ballot. If the number of candidates obtaining an absolute majority is less than five on the first ballot, a second ballot for the remaining positions will be held and balloting will continue until five candidates have obtained the required majority. If more than the required number of candidates obtain an absolute majority on the same ballot in either organ, a new vote on all the candidates will be held. In the event that the five candidates elected by one organ are not the same as those elected by the other, both will proceed (independently) to new balloting to fill the unresolved seats. This process will continue for three meetings when, if any positions are still not filled, the Council and the General Assembly may decide to convene a conference of six members (three from each) to recommend a candidate for acceptance by the General Assembly and Council.

Results are usually achieved quickly in the Council, but balloting in the General Assembly can take much longer. In the last regular elections held on 10 November 2011, four of the five vacant seats were filled with

candidates obtaining an absolute majority in both the General Assembly and the Council in the first round of voting (S/PV.6651). After holding four additional ballots, the fifth vacant seat remained unfilled. Abdul G. Koroma (Sierra Leone) received the required majority in the Council while Julia Sebutinde (Uganda) received the required majority in the General Assembly. This voting pattern continued on 22 November, when balloting was suspended. It resumed on 13 December, when Sebutinde was declared elected after receiving an absolute majority in both (S/PV.6682).

According to article 2 of the ICJ Statute, members of the Court are to be elected, “regardless of their nationality, from among persons of high moral character, who possess the qualifications required in their respective countries for appointment to the highest judicial offices, or are juris-consults of recognized competence in international law.” No two nationals from the same state can hold office at the same time, and once elected, a judge is a delegate neither of the government of his or her own country nor of any other state.

## Council Dynamics

Permanent members of the Council have no legal entitlement to representation on the ICJ. However, judges from the P5 are usually present on the Court. This practice favours the election of Gevorgian (Russia) and Donoghue (US). Regional considerations are also likely to play a role, posing a challenge for candidates from the same geographical region. Based on this, it is likely that Crawford (Australia) will be elected in the uncontested Western Europe and other vacancy, with Cerutti (Argentina) and Robinson (Jamaica) running against each other for the Latin America and Caribbean seat and Bula-Bula (Democratic Republic of the Congo), Arivony (Madagascar), Agatt (Mauritania) and Bennouna (Morocco) running against each other for the Africa vacancy.

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UN DOCUMENTS ON THE ICJ Security Council Letters S/2014/520 (4 August 2014) was a memorandum from the Secretary-General setting out the procedure for the ICJ elections. S/2014/521 (4 August 2014) was a list of the ICJ vacancies and the candidates nominated. S/2014/522 (4 August 2014) contained the curricula vitae of candidates nominated for the ICJ.

## Notable Dates for November

REPORT DUE	REPORTS FOR CONSIDERATION IN NOVEMBER	REQUESTING DOCUMENT
17 October	SG report on piracy off the coast of Somalia (S/2014/740)	S/RES/2125
27 October	OPCW report on the implementation of resolution 2118 (Syrian chemical weapons)	S/RES/2118
31 October	SG report on UNMIK (Kosovo)	S/RES/1244
31 October	SG report on UNAMI (Iraq)	S/RES/2169
4 November	SG report on UNMISS (South Sudan)	S/RES/2155
5 November	SG report on the implementation of resolution 1701 (UNIFIL/Lebanon)	S/RES/2172
early November	High Representative's Report on Bosnia and Herzegovina	S/RES/2123
11 November	SG report on Iraq/Kuwait Missing Persons and Property	S/RES/2107
12 November	SG update on the assessment of UNIOGBIS (Guinea-Bissau)	S/RES/2157 S/2014/528 S/2014/529
18 November	SG report on humanitarian access in Syria	S/RES/2139 S/RES/2165

  

MANDATES EXPIRE		RELEVANT DOCUMENT
12 November	EUFOR in Bosnia and Herzegovina	S/RES/2123
18 November	Authorisation of anti-piracy measures in Somalia	S/RES/2125
30 November	UNMISS (South Sudan)	S/RES/2155
30 November	UNIOGBIS (Guinea-Bissau)	S/RES/2157

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