



# SECURITY COUNCIL REPORT

## MONTHLY FORECAST

### DEC 2007



29 November 2007

This report is available online and can be viewed together with Update Reports on developments during the month at [www.securitycouncilreport.org](http://www.securitycouncilreport.org)

## OVERVIEW FOR DECEMBER

In December Italy will have the presidency of the Council. The newly elected Council members Burkina Faso, Croatia, Costa Rica, Libya and Vietnam will attend informal consultations and meetings of the subsidiary bodies as guest observers in preparation for taking up their seats in January.

It seems that the Council may have four major public debates in December:

- **Kosovo;**
- **the Middle East;**
- **the Council mission to Timor-Leste;** and
- **the Tribunals for the former Yugoslavia and Rwanda.**

However, there remains uncertainty about the procedural format for both the Kosovo and Middle East items.

In addition open briefings are likely on:

- **Somalia** (which is seen as at a critical stage);
- **Sudan** (including from the ICC Prosecutor);
- **Lebanon** (including from the UNIIC Commissioner);
- the Council **mission to Timor-Leste**; and
- the **humanitarian situation in Africa** (from the Under Secretary-General for Humanitarian Affairs on his latest trip).

A large number of expiring mandates dictates that December as usual will be an extremely busy month. The mandates expiring in December and requiring Council decisions (some of these will be by way of letter to the Secretary-General as opposed to resolutions) are:

- **Burundi** (BINUB);

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## Aide-Memoire

Important matters pending before the Council include:

- The 2005 World Summit requested the Security Council to consider reforms relating to the **Military Staff Committee**. This has yet to be addressed.
- The Secretary-General's report on **security sector reform**, requested in February in presidential statement 2007/3 and expected in November has not been issued yet.
- The **post of the Special Representative in Ethiopia-Eritrea** has been vacant since May 2006.
- On the **DRC**, the Council has still not taken up individual sanctions under resolution 1698 against armed groups that recruit children. Nor has the Council resumed discussion of the issue of natural resources in the DRC, notwithstanding its open thematic debate on the subject of natural resources

and conflict in June (S/PV.5705).

- The December 2004 report by the Secretary-General on human rights violations in **Côte d'Ivoire**, requested by a presidential statement, has still not been made public. Also on Côte d'Ivoire, the December 2005 report by the Secretary-General's Special Adviser on the Prevention of Genocide has not been published.
- On **West Africa**, the Council is yet to follow up its 16 March consultations on cross-border issues.
- A report from the Secretary-General on options for further implementation of resolution 1625 **on conflict prevention, particularly in Africa**, requested in August in a presidential statement to be submitted within sixty days has not been published as of this writing.
- The last **UNAMI report on human rights** in Iraq covered the period from 1 April to 30

June 2007. The reports are usually produced every two to three months, therefore the last one was due on 30 September.

- The Secretary-General has yet to develop proposals for the delineation of the international borders of Lebanon, especially in the **Sheb'a Farms area**, in accordance with resolution 1701, and advise on the cartographic, legal and political implications of the alternative path suggested by the government of Lebanon in its seven-point plan, namely placing the area UN jurisdiction until a boundary is permanently delineated.
- On **Sierra Leone**, the Secretary-General's report based on a comprehensive assessment, to assist the Council in defining UNIOSIL's exit strategy (the mandate expires on 31 December), requested by resolution 1734 and to be submitted "closer to the election date" (held this the summer) is overdue.

- **Central African Republic** (BONUCA);
- **Counter Terrorism Executive Directorate**;
- **Democratic Republic of the Congo** (MONUC);
- **Golan Heights** (UNDOF);
- **Guinea Bissau** (UNOGBIS);
- **Multinational force in Iraq** (see our November *Forecast*);
- **Liberia** (sanctions and Panel of Experts expire);
- **Sierra Leone** (UNIOSIL);
- **Somalia** (UNPOS); and
- **West Africa Regional Office** (UNOWA).

A number of other situations are likely to be discussed in informal consultations and could result in outcomes approved in formal open meetings. These include:

- **Darfur** (the peace process and the need for progress with the UNAMID deployment);
- **Lebanon** (tensions over the presidential election continue);
- **Myanmar** (a further discussion is possible); and
- the **non-proliferation issues relating to Iran** (it is unclear whether the ongoing meetings between the E3+3 on the draft-

ing of a third sanctions resolution will produce a concrete proposal for action in the Council.)

Council members will also need to find time to discuss the allocation of chairmanships of the various Council subsidiary bodies for 2008.

Finally, residual matters relating to **Iraq**, including the final expiry of the **oil-for-food programme** and various outstanding issues between **Iraq and Kuwait**, are also expected to be before the Council in December.

## Status Update since our November Forecast

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

- **International Court of Justice:** On 2 November the President of the International Court of Justice, Judge Rosalyn Higgins, briefed members on recent developments in the Court of interest to the Council (S/PV.5775, which was also issued as a communiqué).
- **Regional Organisations:** On 6 November, the Security Council held a further debate in a series which now extends over several years on the role of regional and subregional organisations in the maintenance of international peace and security (S/PV.5776, corr. 1 and resumption 1). The Council adopted a presidential statement (S/PRST/2007/42) acknowledging the growing practical contribution of regional organisations in maintaining international peace and security.
- **Afghanistan:** On 8 November, the Council adopted a press statement that condemned the terrorist attack of 6 November which targeted members of a parliamentary delegation visiting Baghlan in northern Afghanistan, and killed more than forty people (SC/9166). In the statement, Council members "reiterated their concern at the increasing threat...posed by the Taliban, Al-Qaida, illegal armed groups, criminals and those involved in the narcotics trade."
- **Security Council Annual Report to the General Assembly:** On 12 November, Council president, Indonesian Ambassador R.M. Marty M. Natalegawa presented the Council's annual report to the General Assembly (S/2007/627). Member states discussed this report from 12-14 November (GA/10656, 10657 and 10658).

- **Ethiopia/Eritrea:** On 13 November the Council adopted a presidential statement reiterating its call for a solution to the situation between Eritrea and Ethiopia (S/PRST/2007/43).

- **Northern Uganda/LRA:** The Council heard a briefing in private consultations by the Secretary-General's Special Envoy for the Lord's Resistance Army affected areas, Joaquim Chissano, on the Juba peace process on 13 November. A press statement was issued (SC/9167), which noted that the Council's members were encouraged by the progress made so far, reaffirmed their support for a negotiated settlement and expressed hope for an early conclusion to the peace process. Members also reiterated that impunity must be curtailed and urged the immediate release of women, children and other non-combatants by the Lord's Resistance Army.

- **Myanmar:** Ibrahim Gambari, the UN Special Envoy to Myanmar, briefed the Council on 13 November regarding his mission to Myanmar earlier that month. Gambari noted progress made since his previous trip to the country. On 14 November, the Council issued a press statement which reaffirmed support for the efforts of the Secretary-General and his Special Envoy and welcomed positive developments in Myanmar (SC/9171). The statement also deplored "that many prisoners are still in jail and new arrests have occurred"; stressed the need for the Myanmar government "to create conditions for dialogue and reconciliation by relaxing as a first step, the conditions of detention of Daw Aung San Suu Kyi and release of political prisoners and detainees"; and confirmed that the Council would "keep developments in Myanmar under close review."

- **Terrorism:** On 14 November, the Council was briefed by the 1373, 1267 and 1540 Committee chairs (S/PV.5779). Following the briefing, the Council adopted a press statement expressing the view that committees addressing terrorism "become more interactive, cooperative and transparent to Member States and...expand their interactions with international, regional and subregional organizations" (SC/9170).

- **Protection of Civilians in Armed Conflict:** The Council on 20 November held an open debate on the protection of civilians in armed conflict (S/PV.5781 and resumption 1) and considered the Secretary-General's 28 October report on the issue (S/2007/643). Members heard a statement by the Secretary-General and a briefing by John Holmes, Under Secretary-General for Humanitarian Affairs, on the report. There was no formal outcome.

- **Bosnia and Herzegovina:** On 21 November, the Council unanimously adopted resolution 1785 authorising the European Union Stabilisation Force (EUFOR) in Bosnia and Herzegovina for an additional twelve months. The resolution was passed after Council consideration of the issue on 15 November (S/PV.5780) and 21 November (S/PV.5782).

- **Iraq:** On 21 November, the Council approved in a letter (S/2007/680) the archiving procedure for UNMOVIC files as proposed by the Secretary-General in his latest report (S/2007/568) and responded to the Secretary-General's request for guidance on access to confidential information.

- **Middle East:** At press time, a briefing by Lynn Pascoe, Under Secretary-General for Political Affairs and consultations on the Middle East were planned for 30 November.

### Expected Council Action

On 10 December the Secretary-General will receive the Kosovo Contact Group's report on the negotiations between Pristina and Belgrade, led by the Troika (the EU represented by Germany, US and Russia). The Secretary-General is expected to transmit the report to the Council. It is unclear if there will be any briefing.

With a declaration of independence by Kosovo seeming increasingly likely, this aspect is also likely to figure in Council discussions. The question of resolution 1244 and the UN Mission in Kosovo (UNMIK), whose mandate is open-ended, is also expected to be addressed.

The next report from UNMIK is due at the end of December.

### Key Recent Developments

At the time of writing Serbia and Kosovo had not reached agreement after four months of negotiations led by the Troika. Six meetings were held between the end of September and the end of November. Proposals ranging from supervised independence, limited independence, confederation and variations of autonomy were all rejected. A suggestion by the Troika's EU representative, Wolfgang Ischinger, involving a form of "neutral status", was under discussion in the Troika at press time. However, Pristina has maintained its position of nothing short of independence. Belgrade has offered wide autonomy but will not agree to independence.

Elections were held in Kosovo on 17 November. Ex-guerilla fighter Hashim Thaci's Democratic Party of Kosovo (PDK) won 35 percent of the votes with the outgoing ruling Democratic League of Kosovo getting 22 percent. Thaci, likely to be prime minister, said immediately after the elections that he would declare independence immediately after 10 December. However, he subsequently signalled that he would consult with Washington and the EU on timing.

Voter turnout was only 43 percent. Many see this as a sign of disillusionment with the political parties for failing to achieve independence and the deteriorating economy. Encouraged by Belgrade, Kosovo Serbs boycotted the election. The boycott was criticised by UNMIK which issued a state-

ment asking Belgrade to refrain from activities which would undermine elections and Kosovo Serb participation.

EU foreign ministers met in Brussels on 19 November and appealed to Thaci not to rush to declare independence if the Troika failed to resolve Kosovo's status. Several European countries including Luxembourg and Sweden also urged Kosovo not to make hasty moves towards independence.

Greece, Cyprus, Romania and Slovakia, keeping in mind the possible impact on their own minorities, have all expressed reservations about independence. But there is a commitment from all members to keep intact EU foreign policy and it seems that even those who may be slow to recognise a unilateral declaration are unlikely to block wider EU consensus or the deployment of an EU force.

In early November, Serbian Prime Minister Vojislav Kostunica overtly linked Kosovo with Bosnia saying that preserving the status quo regarding Kosovo and the Bosnian entity Republika Srpska were the most important goals of state policy.

### Options

Options include:

- discussion of the report in informal consultations;
- an open briefing, but no debate, followed by closed consultations to discuss the report;
- a closed, formal meeting where selected non-Council members could be invited to speak (in past practice the Kosovo government would not be included in this scenario); or
- an Arria style meeting to include Kosovo representatives.

If there is a unilateral declaration of independence, several scenarios could emerge:

- Kosovo having been recognised by a number of states invites the EU to replace NATO forces (this might be done by consent as opposed to being authorised through resolution 1244 or other Council decisions); or
- Kosovo consents to UNMIK continuing to play a residual role under resolution 1244 (protection of minorities and developing governmental institutions).

Options for the Council might include the following.



- Hearing reports on developments but taking no action.
- Considering a new resolution to replace 1244. (The resolution which was put in blue in July has been withdrawn as is clear from the fact that the number given to the draft, S/2007/437, was used for another document in August 2007.)
- Deciding that UNMIK should leave. In this case a resolution would be needed.
- If it looks like UNMIK's security is threatened, the Secretary-General could withdraw the mission.

### Key Issues

Apart from the procedural issues, the substantive issues now seem to revolve around a likely declaration of independence in the coming months.

The first is the impact in the Council of any unilateral declaration. Traditionally the Council has not taken a position on such actions until it is faced with an application for UN membership. The only exception might be if events seemed likely to give rise to a threat to international peace and security. However, Kosovo has some unique features. These include the presence of a UN operation under a Council mandate (UNMIK) and resolution 1244. The issue seems to be that some feel that the Council should address the issue at an early stage. Others seem reluctant to address it in the abstract, preferring to wait and see whether in practice problems will emerge.

A related issue is the impact on other countries in the region. Some believe that unilateral independence could lead to further disintegration in the Balkans with Kosovo's Serbian-dominated north breaking away and joining Serbia as well as separatists in Bosnia and Herzegovina and possibly Macedonia being inspired to make similar moves.

Another issue is whether Thaci will have difficulty forming a coalition government soon and whether a delay could lead to unrest in Kosovo. The Council is aware that NATO forces and UNMIK have prepared contingency plans for possible trouble but will be



concerned about how best to handle such a situation.

A further issue, whatever happens, is whether and when Kosovo should come back to the Council.

A wider question is the timing of the Serbian presidential elections (expected early next year) and whether some members of the Council might advocate waiting until after the elections before making any moves on Kosovo.

### Council and Wider Dynamics

Basic positions of members remain unchanged. The US has continued to make clear it favours independence for Kosovo. Russia says negotiations should continue beyond 10 December as it still prefers to work on a negotiated solution.

Most of the European members seem to be keen to find a way for EU forces to quickly replace NATO, within resolution 1244.

China, like many others, seems to have concerns about regional instability if there is a unilateral declaration of independence that is not quickly recognised. Many elected Council members still see this very much as a European issue and are likely to be cautious about publicly stating their positions.

### UN Documents

#### Security Council Resolution

- S/RES/1244 (10 June 1999) authorised NATO to secure and enforce the withdrawal of Yugoslav (FRY) forces from Kosovo and established UNMIK.

#### Selected Presidential Statements

- S/PRST/2005/51 (24 October 2005) declared it was time to begin the political process to determine the future status of Kosovo.

#### Selected Letters

- S/2007/168 and Add. 1 (26 March 2007) was the letter transmitting Ahtisaari's report on Kosovo's future status and the Comprehensive Proposal for the Kosovo Status Settlement.

#### Selected Reports

- S/2007/652 (5 November 2007) was the report on the international security presence from 1 – 30 September 2007.

- S/2007/582 (28 September 2007) was the latest report of the Secretary-General on UNMIK.

#### Letters

- S/2007/606 (11 October 2007) was the letter from the Serbian permanent representative commenting on the latest UNMIK report.

#### Others

- Statement issued on 20 July 2007 by Belgium, France, Germany, Italy, UK and the US, co-sponsors of the draft resolution on Kosovo presented to the Council on 17 July.
- S/2007/437 (17 July 2007) was the draft resolution on Kosovo.

### Other Relevant Facts

#### Secretary-General's Special Envoy for the Future Status Process

Martti Ahtisaari (Finland)

#### Special Representative of the Secretary-General

Joachim Rucker (Germany)

#### UNMIK

- Size of UNMIK mission: 1996 police, forty military observers as of 30 October 2007
- Size of OSCE mission: 1300 staff (310 international and 990 local as of 30 September 2006) (Pillar 3) and 443 (99 international and 334 local staff as of 31 October 2007) (Pillar 4)
- Size of EU mission: 125 international staff, 336 local staff

#### Cost

\$217.9 million for fiscal year 2006-2007 (not including OSCE, EU and NATO expenditures)

#### KFOR (NATO FORCE)

General Roland Kather (Germany)

#### Size and Composition of Mission

- Size: 15,000 troops
- NATO countries: Belgium, Bulgaria, Czech Republic, Denmark, Estonia, France, Germany, Greece, Hungary, Italy, Latvia, Lithuania, Luxembourg, Netherlands, Norway, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Turkey, UK and the US
- Non-NATO countries: Armenia, Austria, Azerbaijan, Finland, Georgia, Ireland, Morocco, Sweden, Switzerland and Ukraine

## Somalia

### Expected Council Action

The Council is expected to continue to follow security and political developments in Somalia closely. An expert-level meeting with the Secretariat on planning for a future UN political, humanitarian and peacekeeping strategy and assistance to the AU Mission in Somalia (AMISOM) is scheduled for 30 November.

Under Secretary-General John Holmes may brief the Council on the humanitarian situation in early December.

The mandate of the UN Political Office for Somalia (UNPOS) is due for renewal by 31 December.

(Additionally, a meeting of the International Contact Group and an AU summit on Somalia in Addis Ababa are apparently scheduled for around 13 December.)

### Key Recent Developments

The humanitarian situation in Somalia continued to deteriorate acutely, leading to a record one million displaced thus far. One and a half million people reportedly need humanitarian assistance, a 50 percent increase since January.

Fighting between insurgents and Ethiopian troops alongside the Transitional Federal Government (TFG) continues unabated. Indiscriminate attacks against civilians are reported on all sides. The TFG has reportedly shut down a number of human rights and media organisations. Humanitarian assistance has been severely curtailed by insecurity, piracy and checkpoints set by militia and TFG forces.

On 29 October, Prime Minister Ali Mohamed Gedi resigned amidst growing TFG paralysis and his long-running feud with President Abdullahi Yusuf.

In mid-November, the Somali parliament adopted legislation to allow non-parliamentarians to be appointed to cabinet positions, a move considered essential for ensuring a more effective cabinet with widespread support.

There is uncertainty whether Hussein will be able effectively to foster TFG unity and reconciliation with the opposition. (Conflict between the Hawiye and President Yusuf's Darod clan is one of the central aspects of instability in Somalia.) Opposition fighters have reportedly signalled their position

would not change, at least until Ethiopia withdraws.

The Secretary-General's latest report said conditions for successful UN peacekeeping in Somalia did not yet exist. Instead, it suggested a multinational force to increase security and allow for Ethiopian withdrawal. (Special Representative of the Secretary-General Ahmedou Ould-Abdallah suggested in mid-November that justice measures, including referral to the International Criminal Court, also be considered.) The Secretary-General also urged the Council to consider measures on the regional dimensions of the Somali crisis.

On 19 November, the Council responded to the Secretary-General in a statement which insisted that contingency planning should continue as part of an enhanced UN integrated strategy, while recognising the need for greater support for AMISOM.

The Secretariat appears to be working on a support package for AMISOM. A delayed Burundian battalion could be deployed by mid-December, with assistance from France and the US.

## Options

Options include:

- signalling support for the new cabinet and warning that political reconciliation should now be a major priority;
- continuing to press for a substantive UN strategy for Somalia, including requesting more detailed information and a timeline for strengthening the role of UNPOS in political reconciliation and future steps needed to assist AMISOM (It seems Ould-Abdallah is developing a strategy on how to move the political and security dimensions forward. A proposal to increase UNPOS staff is currently before the General Assembly's Fifth Committee);
- signalling readiness to authorise a UN support package and to consider regional options to strengthen AMISOM;
- convening a meeting of concerned member states and potential troop contributors to discuss security options;
- taking steps to contain piracy (it seems that the International Maritime Organisation has urged TFG action to counter piracy with support from states with vessels in the region); and
- considering justice and accountability options such as a commission of inquiry.

## Key Issues

A key issue is what the Council can do to encourage progress on political

reconciliation. Related issues are:

- supporting the evolution of the TFG and the political landscape in Somalia; and
- how best to encourage an all-inclusive political process and a "peace process roadmap".

A parallel key issue is how to improve the security and humanitarian situation. Consequential issues include:

- the future of AMISOM, the need for Ethiopian withdrawal and whether new security options are feasible; and
- regional security concerns.

## Council Dynamics

Although there is agreement on the need for concrete progress with political reconciliation and security, most members seem troubled by the lack of options and strategy to address the interconnectedness of issues. Increasingly members do not see AMISOM as a viable option in the future, but most seem sceptical about any other kind of multinational force. Some are critical of a perceived imbalance between the Council's efforts for Darfur and Somalia.

There seems to be a growing consensus on the need to develop a comprehensive UN strategy for Somalia and allow Ethiopian withdrawal, with a strong continuing focus on contingency planning for UN peacekeeping and an interim support package for AMISOM.

This is, however, paralleled by recognition that UN peacekeeping does not appear feasible given the security situation and concerns of potential contributors, including African members. Accordingly, greater efforts are needed on political reconciliation including a larger UN role. Members seem hopeful that with the right leadership from the international community the new TFG cabinet will be able to reach out to the opposition.

## UN Documents

### Selected Security Council Resolutions

- S/RES/1772 (20 August 2007) renewed AMISOM.
- S/RES/733 (23 January 1992) imposed the arms embargo.

### Latest Secretary-General's Report

- S/2007/658 (7 November 2007)

### Other

- S/2007/436 (17 July 2007) was the latest Monitoring Group report.



## Other Relevant Facts

### Special Representative of the Secretary-General

Ahmedou Ould-Abdallah (Mauritania)

### Chairman of the Sanctions Committee

Dumisani S. Kumalo (South Africa)

### AMISOM: Size and Composition

- Maximum authorised strength: 7,650 troops plus maritime and air components.
- Strength as of 30 October 2007: about 1,600 Ugandan troops.

### AMISOM: Duration

February 2007 to present; AU mandate expires on 17 January 2008 and Council authorisation expires on 20 February 2008

## Sudan/Darfur

### Expected Council Action

Council activity on Darfur in December is expected to include:

- briefings by the Chief Prosecutor of the International Criminal Court (ICC) and by Under Secretary-General John Holmes on the humanitarian situation in early December;
- possible consultations on the deployment of the UN-AU Mission in Darfur (UNAMID); the AU Mission in the Sudan (AMIS) expires on 31 December, by which time transfer to UNAMID is required under resolution 1769;
- attention to the challenges facing the Sirte peace talks; and
- the interim report of the Panel of Experts to the Sanctions Committee, due by 27 December.

At press time it was unclear whether members may consider formal action on UNAMID, the humanitarian situation and the peace talks.

(A report of the Human Rights Council group of experts on Darfur is expected. The group's mandate expires on 15 December.)

## Key Recent Developments

The humanitarian situation in Darfur continues to be extremely dire. Fighting involving government forces and rebels reportedly persists unabated, including an attack against an oil field outside Darfur. There were also reports of forced relocation of civilians and raids into camps by the government, obstruction of assistance and increased inter-communal fighting, reportedly with Khartoum's support.

Khartoum announced a unilateral ceasefire during the talks, which opened on 27 October. However, the Secretary-General noted that clashes continued and soon after two government helicopter gunships fired missiles in western Darfur.

At a Council briefing on 27 November, UN Envoy Jan Eliasson underlined the challenges facing the talks, including absence of key rebel commanders, noting that the mediation team will now focus on rebel consultations currently underway and selecting civil society representatives. He urged a distinction between rebels engaged in the process and those that reject it, and that "all parties must be aware that undermining the process comes at a price." He signalled reluctance from a rebel group and Khartoum to facilitate civil society and displaced persons' participation and underlined Khartoum's responsibility to uphold security and justice, including cooperation with the ICC.

Under Secretary-General Jean-Marie Guéhenno also briefed the Council on the status of UNAMID's deployment on 27 November. He warned that the mission was at a crossroads.

- Khartoum had not yet accepted a list of non-African troop contributors, reportedly including Thailand (with a rapid reaction unit), Nepal (with a special forces unit), Sweden, Norway, and Denmark. Guéhenno underscored the need for those units for an early display of robustness. (Khartoum opposes non-African contributions apart from technical support. Rebels appear to object to the Chinese contingent, complaining of Chinese sales of arms to Sudan and involvement in Sudan's oil sector.) There are also challenges regarding authorisation for night flights, use of airstrips and land, and the status of forces agreement.
- There were no pledges for key mobility assets, including helicopters.

Guéhenno reportedly noted that there was a dilemma since a force, even without some assets, could make a limited difference, but if it "was to know humiliation in the early stages of its deployment, then it would be very hard to recover."

### Related Developments in the Sanctions Committee

The Sanctions Committee discussed a follow up on the Panel of Experts' recommendations, but no far-reaching action has apparently been adopted. In early November, the Committee held discussions at the request of Qatar on the possibility of sanctions against rebels who refuse to attend the Sirte talks. (Please see Council Dynamics below for more details.)

## Options

Options include:

- leaving UNAMID's deployment issues to the Secretariat, or actively managing the issues, perhaps including a warning that delays in UNAMID's deployment are unacceptable;
- a decision that Council members would actively support the Secretariat in encouraging generation of aviation and transport assets, perhaps through the Working Group on Peacekeeping Operations;
- a statement supporting the peace talks, followed up by regular consultations with the mediation team;
- signalling the possibility of sanctions and/or actively discussing a spectrum of measures, including targeted sanctions, a strengthened arms embargo and aviation-related measures;
- reminding the parties on the need to cooperate with the ICC under resolution 1593; and
- pressing for a ceasefire.

## Key Issues

The key challenge now appears to be how to ensure that the peace talks are successful. Key issues include:

- ensuring substantive rebel participation and unity, as well as that of civil society, the government (given north-south tensions) and Arab communities;
- reaching a ceasefire;
- deterring attempts to influence the talks through force or obstruction; and
- negotiation modalities, notably balancing timing and participation, and substance (including land and relationship with the Comprehensive Peace Agreement, CPA).

A parallel issue is ensuring that peacekeeping deployments proceed successfully. This raises the immediate question of how to respond to:

- Khartoum's current phase of reluctance to cooperate; and
- lack of military-asset contributions, including managing the risks that lack of robustness may create for UNAMID, bearing in mind dangerous peacekeeping precedents in that regard.

Other issues are:

- coordination between the AU and the UN, and with deployments in Chad and the Central African Republic;
- funding decisions from the General Assembly;
- UNAMID's unparalleled management, infrastructure, logistical, security and environmental challenges; and
- potential differences of view on UNAMID's mandate to protect civilians.

A major issue for the Council is therefore whether to become more engaged in managing those challenges. A consequential issue is whether and when to resort to sanctions and against whom.

On justice and accountability, the key issues are when to address Khartoum's refusal to cooperate with the ICC, and whether Council inaction may send counterproductive signals.

## Council Dynamics

Concern regarding UNAMID's deployment increased, particularly after Guéhenno's briefing. The US, the UK, France and some others seem increasingly impatient with Khartoum's perceived obstructions to UNAMID. China, Russia, Qatar, Indonesia and others continue to hesitate about criticising Khartoum and argue for continuing dialogue with the government.

There is also concern with the pace of deliberations on UNAMID's funding, and some—such as the US and the UK—seem willing to work bilaterally on UNAMID's military-asset shortages.

Most seem agreed on the need for encouraging the various rebel commanders to attend the talks. Some seem concerned that pushing too fast risked repeating the mistakes in the 2005-2006 Abuja talks. The possibility of new sanctions against spoilers remains of interest, but some (including some African members) apparently feel that



this may be unhelpful for the talks at this time. Others seem to believe that additional names (including from the government) would need to be considered in keeping a balance among the various targeted sanctions criteria under resolution 1591. It is unclear whether members will propose formal action.

On justice and accountability, most seem sympathetic to the recent signals from the ICC Chief Prosecutor, Luis Moreno-Ocampo, on the negative effects of perceived lack of Council support for the Court, as well as to the synergies between justice and peace bearing in mind precedents elsewhere. European members in particular will likely continue to signal support for the ICC, but concrete proposals seemed unclear at press time. China, Russia, South Africa, Congo, Qatar and Indonesia seem sympathetic to the government's preference for domestic processes.

### Underlying Problems

On 31 October, the Council renewed the mandate of the UN Mission in the Sudan (UNMIS) in resolution 1784, including strong messages on the CPA's implementation and its linkages with the political process in Darfur.

(Eliasson and the AU Special Envoy, Salim A. Salim, also recently underscored that any Darfur agreement "will need to be implemented in parallel" with the CPA, and that "there cannot be peace in Darfur without a comprehensive peace throughout Sudan.")

It seems that north-south negotiations on the CPA's implementation have not made much progress, particularly regarding border issues and Abyei. Tensions continued, including a call to arms from Khartoum to former irregular militia.

### UN Documents

#### Selected Security Council Resolutions

- S/RES/1784 (31 October 2007) renewed UNMIS.
- S/RES/1779 (28 September 2007) renewed the Panel of Experts.
- S/RES/1769 (31 July 2007) established UNAMID.
- S/RES/1672 (25 April 2006), 1591 (29 March 2005) and 1556 (30 July 2004) imposed sanctions.
- S/RES/1593 (31 March 2005) referred Darfur to the ICC.

### Latest Secretary-General's UNAMID Report

- S/2007/653 (5 November 2007)

#### Other

- S/PV.5784 (27 November 2007) contained the recent briefings by Guéhenno and Eliasson.
- A/62/540 (8 November 2007) was an ACABQ report on UNAMID funding.
- S/2007/584 (2 October 2007) contained the latest Panel of Experts' report.

### Other Relevant Facts

#### UNAMID: Joint AU-UN Special Representative for Darfur

Rodolphe Adada (Congo)

#### UN and AU Special Envoys

UN: Jan Eliasson (Sweden)

AU: Salim A. Salim (Tanzania)

#### UNAMID: Size and Cost

- Maximum authorised strength: up to 19,555 military, 3,772 police and 19 formed police units
- Expected budget until June 2008: \$1.6 billion

#### UNAMID: Duration

31 July 2007 to present; mandate expires 31 July 2008

#### AMIS: Size and Composition

- Total authorised strength: about 10,000 military and 1,500 police
- Strength as of 23 May 2007: 6,143 military and 1,360 police
- Key troop contributors: Nigeria, Rwanda and Senegal

#### AMIS: Duration

25 May 2004 to present; mandate expires 31 December 2007

## Iran

### Expected Council Action

At press time it was unclear whether the E3+3 (France, Germany and the UK plus China, Russia and the US) would introduce a draft resolution with further sanctions against Iran in December. A meeting between the E3+3 political directors to discuss the way forward was expected to take place on 1 December.

The next quarterly briefing by the chairman of the 1737 Sanctions Committee is



expected in mid-December and will likely focus on the Committee's most recent activities and progress of states' compliance with resolutions 1737 and 1747.

### Key Recent Developments

The E3+3 foreign ministers agreed in a 28 September statement that they would start work on a third Council sanctions resolution if the report from Mohamed ElBaradei, Director General of the IAEA, on progress on implementation of the work plan to resolve outstanding issues, and a report of the EU foreign policy chief Javier Solana on talks with Iranian nuclear negotiator Said Jalili, were not positive. This position was reaffirmed at a meeting of the E3+3 in London on 2 November. The ElBaradei report was released on 15 November but at press time Solana's report was not yet available. It seems that a written report is unlikely. A letter sent to each of them or an oral briefing is more probable.

An E3+3 meeting due to take place on 19 November in Brussels to discuss the way forward was postponed after China was unable to attend. Solana and Jalili were expected to hold another round of talks on 30 November.

In his report on implementing the Non-Proliferation Treaty Safeguards Agreement and resolutions 1737 and 1747, ElBaradei noted that Iran provided sufficient access and responded in a timely manner to questions raised. However, his report also noted that:

- Iran's cooperation has been reactive rather than proactive;
- questions about past and current centrifuge enrichment programme and studies have only been answered partially and further information and access were expected in the next few weeks;
- although the IAEA was able to verify the non-diversion of declared nuclear material in Iran, its knowledge about the current nuclear programme was diminishing because Iran is no longer implementing the Additional Protocol;
- Iran has continued to expand its capacity to enrich uranium, and continued construction of a heavy water production plant; and

- Iran still needed to provide assurances about the absence of undeclared nuclear material and activities. Iran therefore must implement the Additional Protocol as well as all confidence-building measures required by the Security Council, including suspending uranium enrichment.

The report was considered by the IAEA Board meeting in Vienna on 22 November. In his briefing to the Board, ElBaradei noted that implementation of the work plan was proceeding according to schedule. He also said that it was only through negotiations that a comprehensive and durable solution could be reached, and that confidence in the nature of Iran's nuclear programme could be built.

On 13 November Chinese Foreign Minister Yang Jiechi visited Iran. He urged President Ahmadinejad to halt the uranium enrichment programme in compliance with international demands. He acknowledged Iran's right to peacefully use nuclear energy and expressed hope that all parties would show flexibility for a peaceful resolution of the Iran nuclear issue. This followed a visit to Iran by Russian Foreign Minister Sergey Lavrov on 30 October.

### Options

If the E3+3 agree to pursue the incremental approach in a new draft sanctions resolution, the Council can:

- apply a small increment and include additional names to the list of people and entities subject to asset freeze;
- impose a travel ban on Iranian officials involved in the nuclear programme;
- impose limits on flights by Iranian aircraft;
- impose targeted sanctions (travel ban and asset freeze) on a wide group of Iranian personnel or entities;
- toughen current financial sanctions through restricting or even banning export credits to Iran, or banning foreign investment in Iran's oil and gas industry; and
- ban additional categories of arms sales to Iran.

In the absence of a draft resolution, the Council could adopt a presidential statement that might:

- welcome progress on implementation of the work plan;
- urge Iran to continue to cooperate with the IAEA and provide clarifications on its past and current nuclear activities and

implement the Additional Protocol; and

- recall that the plan does not address other confidence building measures previously demanded by the IAEA and made obligatory by Council resolutions and reiterate those obligations.

### Key Issues

A key issue is the interpretation by the E3+3 of ElBaradei and Solana's reports. France, Germany, the UK and the US have already reacted to ElBaradei's report saying that more needed to be done by Iran to reestablish confidence. It was unclear at press time whether Russia and China also believed that the failure to suspend uranium enrichment, regardless of progress in the implementation of the work plan, requires further sanctions. A related issue will be the impact of Solana's report. If he says there has been no progress in talks with Jalili, additional sanctions might be the next step.

This may be complicated though if Solana seeks more time to pursue the talks before rendering a final judgement.

The underlying issue remains reestablishing confidence in the peaceful nature of Iran's nuclear programme. The existence of concealed Iranian nuclear activities, referred to as "outstanding issues", originally led to questions about its nuclear programme, but Iran's refusal to implement IAEA Board and Security Council requirements—in particular, to suspend uranium enrichment—led to further suspicion.

Finally, if the E3+3 agree on the need for a third Council resolution, following the incremental pressure approach, a residual issue of interest to the ten elected members will be whether the sanctions would actually have the desired impact on Iran, and if not, what additional measures might be expected.

### Council Dynamics

The US, the UK, France and Germany all described the ElBaradei report as not encouraging and said that they would seek additional sanctions.

China seems to consider that the ElBaradei report is objective and balanced and that the initial progress achieved towards resolving the outstanding issues should be recognised. China also seems to prefer to wait for the next round of talks between Solana and Jalili before deciding on the way forward.

South Africa continues to consider that any response by the Council needs to take into account the positive developments regarding outstanding issues. Although South Africa is concerned about the lack of progress on transparency and suspension questions, it believes that resolving the outstanding issues contributes to reestablishing confidence and therefore the Council should be balanced so as not to jeopardise further progress. South Africa does not oppose additional sanctions further down the track but believes that they should be proportional, incremental and reversible. South Africa continues to favour that a diplomatic solution should be pursued, and is opposed to sanctions that are not strictly non-proliferation related. Indonesia and Qatar hold similar views.

### UN Documents

#### Security Council Resolutions

- S/RES/1747 (24 March 2007) imposed additional measures against Iran and reinforced existing ones.
- S/RES/1737 (23 December 2006) imposed measures against Iran under Chapter VII, article 41, of the UN Charter and expressed its intention to adopt further measures under article 41 in case of Iranian non-compliance.
- S/RES/1696 (31 July 2006) demanded that Iran suspend all enrichment-related and reprocessing activities and expressed its intention to adopt measures under article 41 in case of Iranian non-compliance.

#### Latest IAEA Board Resolution

- GOV/2006/14 (4 February 2006) underlined the necessary steps that Iran should take to reestablish confidence in the peaceful nature of its nuclear programme and reported the issue to the Security Council.

#### Latest IAEA Report

- GOV/2007/58 (15 November 2007)

#### Understandings of Iran and the IAEA

- INFCIRC/711 (27 August 2007)

### Useful Additional Sources

- *A Witches' Brew? Evaluating Iran's Uranium-Enrichment Progress*, David Albright and Jacqueline Shire, Arms Control Today, November 2007
- *Iran's Revolutionary Guards*, Greg Bruno, Council on Foreign Relations, 25 October 2007



## Golan Heights

### Expected Council Action

The Council is expected to extend for six months the mandate of the UN Disengagement Observer Force (UNDOF) in the Golan Heights, which is due to expire on 31 December (UNDOF was established in 1974). The Council traditionally also calls for implementation of resolution 338 of 22 October 1973, which in turn refers to resolution 242 of 22 November 1967 calling for the withdrawal of Israeli troops from occupied territories.

As has been the practice since 1976, a presidential statement that the Middle East will remain tense until a comprehensive settlement is reached is also expected.

### Key Recent Developments

On 25 November, Syria announced that it would accept the invitation to participate in the US sponsored meeting on the Middle East to be held in Annapolis, suggesting that its concern that the unresolved Golan Heights dimension of the wider Middle East situation would not be overlooked, had been accommodated to some extent. The meeting took place on 27 November and Israeli-Palestinian peace talks were launched with the goal of resolving all final status issues within 13 months.

On 6 September, Israel launched an air strike against a site inside Syria. This was confirmed by US sources. The Israeli government remained silent about the incident. Later, Syrian President Bashar al-Assad said the Israeli jets targeted empty military buildings. In his speech to the General Assembly high-level debate on 1 October, Syrian Foreign Minister Walid al-Moualem said the Security Council should have condemned the strike. However no proposals were made by any Security Council member to take up the issue.

### Options

A likely option is a simple rollover of UNDOF's mandate. But the Council could also welcome Syria's participation in the Annapolis conference and encourage a Syria-Israel peace track. Depending on progress in the Middle East talks, some departure from the now thirty year old ritual is a possible option for future UNDOF mandate renewals.

### Key Issues

If Lebanon and Syria settle their border and the Sheb'a Farms become Lebanese, they would fall under the UN Interim Force in

Lebanon (UNIFIL) area of operations with implications for UNDOF and for UNIFIL.

Another key issue in the medium-term is whether the Annapolis conference will lead to a reopening of peace talks between Syria and Israel with a view to resolving the Golan Heights issue.

### Council Dynamics

There is wide consensus that UNDOF remains useful in the absence of a peace agreement between Israel and Syria. But the fact that Syria finally participated in the Annapolis conference may have some impact on the Council's dynamics.

## UN Documents

### Selected Security Council Resolutions

- S/RES/1759 (20 June 2007) renewed UNDOF until 31 December 2007.
- S/RES/1701 (11 August 2006) requested the Secretary-General to develop, in liaison with relevant international actors and the concerned parties, proposals for delineation of the Lebanese borders, especially in the Sheb'a Farms area.

### Latest Presidential Statements

- S/PRST/2007/20 (20 June 2007) was the last statement following the renewal of UNDOF.

### Selected Secretary-General's Reports

- S/2007/641 (30 October 2007) was the latest report on resolution 1701.
- S/2007/331 (5 June 2007) was the latest UNDOF report.

### Selected Letters

- S/2007/630 (25 October 2007) was a letter from Syria complaining about Israel's policy of uprooting trees in the Golan Heights in contravention of international humanitarian law, which prevents occupying forces from targeting civilian objects.
- S/2007/537 (9 September 2007) was a letter from Syria denouncing the Israeli violations of Syrian airspace on 6 September.

## Other Relevant Facts

### UNDOF Force Commander

Major-General Wolfgang Jilke (Austria)

### Size and Composition of Mission (30 September 2007)

- 1,043 troops, assisted by some 57 military observers of UN Truce Supervision Organization's Observer Group Golan.



- Troop contributors: Austria, Canada, India, Japan, Poland and Slovakia.

### Approved Budget

1 July 2007 – 30 June 2008: \$41.59 million

## Central African Republic

### Expected Council Action

The Council is expected to discuss the situation in the Central African Republic (CAR) in consultations in early December. Members will likely have in mind the UN Mission in the CAR and Chad (MINURCAT) and the EU protection force.

Formal action is not expected beyond the renewal of the mandate of the UN Peacebuilding Office in the CAR (BONUCA) by 31 December, possibly through a presidential statement. The Secretary-General's BONUCA report is due in early December, and the MINURCAT report, by 26 December.

### Key Recent Developments

The security situation in the CAR continues to be highly fragile, particularly in the northwest and along the border with Chad and Cameroon, where there are about 46,000 refugees—nearly double since August.

The northwestern rebel group *Armée populaire pour la restauration de la démocratie* (APRD) was apparently willing to negotiate a ceasefire in early October, but no progress seemed forthcoming especially after an attack on 26 November. (Two other groups signed agreements with the government earlier this year.)

Continuing abuse against civilians by government forces and rebels continues to cause concern. Observers note the government's apparent willingness, but lack of resources, to reform its security sector.

On 26 October, a CAR donors' roundtable facilitated by the EU further underlined the country's dire need for development aid. There appear to have been pledges of increased EU assistance, including for security sector reform.

On 25 September, the Council established MINURCAT and authorised the EU protection force in resolution 1778. Both will be focused on civilian protection and needs arising from the spill-over from Darfur into the CAR and Chad, and will not address the domestic conflict in the CAR. BONUCA is expected to continue to lead UN political and assistance activities for the CAR.

France will likely provide half of the EU force, which could be 3,700-strong in total. (The final number of troops to be deployed in the CAR is still unclear.) Shortfalls in troops, logistics and assets, including helicopters, indicate it may not be operational before January.

Concerns remain over whether rebels will perceive the EU force as taking sides, particularly because of the French presence. There is also concern over its ability to protect civilians outside camps and those in danger due to the domestic conflicts in the CAR and Chad, as well as its lack of a mandate to secure borders with Sudan.

### Options

Options for the Council include:

- continuing the wait-and-see approach on peacekeeping developments in the CAR and Chad, at least until the MINURCAT report is issued;
- renewing BONUCA's mandate;
- continuing to signal the need for all-inclusive national reconciliation in the CAR;
- addressing the insecurity in northwestern CAR by encouraging an increase in FOMUC (the Central African Economic and Monetary Community's military operation in the CAR, likely to be renewed by 31 December for two years with EU support) and coordination with MINURCAT and the EU force; and
- looking actively at options to increase assistance to the CAR government for reforming its security sector, perhaps by strengthening BONUCA's mandate and resources in that regard.

### Key Issues

The key issue for the Council in recent months has been how to improve security in eastern Chad and northeastern CAR and contain the spill-over from Darfur.

A second issue—which has not received the same level of Council attention—is how best to assist the CAR government with wider political reconciliation and peace-building tasks. Consequential issues are:

- the lack of a strong, comprehensive response to the overall political situation and security needs in the CAR, particularly *vis-à-vis* the armed forces and the situation in the northwest (which seems to have a much larger role in the displacement and attacks against civilians); and
- the need for coordination among the various international presences in the CAR, including MINURCAT, the EU force, BONUCA and FOMUC.

### Council Dynamics

Members appear to be in a wait-and-see mode for the time being as MINURCAT and the EU force are deployed. At press time, it seemed that Council members were reluctant to take up wider aspects of the domestic situation in the CAR beyond general support for the political reconciliation activities of BONUCA. At press time, it was unclear whether there would be new proposals.

### Underlying Problems

Containing the domestic conflict in Chad appears to be one element of stabilising the CAR-Chad-Sudan region. In late October, talks under Libyan auspices produced a ceasefire and a peace agreement between the government and four rebel groups.

However, concern over the security situation remains, especially after two rebel groups broke the ceasefire in late November.

### UN Documents

#### Selected Security Council Resolution

- S/RES/1778 (25 September 2007) established MINURCAT and authorised the EU protection force.

#### Selected Presidential Statement

- S/PRST/2006/47 (22 November 2006) renewed BONUCA.

#### Selected Secretary-General's Report

- S/2007/376 (22 June 2007) was the latest CAR report.

### Other Relevant Facts

#### Special Representative of the Secretary-General

Lamine Cissé (Senegal)

#### BONUCA: Size

Strength as of 31 October 2007: 27 international staff, five military advisors, six police

#### BONUCA: Duration

15 February 2000 to present; mandate expires 31 December 2007

#### MINURCAT: Size

Authorised strength: up to 300 police and fifty military liaison officers

#### MINURCAT: Duration

September 2007 to present; mandate expires 25 September 2008

#### EU Force: Size and Composition

- Expected strength: 3,700 troops and 600 on reserve.
- Expected main contributors: France, Ireland, Sweden, Austria and Poland

#### EU Force: Duration

Term will start once the force is declared operational by the EU command

#### FOMUC: Size and Composition

- Current strength: 380 troops
- Contributors: Gabon, Republic of Congo and Chad

#### FOMUC: Duration

October 2002 to present; mandate expires 31 December 2007

## Lebanon

### Expected Council Action

At press time Council action on Lebanon was very hard to predict because of the failure of the Lebanese parties to elect a President to replace Emile Lahoud who left office on 24 November. A further complicating factor was the delay in holding consultations on resolution 1701. Political developments in Lebanon could lead to all these matters being taken up in December.

Regularly scheduled business on Lebanon in December is likely to include a public briefing, followed by consultations, on the latest report of the UN International Independent Investigation Commission (UNIIC) on the assassination of former Lebanese Prime Minister Rafik Hariri. This will be the last time Serge Brammertz, UNIIC's chief commissioner will report to the Council in this capacity as he has been appointed as prosecutor of the International Criminal Tribunal for the former Yugoslavia (ICTY). The Council is not expected to take any action.

In December the panel on the selection of judges for the special tribunal for Lebanon is also expected to propose to the Secretary-General four Lebanese judges and seven international judges to serve on the court.

## Key Recent Developments

On 24 November Emile Lahoud left office as required. However the President of Parliament Nabih Berri cancelled an electoral session on 21 November to elect a successor. At press time it seemed that efforts to negotiate a compromise candidate would continue for at least a week. France has been playing a leading role in trying to broker a compromise. Secretary-General Ban Ki-moon also went to Beirut on 15 November and met the Maronite Patriarch Nasrallah Sfeir, who reportedly has a list of candidates that may be acceptable to government and opposition leaders. He also met Prime Minister Fuad Siniora and Saad Hariri, leader of the 14 March majority movement, as well as Nabih Berri.

On 5 November the Council was briefed by the Secretary-General's Special Envoy for implementation of resolution 1559 Terje Roed-Larsen. In a press statement, the President of the Council said that elections must occur in a free and fair manner conforming with the Lebanese constitution and without any foreign interference. He also stressed that the parties should resolve all political issues on the basis of reconciliation and dialogue.

In his 30 October report on resolution 1701, the Secretary-General indicated, in particular, that:

- The Lebanese Armed Forces, in defeating the terrorists of Fatah al-Islam in the Nahr al-Bared Palestinian refugee camp had emerged as a "vehicle of stability and territorial defence".
- "All members in the region, in particular the Syrian Arab Republic and the Islamic Republic of Iran, have a key responsibility" regarding breaches of the arms embargo in Lebanon.
- The first steps that the Lebanese government took to enhance its border management capacities were encouraging.
- The UN Cartographer arrived at a provisional geographical definition of the Sheb'a Farms.
- He was concerned by the looming scenarios of two competing administrations in Lebanon or a constitutional vacuum if presidential elections failed to happen on time.

On 12 November, Daniel Bellemare, former Deputy Attorney General of Canada was appointed as UNIIIC commissioner and prosecutor of the special tribunal.

On 4 September, the Secretary-General submitted his report on progress made

establishing the tribunal. He said the following:

- The Netherlands had agreed to host the tribunal and a UN delegation was sent to The Hague to discuss modalities;
- The Lebanese government forwarded to him a list of 12 judges proposed by the country's Supreme Council of the Judiciary. The list will remain secret until the selection process of all judges starts;
- The tribunal would require a staffing level of between 415 and 430 posts and a budget of \$35 million for the first year, \$45 million for the second year and \$40 million for the third year of its activities; and
- The UN Secretariat created a trust fund to receive voluntary contributions by member states to cover 51 per cent of the costs of the tribunal.

## Options

At press time, because of the uncertainty as to how the political situation in Lebanon would evolve, it seemed likely that the Council would need to consider a range of options in December.

Regarding the UNIIIC report, an option is to adopt a press statement welcoming it and commending Serge Brammertz for his work as the head of the Commission.

## Key Issues

At this point the main issue arising from the UNIIIC is when the tribunal should start its activities. This largely depends on when the tribunal could become fully operational. A related issue is whether UNIIIC would continue its activities in parallel or wind up and transfer its activities to the prosecutor's office. Discussions may begin in December but are unlikely to be resolved until the new year, bearing in mind that UNIIIC's mandate continues until 15 June 2008.

## Council Dynamics

There is a consensus in the Council on the desirability of the Lebanese parties reaching agreement on a presidential candidate. The US seems not to rule out however that while the president should be elected with the broadest support, if necessary, election by a simple majority should take place.

For dynamics within the Council on the 1701 issues and the presidential elections in Lebanon generally, please see our 26 October *Update* report on Lebanon and our November *Forecast* report.



## UN Documents

### Selected Security Council Resolutions

- S/RES/1757 (30 May 2007) established the tribunal under Chapter VII and requested a report within 90 days.
- S/RES/1748 (27 March 2007) extended the mandate of UNIIIC until 15 June 2008.
- S/RES/1701 (11 August 2006) called for a cessation of hostilities between Israel and Hezbollah and authorised a reinforcement of UNIFIL.
- S/RES/1559 (2 September 2004) called upon all foreign forces to withdraw from Lebanon, for the disbanding and disarmament of all Lebanese and non-Lebanese militias, supported the extension of the control of the Lebanese government over all Lebanese territory and declared its support for a free and fair electoral process in Lebanon in accordance with Lebanese constitutional rules and without foreign interference.
- S/RES/1595 (7 April 2005) established UNIIIC.

### Selected Presidential Statements

- S/PRST/2007/29 (3 August 2007) was the statement welcoming the latest 1701 report and the recommendations of the Lebanon Independent Border Assessment Team (LIBAT) report.

### Selected Reports

- S/2007/684 (28 November 2007) was the latest UNIIIC report.
- S/2007/641 (30 October 2007) was the latest report on resolution 1701.
- S/2007/629 (24 October 2007) was the latest report on resolution 1559.
- S/2007/525 (4 September 2007) was the report on the establishment of the tribunal.

### Selected Letters

- S/2007/669 (12 November 2007) and S/2007/670 (14 November 2007) was an exchange of letters between the Secretary-General and the Council on



the appointment of Bellemare as the next UNIIIC commissioner and as the tribunal's prosecutor.

- S/2007/662 (9 November 2007) was a letter from Iran rejecting allegations contained in the latest 1701 report concerning the transfer of weaponry to Lebanon.
- S/2007/655 (5 November 2007) was a letter from Lebanon on Israeli violations of Lebanon territorial integrity in October.
- S/2007/646 (2 November 2007) was a letter from Iran rejecting allegations contained in the latest 1559 report that it provided the Popular Front for the Liberation of Palestine-General Command with military and training support in Lebanon.

### Other Relevant Facts

#### UNIIIC Chief Commissioner

Serge Brammertz (Belgium) until 31 December 2007, to be replaced by Daniel Bellemare (Canada)

#### Composition of the Judges Selection Panel for the Special Tribunal

- Judge Mohamed Amin el-Mahdi (Egypt)
- Judge Erik Mose (Norway)
- UN Under-Secretary-General for Legal Affairs Nicholas Michel (Switzerland)

#### Secretary-General's Special Envoy for Implementation of Resolution 1559

Terje Roed-Larsen (Norway)

### Useful Additional Sources

- 5 November oral statement by the President of the Council: <http://www.un.org/apps/news/story.asp?NewsID=24531&Cr=lebanon&Cr1>

## Liberia

### Expected Council Action

The Council is likely to renew the sanctions regime (arms and travel embargo and assets freeze) imposed by resolutions 1521 and 1731, due to expire on 20 December. The Liberia Sanctions Committee is expected to receive the report of the Panel of Experts by 6 December, which is likely to assist in deliberations on these issues as well as renewal of the Panel's mandate which also expires on 20 December. It is unclear whether the Council will

also take up outstanding issues relating to review of the diamonds sanctions which were lifted in April.

### Recent Developments

On 20 September, the Council adopted resolution 1777 extending the mandate of the UN Mission in Liberia (UNMIL) until 30 September 2008 and reaffirmed its intention to authorise, when necessary, the Secretary-General to redeploy troops between UNMIL and the UN Operation in Côte d'Ivoire on a temporary basis. It also endorsed the Secretary-General's recommendations for the drawdown of UNMIL. (For more on the issue of the drawdown of UNMIL see the September *Forecast*.)

On 4 October, the Secretary-General declared Liberia as the fifth country to become eligible for the UN Peacebuilding Fund. He instructed UNMIL to commence consultations with the Liberian government and local civil society partners to prepare a priority plan. The Fund was set up last year to assist countries emerging from conflict to consolidate peace and prevent their relapse into war.

The International Monetary Fund indicated in mid-November that it was prepared to begin cancelling Liberia's debt after sufficient funds had been secured for the process of debt cancellation. It said the process would commence once pledges, totalling \$842 million, had been honoured by donor nations.

### Key Issues

The key issues for the Council in December are the renewal of the remaining sanctions and a possible review of the diamonds embargo. A related key issue is how and when to address Liberia's peacebuilding needs.

### Options

Options for the Council include:

- simple renewal of the current sanctions regime;
- reviewing the impact of lifting diamond sanctions, especially in light of the Kimberley Process Certification Scheme (KPCS) report and the Panel of Experts' report;
- adopting a press or presidential statement on the Kimberley Process report with the Council's comments on the country's level of compliance with the KPCS, or incorporating this element in a resolution; and

- signaling an intention to pay wider attention to Liberia's peacebuilding needs.

### Council Dynamics

Council members remain mindful of the fragile stability in the country and appear likely to retain the arms embargo as well as the travel and assets freeze. Some members may also want to review the Kimberley Process report, in conjunction with the upcoming report of the Panel of Experts, to assess progress and challenges in Liberian compliance with the KPCS. Members are not yet certain about the renewal of the Panel mandate since this largely will also depend on the contents of its report.

The US and African members of the Council have shared the lead on the issue of Liberia.

### UN Documents

#### Selected Security Council Resolutions

- S/RES/1777 (20 September 2007) renewed the mandate of UNMIL and endorsed the Secretary-General's recommendations for the mission's drawdown.
- S/RES/1760 (20 June 2007) renewed the mandate of the Panel of Experts on Liberia.
- S/RES/1753 (27 April 2007) lifted the diamonds embargo and decided to review this decision after receiving reports from the Panel of Experts and KPCS.
- S/RES/1750 (30 March 2007) renewed UNMIL until 30 September and requested detailed drawdown plans.
- S/RES/1731 (20 December 2006) renewed sanctions.
- S/RES/1532 (12 March 2004) imposed an assets freeze against former President Charles Taylor and associates.
- S/RES/1521 (22 December 2003) imposed sanctions.
- S/RES/1509 (19 September 2003) established UNMIL.

#### Selected Secretary-General's Reports

- S/2007/479 (8 August 2007) was the Secretary-General's latest report on UNMIL.
- S/2007/143 (13 March 2007) was a report on cross-border issues in West Africa.

communiqué and encouraged them to fully implement the commitments agreed to.

The UNDP coordinator in Ituri, Gustavo Gonzalez, stated on 8 November that disarmament, demobilisation and reintegration of rebel forces and militias in Ituri is proceeding well, with the recent surrender of various commanders. However, he cautioned that urgent action is required on poverty alleviation and state-capacity building to achieve sustainable peace.

### Options

Options include:

- renewal of MONUC's mandate without substantial modification;
- mandate renewal with new provisions emphasising support for the 2008 local elections;
- renewal with drawdown provisions to take effect after successful local elections; and
- mandate renewal but with a new focus involving transitioning MONUC's current role to one of aiding in consolidating democracy.

### Key Issues

The most important issue is MONUC's mandate, which ends on 31 December. A complicating factor is the worsening security and humanitarian situation in the eastern regions.

### Council Dynamics

Belgium, France and African members, which are the lead countries on the DRC, and most other Council members, remain inclined to maintain MONUC's current deployment level. This is due to concern about the security situation in eastern DRC and the risk that a premature withdrawal might preclude long-term stability. Members are likely to endorse the Secretary-General's request for MONUC to support the 2008 local elections and discuss subsequent drawdown conditional upon progress towards benchmarks set out in his latest report.

(For further information please see our November *Forecast*.)

egade general Laurent Nkunda and other militia groups.

UN representatives have emphasised the staggering levels of sexual violence in the DRC. On 25 October, the Special Rapporteur of the Human Rights Council on violence against women, Yakin Ertürk, in her annual report to the General Assembly's Third Committee, highlighted DRC as one of the places on the globe with particularly acute problems, where the level and nature of sexual violence currently occurring amount to war crimes and crimes against humanity. On 6 November, Deputy Special Representative of the Secretary-General for the DRC Ross Mountain emphasised that the main perpetrators are members of FARDC, police and militias.

On 15 October, the Secretary-General's Special Representative to the DRC, William Lacy Swing, and MONUC Force Commander General Babacar Gaye met DRC President Joseph Kabila to discuss the continued violence in North Kivu. After the meeting Swing released a statement reiterating UN support for the government but stressing the president's "right and his duty" to protect all citizens of the DRC.

On 27 October, a militia commander, Kibamba Kasereka, leader of the *Forces patriotiques Mayi-Mayi*, also known as *Forces armées populaires de libération* (FAPL) and 29 of his men surrendered to MONUC peacekeepers in North Kivu. On 3 November, 16 former military commanders from Ituri region and 300 of their troops handed themselves over to MONUC for reintegration into FARDC.

The Assistant Secretary-General for Political Affairs, Haile Menkerios, travelled to the DRC between 3-5 November, meeting government officials in Kinshasa as well as government and military leaders and civil society groups in Goma. The meeting in the DRC was followed by meetings with the Government of Rwanda, and were designed to promote a solution to the regional dimensions of the ongoing conflict in eastern DRC. An agreement, facilitated by the UN, was reached between DRC and Rwanda on 9 November. Kinshasa resolved to forcibly disarm and hand over to Kigali members of Hutu militia groups operating in eastern DRC suspected of responsibility for the 1994 Rwanda genocide. In a presidential statement on 21 November the Council commended both governments on their

### Other

- S/2007/547 (14 September 2007) was the letter from the chairman of the Liberia Sanctions Committee conveying the two letters constituting the report of the KPCS to the Council.
- S/2007/340 (24 May 2007) was the latest report of the Panel of Experts on Liberia.
- S/2006/1044 (28 December 2006) was the latest sanctions committee report.

### Other Relevant Facts

#### Special Representative of the Secretary-General

Alan Doss (UK), to be succeeded by Ellen Løj (Denmark)

#### UNMIL: Size, Composition and Cost

- Total authorised strength: 15,125 military and 1,240 police
- Strength as of 31 October 2007: 13,528 military and 1,172 police
- Key contributing countries: Bangladesh, Ethiopia, Nigeria and Pakistan
- Cost: 1 July 2006 – 30 June 2007: \$745.57 million

#### UNMIL: Duration

September 2003 to present; mandate expires 30 September 2008.

#### Chairman of the Sanctions Committee

Nassir Abdulaziz Al-Nasser (Qatar)

## Democratic Republic of the Congo

### Expected Council Action

The Council is expected to renew the mandate of the UN Mission in the Democratic Republic of the Congo (MONUC), which expires on 31 December. The Secretary-General's latest report on MONUC, received on 14 November, recommends renewal at current levels at least until after the 2008 local elections.

### Key Recent Developments

Violence in the eastern regions of North and South Kivu has worsened recently, resulting in a further deterioration in the humanitarian situation. Ongoing conflict involves the national army, the Armed Forces of the Democratic Republic of Congo (*Forces armées de la République Démocratique du Congo* or FARDC), and forces loyal to ren-

## UN Documents

### Selected Security Council Resolutions

- S/RES/1771 (10 August 2007) renewed the sanctions regime, with some modifications to the arms embargo, and the mandate of the Group of Experts until 15 February 2008.
- S/RES/1756 (15 May 2007) renewed MONUC until 31 December.
- S/RES/1698 (31 July 2006), 1649 (21 December 2005) and 1596 (18 April 2005) strengthened sanctions.

### Latest Presidential Statement

- S/PRST/2007/44 (21 November 2007) commended the DRC and Rwanda on their 9 November agreement (S/2007/679, annex) and urged full implementation.

### Selected Press Statement

- SC/9113 (12 September 2007) expressed concern about violent clashes in eastern DRC.

### Latest Secretary-General's Report

- S/2007/671 (14 November 2007) recommended MONUC's renewal at current levels.

### Selected Secretary-General's Letter

- S/2007/586 (2 October 2007) was the Secretary-General's letter informing the Council of his appointment of the latest Group of Experts.

### Selected Letters from the DRC to the Council

- S/2007/550 (18 September 2007) was a letter urging the Council to ask MONUC to help end impunity in eastern DRC.
- S/2007/443 (18 July 2007) was the DRC government's request for a review of the arms embargo on the country.

### Selected Group of Experts' Report

- S/2007/423 (16 July 2007) was the final report submitted pursuant to resolution 1698.

### Security Council Mission Briefing Record

- S/PV.5706 (26 June 2007) was a briefing by the heads of the Council's mission to Africa in June.

## Other Relevant Facts

### Group of Experts

- Abdoulaye Cissoko (Mali, aviation expert)
- Caty Clément (Belgium, regional expert)
- Amadou Hamidou (Niger, customs expert)
- Ramón Miranda Ramos (Spain, arms expert and Coordinator of the Group)
- Gregory Salter (United Kingdom, finance expert)

### Special Representative of the Secretary-General and Head of Mission (MONUC)

William Lacy Swing (US), to be succeeded by Alan Doss (UK)

### MONUC Force Commander

Lieutenant-General Babacar Gaye (Senegal)

### Size, Composition and Cost of Mission

- Strength as of 31 October 2007: 17,386 military and 1,013 police
- Main troop contributors: India, Pakistan, Bangladesh and Uruguay
- Approved budget (1 July 2007-30 June 2008): \$1,166.72 million

### Duration

30 November 1999 to present; mandate expires on 31 December 2007

## Cyprus

### Expected Council Action

The Council is expected to renew the mandate of the UN Peacekeeping Force in Cyprus (UNFICYP), due to expire on 15 December, for six months. A report from the Secretary-General is due by 3 December.

### Key Recent Developments

The political stalemate in Cyprus continues. None of the technical committees or bicomunal working groups planned in the 8 July 2006 agreement between Greek and Turkish Cypriot leaders (S/2006/572) has been established.

On 5 September, Greek Cypriot President Tassos Papadopoulos and Turkish Cypriot leader Mehmet Ali Talat met and agreed on the need to start implementing the 8 July agreement soon and to continue contacts

through the UN. However, the Turkish leader later denounced Greek Cypriots for not being "psychologically ready to start full-fledged negotiations" while President Papadopoulos accused the other side of trying to change the terms of the 8 July agreement.

President Papadopoulos met Secretary-General Ban Ki-moon later in September. It seems that Ban asked him to submit ideas on how to speed up the process and proposed that the parties discuss confidence-building measures. But President Papadopoulos indicated on 17 October that confidence-building measures should only be addressed in parallel to discussions on "basic aspects of the Cyprus problem."

Mehmet Ali Talat met the Secretary-General on 16 October and urged him to attempt more actively to restart the talks. Talat proposed a package of confidence-building measures (S/2007/625). After the meeting, the Secretary-General said that without firm commitment from both sides, it would be difficult for him to take new initiatives.

In June, the Secretary-General noted that "the value added" of UNFICYP was being increasingly questioned by international actors in the absence of significant progress in the political process and that both leaders needed to bring to an end the ongoing mutual recriminations.

In resolution 1758 of 15 June, which renewed the mandate of UNFICYP for six months, the Council said that the responsibility for finding a solution lied foremost with the Cypriots. It expressed support for the 8 July 2006 agreement, and called on the parties to immediately engage constructively with the UN to allow full-fledged negotiations.

In October, the UK signed a strategic agreement with Turkey on cooperation on terrorism, cultural and economic support and EU accession. Cyprus stated on 24 October that the agreement promoted separate relations of the Turkish Cypriot "secessionist entity" with the rest of the world and was a negative development that could undermine the implementation of the 2006 agreement.



In Cyprus, the UNFICYP de-mining team appears to have made progress. However, the team has been unable to continue in Turkish fields because the Turkish army has not yet agreed to sign a de-mining protocol with the UN.

### Options

If the Council wants simply to maintain the status quo, it could:

- renew UNFICYP for another six months and urge the parties to implement the 8 July 2006 agreement; and
- call for the implementation of confidence-building measures, particularly regarding the opening of the Ledra crossing.

But if it wishes to press the parties more proactively to reengage, it could:

- request the Secretary-General to review the UNFICYP mandate with a view of a future downsizing of troops; or
- request the Secretary-General to propose new initiatives as options after consulting with the parties.

### Key Issues

The main issue is whether this is an appropriate time for the Council to seek further progress, given that the next presidential elections in Cyprus are scheduled in February 2008.

A related issue is whether the same constraints should limit the Secretary-General undertaking a more proactive role.

In the medium-term, an issue is whether the threat of a UNFICYP drawdown would actually serve as leverage. Some see a withdrawal of UNFICYP as impacting mostly the Greek Cypriots but others dispute that view.

### Council Dynamics

The UK tends to take the lead on Cyprus. UNFICYP resolutions are usually discussed among the P5 before being shared with the rest of the Council. In June, some, including South Africa and Indonesia, expressed frustration at being kept outside the loop.

Within the P5, Russia and France have generally supported the Greek Cypriots. The UK and the US usually seek more balanced language. China supports the UN-sponsored process and has said that it is up to the parties to resume full-fledged negotiations.

It seems that the general mood is to continue to call for the implementation of the 8 July agreement. Some, especially France, seem willing to emphasise the need to resume talks regardless of the upcoming elections in Cyprus.

### UN Documents

#### Latest Council Resolution

- S/RES/1758 (15 June 2007)

#### Latest Secretary-General's Report

- S/2007/328 (4 June 2007)

#### Selected Letters

- S/2007/649 (1 October 2007) was a letter from the Turkish Republic of Northern Cyprus (TRNC) reacting to President Papadopoulos' speech to the General Assembly high-level debate on 26 September.
- S/2007/625 (19 October 2007) was a letter from the TRNC transmitting proposals for confidence-building measures.
- S/2006/572 (25 July 2006) was the letter from the Secretary-General transmitting the 8 July agreement.

### Other Relevant Facts

#### Special Representative of the Secretary-General and Head of Mission

Michael Møller (Denmark)

#### Force Commander

Major General Rafael José Barni (Argentina)

#### Size and Composition of Mission (as of 31 October 2007)

- Strength: 922 total uniformed personnel, including 860 troops and 62 police.
- Contributors of military and police personnel: Argentina (including soldiers from Brazil, Chile, Paraguay and Peru), Australia, Austria, Bosnia-Herzegovina, Canada, Croatia, El Salvador, Hungary, India, Ireland, Italy, the Netherlands, Slovakia and the UK

#### Cost

1 July 2007-30 June 2008: \$48.85 million (including voluntary contributions of one-third from Cyprus and \$6.5 million from Greece)



## Burundi

### Expected Action

The Council is expected to adopt a resolution renewing the mandate of the UN Integrated Office in Burundi (BINUB), which expires on 31 December.

### Recent Developments

The situation in the country remained tense with a political impasse in parliament and the *Forces nationales de libération* (Palipehutu-FNL) not committed to the Joint Verification and Monitoring Mechanism (JVMM), as well as fighting between rival factions within the FNL. On 28 September, President Pierre Nkuranziza announced a power sharing agreement with rival parties to end the deadlock that had paralysed parliament, rendering it unable to pass laws. Subsequently, on 7 November, First Deputy President Martin Nduwimana resigned to help further unravel the political deadlock.

In early September, heavy clashes were reported between FNL fighters loyal to their leader, Agathon Rwasa, and those opposed to him in the northern suburbs of Bujumbura. The FNL later accused the government of supporting the splinter group. In mid-September, thousands fled their homes in the northwest Burundi province of Bubanza following raids thought to be by the FNL. On 25 October, the FNL attacked a position occupied by the splinter group in Bujumbura Rural Province.

The South African facilitator in Burundi's peace process, Charles Nqakula, reportedly said on 15 October that the FNL will rejoin the JVMM. Subsequently, media reports indicated that mediators were investigating whether defectors from the FNL leader were genuine (the FNL was reported in September to have indicated that they would not rejoin the Mechanism unless the mediator was replaced, mainly because of the facilitator's stance on provision of protection for FNL defectors wanting to join the peace process). Concrete progress in getting the FNL to rejoin the JVMM is still lacking.

At press time, the Council was expected to hold an open briefing on 28 November where the South African facilitator in Burundi's peace process was to report to the Council on the latest developments regarding his facilitation activities.

### Related Developments in the Peacebuilding Commission

The Chairman of the country-specific configuration of the PBC on Burundi, Norwegian Ambassador Johan Løvald, conducted a fact-finding visit to the country from 5 to 7 September to follow up on the deteriorating situation there. He voiced concern about the general uncertainty, the stalemate in Burundi's parliament, its troubling budgetary situation and the suspension of the work of the JVMM.

In November, five PBC country-specific configuration meetings on Burundi were held in informal settings on the development of a monitoring and tracking mechanism for the strategic framework for peacebuilding in the country (adopted in June). Members are reported to have reached agreement on the general structure and approach of the mechanism and at press time were involved in deliberations regarding benchmarks to be attained under the mechanism.

### Key Issues

A key issue is progress with achieving the benchmarks of BINUB's mandate, set out in the 14 August 2006 addendum to the Secretary General's June 2006 report on the UN Operation in Burundi (ONUB). They include elements on peace consolidation, security sector reform and civilian disarmament, human rights and justice and socioeconomic development. Another key issue is how far the Council should go at this time in addressing developments in the country and how far it should go in allowing space for the PBC to address issues in the first instance.

### Options

The Council's options include:

- requesting a briefing from the chair of the Burundi PBC country-specific configuration;
- renewing the BINUB mandate but without any amendments; and

- renewing the BINUB mandate but also taking up a number of current issues with a view to reinforcing the PBC, including urging the FNL to commit fully to reengage in the JVMM.

### Council Dynamics

There appears to be general agreement among members on extending the mandate of BINUB, a situation influenced largely by concern about the fragile political and security situation in the country and the need to meet the clearly set out benchmarks of the UN Office.

France, the African members and Belgium have the lead on this issue.

### UN Documents

#### Selected Resolutions

- S/RES/1719 (25 October 2006) asked the Secretary-General to establish BINUB.
- S/RES/1606 (20 June 2005) requested the Secretary-General to start negotiations on transitional justice mechanisms in Burundi.

#### Selected Security Council Presidential Statement

- S/PRST/16 (30 May 2007) was a Council statement which welcomed the establishment of BINUB and called on parties to resolve outstanding issues.

#### Selected Secretary-General's Report

- S/2007/682 (26 November 2007) was the latest report on BINUB.
- S/2006/994 (18 December 2006) was the last report on ONUB.

#### Other Selected Documents

- SC/9056 (21 June 2007) was a Council press statement on the 17 June talks in Dar es Salaam between the president of Burundi and the leader of the rebel FNL.
- PBC/1/BDI/2 (21 May 2007) was the report of the PBC mission to Burundi.

### Other Relevant Facts

#### Executive Representative of the Secretary-General and Head of BINUB

Youssef Mahmoud (Tunisia)

#### Size and Composition of Mission (1 January 2007)

- Proposed strength: 448 personnel (including 141 international civilians, 235 local civilians, four military observers, 11 police, 51 UN volunteers)

- Strength as of October 2007: 399 personnel (including 116 international civilians, 217 local civilians, eight military observers, 12 police, 46 UN volunteers)

#### Duration

January 2007 to present; mandate expires 31 December

#### Recommended Budget

\$33.1 million

## Sierra Leone

### Expected Council Action

The mandate of the UN Integrated Office in Sierra Leone (UNIOSIL) expires on 31 December. Informal consultations are likely to consider the long overdue Secretary-General's report requested by resolution 1734 to be submitted "closer to the election date" (possibly to now be furnished by mid-December) based on a comprehensive assessment, to help the Council in defining UNIOSIL's exit strategy. A resolution extending and refining UNIOSIL's mandate is likely.

### Recent Developments

On 8 November, the Sierra Leone government submitted a letter to the Council requesting a one-year extension of the mandate of UNIOSIL "as it is currently structured, and with the same institutional link with the Secretariat, through the Department of Peacekeeping Operations." The reasons given by the government for requesting the continued presence of UNIOSIL centred on fostering peace-consolidation initiatives (including governance reform and accountability), enhancing the rule of law, security sector reform, promoting sustainable development and ensuring greater national cohesion.

Ernest Bai Koroma, Sierra Leone's new president, was officially inaugurated on 15 November. He promised that tackling corruption will be a major priority for his government, after a report he commissioned revealed widespread corruption under the previous government. However, observers note that there is a risk that prosecutions may be seen as victimisation of supporters of the former government.

In early November, Amnesty International called on the Sierra Leone government to improve its assistance to victims of sexual abuse during the country's brutal civil war. Amnesty estimated that about a third of the country's female population were subject to rape and forms of sexual abuse during the conflict.

For recent information relating to the run-off presidential election, the Council's subsequent press statement and related developments please see our November *Forecast*.

### Related Developments in the Peacebuilding Commission

In November the country specific configuration of the PBC on Sierra Leone met four times in informal settings to continue development of the Sierra Leone cooperation framework document. It is reported that agreement has been reached on the eventual adoption of the framework as a PBC document by mid-December.

### Key Issues

The key issue for the Council remains the future of UNIOSIL and its role in effectively consolidating peace in the country, as well as how to factor in the advice of the PBC into its consideration of these issues. A further issue relates to residual matters from the Special Court of Sierra Leone.

### Options

Options include:

- maintaining the mandate of UNIOSIL unchanged for another year;
- maintaining the current mandate of UNIOSIL for a shorter period (e.g. six months), but making it subject to review with a possible transformation into a purely political mission (which seems a more likely option); and
- enhancing collaboration with the PBC in peace consolidation, including integrating its advice in the Council's decisions.

### Council Dynamics

Many Council members remain cautious about phasing out UNIOSIL, in view of the relative fragility of the situation and recent lessons learned elsewhere on premature withdrawal. Some members, like the UK and the African members, attach importance to avoiding a hasty exit. However, the Council as a whole seems amenable to a

drawdown over a period shorter than that requested by the Sierra Leone government, while closely monitoring developments on the ground, before transforming UNIOSIL into a political office.

(For information on the dynamics of the interface between the Council and the PBC on this issue please see our November *Forecast*.)

The UK and Ghana are the lead countries on this issue.

### Underlying Problems

Lingering root causes of the war include youth unemployment, corruption and poor standards of living.

### UN Documents

#### Selected Security Council Resolutions

- S/RES/1750 (30 March 2007) noted that UNMIL should continue to provide administrative and related support and security for activities in Liberia of the Special Court of Sierra Leone.
- S/RES/1734 (22 December 2006) extended the mandate of UNIOSIL until 31 December 2007 and requested a comprehensive assessment of UNIOSIL's role closer to the election date.

#### Selected Presidential Statement

- S/PRST/2007/23 (28 June 2007) addressed the work of the Special Court for Sierra Leone.

#### Selected Secretary-General's Report

- S/2007/257 (7 May 2007) was the fourth report of the Secretary-General on UNIOSIL.

#### Other

- S/2007/659 (8 November 2007) was a letter conveying the request of the Sierra Leone government for an extension of the mandate of UNIOSIL for a further period of one year.
- SC/9121 (19 September 2007) was a press statement on the results of the run-off presidential elections.

#### Peacebuilding Commission

- PBC/SIL/2006 SR.3 and SR.4 were the summary records of the third and fourth meetings of the PBC.
- PBC/OC/1/2 (21 June 2006) was a letter from the Council president to the Secretary-General referring Sierra Leone to the PBC.



### Other Relevant Facts

#### UNIOSIL Executive Representative of the Secretary-General

Victor da Silva Ângelo (Portugal)

#### Size and Composition of Mission

Total budgeted staff of 298, comprising 82 international staff, 192 local staff and 24 UN volunteers.

#### Duration

1 January 2006 to present; current mandate expires 31 December 2007.

## Guinea-Bissau

### Expected Council Action

The Council is expected to receive a letter from the Secretary-General advising that he intends to extend the mandate of the UN Peacebuilding Support Office in Guinea-Bissau (UNOGBIS), which expires on 31 December. The Council is likely to respond to the Secretary-General with a letter approved under the "silence procedure." If objections arise, discussions between experts or informal consultations are possible.

### Key Recent Developments

There is mounting concern over Guinea-Bissau's growing role as a drug trafficking transit point from South America to Europe and beyond. This was highlighted in the Secretary-General's September UNOGBIS report and reflected by the Council in its presidential statement of 19 October. It also arose at the eleventh high-level meeting between the heads of UN missions in Africa, held in Dakar, Senegal on 4 November. The Secretary-General's report also noted that drug trafficking is jeopardising the democratisation process. In all three cases particular concern was expressed over threats to regional stability.

On 6 September in Brussels, the Economic Community of West African States (ECOWAS) and the EU held their first expert



meeting on the issue of drugs, acknowledging the need for joint action on trafficking from West Africa. Peace and security and drug trafficking in the region will also be on the agenda of the second EU-Africa Summit, being hosted by Portugal, the current EU Council president, in Lisbon on 8-9 December.

The UN Office on Drugs and Crime (UNODC) released a situation report, *Cocaine Trafficking in Western Africa*, in October. The report underlined the problems arising from inadequate law enforcement in weak states, including Guinea-Bissau. At a conference in Madrid on 15 November, the head of UNODC, Antonio Maria Costa, said that the value of the drug trade in Guinea-Bissau may be as high as national income.

The October presidential statement noted concern over the security and safety of government officials involved in fighting drug trafficking and organised crime. The need for security sector reform was on the agenda of both the last meeting of the International Contact Group on Guinea-Bissau (France, Gambia, Guinea, Portugal, Senegal, Spain and the Executive Secretariats of ECOWAS and the Community of Portuguese-speaking Countries) held in New York on 24 September, and that of the ECOWAS-EU Ministerial Troika held in Ouagadougou, Burkina Faso on 11 October. At the former, states pledged assistance with strengthening institutions. At the latter, an EU operation to support security sector reform was discussed, including the fight against narcotics.

On 17 November, the International Monetary Fund announced that Guinea-Bissau would receive \$5.6 million in Emergency Post-Conflict Assistance in 2008 in recognition of fiscal responsibility since the new prime minister, Martinho Ndafo Kabi, took office in April.

A request that Guinea-Bissau be placed on the agenda of the Peacebuilding Commission was made in a letter from the prime minister to the Secretary-General, received on 11 July. In his September UNOGBIS report, the Secretary-General stated that he had brought this request, supported by the Community of Portuguese-speaking Coun-

tries, to the attention of the Security Council. In its October presidential statement, the Council noted the request and said it would consider it "as a matter of priority."

### Options

Options in December include:

- a simple response to the Secretary-General indicating that the Council supports extension of the current mandate of UNOGBIS;
- requesting the Secretary-General to report to the Council on options to enhance support for democratisation and to combat drug trafficking;
- issuing a presidential statement indicating an intention to take a higher profile interest in the situation in Guinea-Bissau; and
- taking up the request that Guinea-Bissau be placed on the agenda of the Peacebuilding Commission.

### Key Issues

The most pressing issue is the mandate of UNOGBIS, which ends on 31 December. But perhaps more significant over the medium-term is the issue of whether the Council will take a higher profile interest in Guinea-Bissau due to the impact on stability of the growing drug trafficking problem, the fragility of the democratisation process and the further weakening of the economy. The related issue of the request regarding the Peacebuilding Commission is also a major policy issue.

### Council Dynamics

Guinea-Bissau has been a low priority for the Council. However, the recent presidential statement reflected growing acknowledgement of the need to further support the fragile democratisation process and fight against drug trafficking. No objections are expected from Council members to the extension of the UNOGBIS mandate.

Ghana is the lead country on this issue.

## UN Documents

### Security Council Resolutions

- S/RES/1580 (22 December 2004) revised and extended the mandate of UNOGBIS.
- S/RES/1233 (6 April 1999) supported the Secretary-General's decision to establish UNOGBIS.

## Latest Presidential Statement

- S/PRST/2007/38 (19 October 2007) called on the government and the UN system to take further action on drug trafficking and organised crime.

## Reports and Letters of the Secretary-General

- S/2007/576 (28 September 2007) was the latest report on UNOGBIS.
- S/2006/975 (13 December 2006) and S/2006/974 (8 December 2006) was an exchange of letters recommending extension of UNOGBIS until 31 December 2007 and noting the activities of UNOGBIS.

## Other

- SC/9145 (19 October 2007) was the latest press statement by the Council.

## Other Relevant Facts

### Representative of the Secretary-General and Head of UNOGBIS

Shola Omoregie (Nigeria)

### Size of UNOGBIS Staff

29, including international civilians, military advisers, police advisers and local civilians

### Duration

6 April 1999 to present; mandate expires on 31 December 2007

## Useful Additional Sources

*Cocaine Trafficking in Western Africa*, UNODC situation report, October 2007

## International Criminal Tribunals

### Expected Council Action

The Council will receive briefings from the presidents and prosecutors of the International Criminal Tribunals for the former Yugoslavia (ICTY) and Rwanda (ICTR) on the semi-annual progress reports on the respective completion strategies for each Tribunal.

The Council is expected to have a robust discussion on the reports given the approaching deadline and the sensitivity of the issues. The legacy (or residual) issues arising when the Tribunals close may also emerge.

No formal action is required. However, a presidential statement urging the interna-

tional community to intensify cooperation with the Tribunals in the coming year is possible.

### Key Recent Developments

The Council agreed to the Secretary-General's choice of Serge Brammertz to replace Carla Del Ponte as Prosecutor of the ICTY on 28 November.

The annual reports of the ICTY and ICTR were released in August and presented to the General Assembly on 15 October by ICTY President Fausto Pocar and ICTR President Dennis Byron. Both presidents expressed frustration that a number of indictees were still at large, and both highlighted the problem of retaining staff.

The Tribunals' registrars have set up an advisory committee on the archives of the UN Tribunals for the ICTY and ICTR, which began a study on 9 October, under the chairmanship of former ICTY and ICTR Prosecutor Richard Goldstone, on options for future accessibility and locations for the archives. The first interim report is due in the first quarter of 2008.

A joint paper produced by ICTY and ICTR on the residual functions of the Tribunals was submitted to the Council Working Group on Ad Hoc Tribunals at the end of September. The Working Group met on 28 November to discuss the paper.

In a briefing on legacy issues to the Council's legal experts on 30 October, Pocar said the Tribunals would still be needed after 2010, but "radically downsized".

Several significant arrests were made this year. Zdravko Tolimir was arrested in a joint operation by the Bosnia-Serbian police at the end of May and Vlastimir Djordjevic was captured by the Serbian police in Montenegro in mid-June. On 17 September, Augustin Ndirabatware, the former Rwandan Minister of Planning (accused of making an agreement to commit genocide) was arrested in Germany.

### Options

One option would be a presidential statement highlighting the urgency of cooperation from the international community in apprehending the remaining fugitives.

If the Council feels that stronger measures are needed, a resolution is a possibility.

Other options include:

- Indicating, perhaps in a press statement, a timeline for decisions on the residual functions of the Tribunals;
- strengthening the Working Group on Ad Hoc Tribunals by selecting a permanent chairman who would carry the work through to completion; and
- requesting more regular reports in 2008 to closely monitor progress on the completion strategies.

### Key Issues

A key issue for the Council is when to take formal decisions relating to the Tribunals and what to do if important indictees are not apprehended by the end of 2008. A related issue is how to apply pressure on countries to intensify cooperation with the Tribunals. Serbia has been more cooperative recently. But Radovan Karadžić and Ratko Mladic remain at large.

Other issues include whether the Tribunals physically can complete all trials by 2008 and therefore whether to increase the capacity of the two Tribunals. The related problem of retaining staff as the Tribunals wind down is also attracting increasing attention.

Another related issue is whether resolution 1503 of 2003 (which called on the ICTY and ICTR to "take all possible measures to complete investigations by the end of 2004, to complete all trial activities at first instance by the end of 2008, and to complete all work in 2010") should be interpreted as binding on the Tribunals to complete their work by the deadline and what action if any is formally requested if there is a need to extend the operations.

The issue of the so-called "legacy" includes how to handle future trials of fugitives still at large, review of judgments, supervision of prison sentences, early release and pardon, contempt proceedings, witness protection, prevention of double jeopardy in national courts, archives and human resources issues.

Of practical concern is a potential budgetary gap by 2009. The General Assembly's Advisory Committee on Administrative and



Budgetary Questions is currently considering the biennium 2008-2009 budget, but as yet, the Council has not taken decisions on legacy issues.

There is also the issue of transferring cases to national courts. The ICTR said in 2006 that it intends to transfer 44 cases, but it has already come up against problems, ranging from concerns about fair trials in Rwanda to the lack of jurisdiction to try fugitives for genocide in various countries.

A potential issue is the protection of witnesses in the case of Ramush Haradinaj, former prime minister of Kosovo. Since his trial began in March, two witnesses have failed to turn up in court and there have been complaints of witness intimidation.

An internal issue is the lack of a lead country on this issue. Moreover, the Working Group chairmanship rotates monthly and operates very informally.

### Council and Wider Dynamics

Members know that difficult decisions need to be made, but they have not as yet needed to focus on the hard issues.

Most are open to a flexible deadline. Russia has in the past made it clear that it sees 2010 as a real deadline. However, with a number of key fugitives still at large, there is a growing expectation of some flexibility. But in recent months issues relating to the former Yugoslavia have been very sensitive in the Council, and this, plus developments in Kosovo, could colour the issue and diminish prospects for any substantive discussion in December.

Most members are open to discussing various types of residual mechanisms but as substantive discussions have not taken place, clear positions have yet to emerge. There could be some new dynamics with the change in Council members in January with Croatia for example likely to take a keen interest in legacy issues.

## UN Documents

### Selected Security Council Resolutions

- S/RES/1786 (28 November 2007) appointed Brammertz as the ICTY prosecutor.
- S/RES/1775 (14 September 2007) extended Carla Del Ponte as prosecutor of the ICTY till 31 December 2007.
- S/RES/1774 (14 September 2007) reappointed Hassan Jallow as Prosecutor of the ICTR.
- S/RES/1534 (26 March 2004) called on the ICTY and ICTR to review their respective caseloads and requested both tribunals to provide the Council with a progress assessment of their completion strategies every six months.
- S/RES/1503 (28 August 2003) called on the ICTY and ICTR to complete all trial activities in the first instance by the end of 2008 and to complete all work in 2010.
- S/RES/955 (8 November 1994) established the ICTR and contained its statute in the annex.
- S/RES/827 (25 May 1993) established the ICTY and approved the statute as proposed by the Secretary-General in his report S/25704.

### Selected Reports of the Secretary-General

- S/25704 (3 May 1993) contained the statute of the ICTY, as requested by resolution 808 of 22 February 1993.

### Selected Letters

- S/2007/678 (12 November 2007) was the letter from the Secretary-General to the president of the Council requesting that Serge Brammertz be appointed prosecutor of the ICTY.
- S/2007/323 (23 May 2007) was the letter from the ICTR president to the Council president on the implementation of the completion strategy.
- S/2007/283 (15 May 2007) was the letter from the ICTY president to the Council president containing the latest progress report on the implementation of the completion strategy.
- S/2006/951 (30 November 2006) was the letter from the ICTR president to the Council president containing the progress report on the implementation of the completion strategy at the end of 2006.

- S/2006/898 (15 November 2006) was the letter from the ICTY president to the Council president containing the progress report on the implementation of the completion strategy at the end of 2006.
- S/2006/358 (29 May 2006) was the letter from the ICTR president to the Council president containing a revised version and assessment of the ICTR completion strategy.
- S/2006/353 (29 May 2006) was the letter from the ICTY president to the Council president containing the assessment of and report on the ICTY completion strategy.

### Selected Presidential Statements

- S/PRST/2002/21 (23 July 2002) endorsed the ICTY's completion strategy.

### Other Relevant Documents

- S/PV.5697 (18 June 2007) was the last Security Council briefing by the presidents and prosecutors of the ICTY and ICTR.
- S/2006/666 (21 August 2006) was the 2006 annual report of the ICTY.
- S/2006/658 (16 August 2006) was the 2006 annual report of the ICTR.
- S/PV.5594 (15 December 2006) was the Council briefing by the presidents and prosecutors of the ICTY and ICTR.
- A/60/436 (17 October 2005) was the report of the Secretary-General on staff retention and legacy issues.

### Other Relevant Facts

#### ICTY

- Four accused at large, including former Bosnian Serb President Radovan Karadžić and his military commander Ratko Mladic
- Nine accused at the pre-trial stage, 14 referred to a national jurisdiction, 29 on trial, 22 at the appeal stage
- Webpage: <http://www.un.org/icty/index.html>

#### ICTR

- 18 accused at large, including Félicien Kabuga, a businessman accused of inciting massacres in Rwanda
- Eight accused awaiting trial, 22 on trial, six at the appeal stage
- Webpage: <http://69.94.11.53/default.htm>

## UN Office in West Africa (UNOWA)

### Expected Council Action

The Council is expected to receive a letter from the Secretary-General advising his intention to extend the mandate of the UN Office in West Africa (UNOWA), due to expire on 31 December (perhaps for another three years). The Council is unlikely to meet on this issue. A response to the Secretary-General about extending UNOWA's mandate is likely to be prepared by the president and circulated under the "silence procedure" (by which a measure is accepted unless objections are raised within a given timeframe). If there are any objections, an experts' meeting is a possibility.

### Recent Developments

On 18 May, the Council received a report from an independent review of UNOWA that assessed its activities and performance in carrying out the major functions it has been assigned. It has also been provided feedback from the Economic Community of West African States (ECOWAS) and other main international partners, including those from the UN system, on the work of UNOWA. The report mentioned UNOWA's impact in terms of its good-offices functions, its efforts in harmonising the work of the various special political and peacekeeping missions in the subregion, its analysis of youth unemployment, the work of the Cameroon-Nigeria Mixed Commission, the impact on the proliferation of small arms and on the peaceful and constitutional transfer of power. There was little mention of UNOWA's provision of a regular forum for special political and peacekeeping missions in the subregion to deliberate on common challenges and cross-border issues. In addition, it did not elaborate on strategies or options for cooperation between UN missions to ensure their improved cohesion and maximum efficiency.

On 4 September, the Secretary-General wrote to the Council advising his intention to temporarily assign Lamine Cissé, former head of the UN Support Office in Central Africa Republic, as head of UNOWA. His predecessor, Ahmedou Ould-Abdallah, was appointed as Special Representative for Somalia.



## Key Issues

The key issue is whether the Council may be willing to lend wider support to the mandate of UNOWA, beyond simply renewing its mandate. The current situation in the region continues to show considerable cross-border challenges to peace and security in the region. The issue is whether the work of UNOWA needs to be further fine-tuned as an important feature of the Council's multi-pronged effort towards conflict prevention and resolution.

## Options

While past practice for the Council has been simply to endorse the Secretary-General's recommendation for an extension and request additional information on UNOWA's work, options for Council members include:

- using the UNOWA extension as a practical case for furthering its thematic discussions on conflict prevention and including language that would stimulate the focus on the regional perspective;
- deciding to formally insert periodic reviews on progress with intermission cooperation measures undertaken by UNOWA (and others in the area) and assessing the work of UNOWA to recommend possible adjustments to its mandate;
- responding to the issues raised in the recent independent review's recommendations, including those on UNOWA's future policy and practice; and
- encouraging a deliberate and enhanced utilisation of UNOWA's studies of trends in the subregion (e.g. youth unemployment) to harmonise related efforts by various partners in contributing to conflict prevention and peacebuilding in the subregion.

## Council Dynamics

The Council has not formally considered the independent interim review report on UNOWA since its release in May, possibly because it has not been an issue of priority, especially since continuation of UNOWA's mandate had already been agreed during its 2006 mandate review process. The report was originally expected to be submitted in July 2006 but it was received ten months later, and has not been considered by the Council in the more than five months that have elapsed since its release. Unlike the previous 2004 review of UNOWA, which was prepared internally by UNOWA and the

Secretariat, the latest report was done by an independent consultant appointed by UNOWA in consultation with the UN Office of Internal Oversight Services to avoid replicating the previous exercise and to ensure objectivity of scrutiny of UNOWA's work.

In the past Council members have criticised UNOWA's effectiveness and have indicated willingness to consider changes to both its mandate and structure within the mandate review process.

The Council's continued support of UNOWA appears to have been influenced in part by the view that it is a novel experiment to bridge the gap between UN country-level capacity to respond to issues in the region and intervention from UN headquarters. Also the cost of mounting stand-alone operations in several countries in a single region has been an additional incentive for the Council to support UNOWA's work, intermission cooperation and strengthening ECOWAS.

Furthermore, the recent growth in UN peacekeeping operations and the resulting scarcity in human and financial resources are making the consolidation of regional approaches more attractive to Council members. The Council seems to be interested in the idea of an analogous office in Central Asia and a similar facility jointly for Central Africa and the Great Lakes region.

In terms of the procedure for renewing UNOWA's mandate, the practice to date, has been through an exchange of letters. The Secretary-General is expected to write to the Council informing it of his intention to extend the mandate of UNOWA for a period. In turn, the Council then indicates concurrence (in effect, endorsement) through a letter, and may request further information and voice opinions on the work of UNOWA.

No particular Council member appears to be in the lead on the issue of UNOWA at the moment, although African members have tended to play that role. None of the present elected members were on the Council three years ago when the mandate of UNOWA was last a major focus.

Besides setting up UNOWA in 2001 and subsequent renewal of its mandate in 2004, substantive action on regional and cross-border issues by the Council has been limited to a presidential statement and little



mention in its country-specific resolutions. There seem to be divisions in the Council, along with some degree of scepticism and sometimes a lack of understanding, on how best to approach regional solutions, especially regarding intermission cooperation. Within the Council and also among troop-contributing countries, there appear to be concerns with legal and managerial implications of that possibility. Achieving an appropriate balance without diverting the main focus of peacekeeping operations in the region away from country-specific activities seems to be an underlying concern.

(For more information relating to this issue see our 15 March *Update Report on Cross-Border Issues in West Africa*).

## UN Documents

### Selected Presidential Letters

- S/2004/858 (25 October 2004) was the letter of the president of the Security Council welcoming the Secretary-General's decision to extend the mandate of UNOWA.
- S/2001/1129 (29 November 2001) welcomed the intention of the Secretary-General to establish UNOWA for three years from January 2002 to 31 December 2004, subject to a review after its first year of operation.

### Selected Secretary-General's Letters

- S/2007/522 (27 August 2007) was a letter conveying the Secretary-General's intention to temporarily reassign General Lamine Cissé as the officer-in-charge of UNOWA.
- S/2005/16 (14 December 2004) was the Secretary-General's letter to the Security Council conveying the intended mandate functions and activities of UNOWA from 1 January 2005 to 31 December 2007.
- S/2004/797 (4 October 2004) was the Secretary-General's letter indicating his intention to extend the mandate of UNOWA for three years.

## Selected Secretary-General's Reports

- S/2007/294 (18 May 2007) was a mid-term review of UNOWA during its January 2005 to 31 December 2007 mandate period.
- S/2007/143 (13 March 2007) was the report on cross-border issues in West Africa.
- S/2004/797 (4 October 2004) was a review of activities and performance of UNOWA spanning the January 2003 to July 2004 period.

## Selected UNOWA Studies and Concept Papers

- *Working Document on Sanctions in Africa* (June 2007)
- *Security Landscape and Peace Consolidation in West Africa* (March 2007)
- *Youth Unemployment and Regional Insecurity in West Africa – A UNOWA Issue Paper, Second Edition* (August 2006)
- *Life after State House: Addressing Unconstitutional Changes in West Africa – A UNOWA Issue Paper* (March 2006)
- *Youth Unemployment and Regional Insecurity in West Africa – A UNOWA Issue Paper, First Edition* (December 2005)
- *Elections scheduled between April 2005 and December 2007 in West Africa* (April 2005)
- *Security Sector Reform and Conflict Prevention in West Africa: Challenges and Opportunities – Dakar Workshop* (November 2004)
- *The Regional Impact of the Crisis in Côte d'Ivoire* (April 2004)

These studies and concept papers are available at <http://www.un.org/unowa/studies/studies-cp.htm>.

## Other Relevant Facts

### Special Representative of the Secretary-General

Lamine Cissé (Senegal)

### UNOWA: Size and Composition

Staff Strength: nine international civilians; nine local civilians

### UNOWA: Duration

29 November 2001 to present; mandate expires on 31 December 2007

## Iraq/Kuwait

### Expected Council Action

On 11 December the Council will likely be briefed by Yuli Vorontsov, the Secretary-General's High-Level Coordinator for Iraq's compliance with obligations on Iraq/Kuwait missing persons and return of property. The next report under resolution 1284, which requests the Secretary-General to report to the Council on Iraq's compliance, is due by 5 December. A press statement is expected.

### Key Recent Developments

In his latest report in May, the Secretary-General noted that 233 human remains had been identified out of 605 former detainees in Iraq. He noted the serious security challenges confronting searches in Iraq and called on the Iraqi government to bring to justice those responsible for the execution of Kuwaiti civilians during the Iraq/Kuwait war.

On 10 March 2005, the Governing Council of the UN Compensation Commission (UNCC) approved \$161 million as compensation to family members of 602 former detainees in Iraq determined to be deceased. The Kuwaiti government later confirmed distribution to claimants.

### Options

The Council usually adopts a press statement on developments covered in the semi-annual report, particularly on the fate of missing persons and the whereabouts of Kuwait's missing national archives. The statement also usually condemns the execution of Kuwaiti and third-country nationals by the previous Iraqi regime, expresses condolences to the families of those identified and expresses concern for the plight of families of other missing persons.

### Key Issues

An underlying issue is likely to be whether and when to discontinue the mandate. It seems increasingly unlikely that those still missing will be found alive. In addition, Kuwaiti assessment and exhumation teams have been unable to work in Iraq because of the security situation. However, the fate of missing persons, locating their remains, coupled with the disappearance of the national archives, remain important issues for the Kuwaiti government. Vorontsov's mandate is therefore unlikely to be terminated at this stage.

## Council Dynamics

The UK takes the lead in drafting the press statement. There seems to be consensus that the mandate remains useful and no Council member is likely to push the issue because it is important to Kuwait.

## UN Documents

### Selected Resolutions

- S/RES/1483 (22 May 2003) decided that 5 percent of Iraqi oil proceeds be deposited into the Compensation Fund unless an internationally recognised Iraqi government and the UNCC Governing Council decide otherwise.
- S/RES/1284 (17 December 1999) requested the Secretary-General to report to the Council on the compliance by Iraq with its obligations regarding the repatriation or return of all Kuwaiti and third-country nationals.
- S/RES/692 (20 May 1991) established the UNCC and the UN Compensation Fund.
- S/RES/687 (3 April 1991) established Iraq's legal responsibility for any direct loss, damage, or injury to foreign governments, nationals and corporations, as a result of Iraq's unlawful invasion and occupation of Kuwait.

### Latest Secretary-General's Report

- S/2007/321 (31 May 2007)

### Latest Security Council Press Statement

- SC/9035 (6 June 2007)

### Selected Letters

- S/2007/657 (7 November 2007) was a letter from the Governing Council of the UNCC declining the Iraqi request to reduce its level of contribution to the Compensation Fund.
- S/2007/579 (17 September 2007) was a letter from the Council to Iraq noting the position of the Iraqi government in S/2007/526 and reiterating that the matter was being reviewed by the UNCC Governing Council.
- S/2007/526 (5 September 2007) was a letter from Iraq to the Council requesting a temporary suspension of the obligation to pay compensations with a view to reducing the payments.
- S/2007/398 (3 July 2007) was a letter from the Governing Council of the UNCC to the Security Council on its latest session held from 20 to 22 June 2007.

## Useful Additional Sources

UN Compensation Commission: <http://www2.unog.ch/uncc/>

## Iraq (Oil-for-Food Programme)

### Expected Council Action

The Iraq oil-for-food programme will finally be terminated on 31 December, according to resolution 1483. No further Council action is required. However, the Council will receive recommendations from the Secretary-General on mechanisms to deal with residual issues. The Council is likely to respond to the proposals in a letter.

### Key Recent Developments

In August the Secretary-General sent his latest note on arrangements for terminating operations relating to the letters of credit issued in the oil-for-food programme against the UN Iraq escrow account. He highlighted the slow pace or non-provision of authentication documents by the Iraqi government verifying delivery of goods. There are 188 letters of credit (valued at around \$208 million) which have expired and for which there are claims of delivery from suppliers. Without authentication documents, vendors cannot be paid. In June the UN Controller had again requested the Central Bank of Iraq to expeditiously issue and transmit those documents to the UN.

The Secretary-General suggested that the Council request the Secretariat to develop proposals for mechanisms to address all issues unresolved after 31 December. This could include arbitration or mediation of commercial disputes between the Iraqi government and companies.

On 8 November, the Council endorsed these suggestions and in a letter requested the Secretary-General to make proposals within three weeks. The Council affirmed that the programme would be terminated on 31 December. It also sent a letter to the Iraqi government asking it to expedite processing of remaining letters of credit, and urged it to provide answers to problems of authentication.

### Options

The Council has the following options:

- extend the programme and the letters of credit expiring in December (this seems unlikely);

- endorse the Secretary-General's expected recommendations to establish a Secretariat mechanism for residual issues; or
- take no action, in effect leaving the residual problems to the parties.

### Key Issues

The main issue in December will be whether to authorise the Secretary-General to establish a mechanism to deal with residual issues including the risk of litigation between the Iraqi government and companies after 31 December.

A related issue is whether the funds in the Iraq escrow account should continue to be held pending full resolution of the claims of delivery. Those funds are destined to be transferred to the Development Fund for Iraq under resolution 1483.

### Council Dynamics

Council letters regarding the remaining arrangements of the oil-for-food programme are usually drafted by the UK and discussed among the P5 before being circulated to the elected members.

There is consensus within the Council that the letters of credit should not be extended further; all of them expire in December. What position members with commercial interests in the oil-for-food programme (mainly China, France and Russia) will take on possible residual arbitration mechanisms remains to be seen.



### UN Documents

#### Selected Resolutions

- S/RES/1483 (22 May 2003) requested that the Secretary-General terminate within six months the ongoing operations of the Oil-for-Food Programme, transferring responsibility for the administration of any remaining activity to the Coalition Provisional Authority, and decided that until 31 December 2007 unless the Council decides otherwise, sales proceeds of Iraqi oil products shall continue to enjoy privileges and immunities equivalent to those enjoyed by the UN.

#### Latest Note by the Secretary-General

- S/2007/476 (25 July 2007)

#### Latest Security Council Letter

- S/2007/661 (8 November 2007)

### Useful Additional Sources

Oil-for-food programme: <http://www.un.org/Depts/oip/index.html>

## Notable Dates for December

Reports Due for Consideration in December	Document Requesting Report
26 November	<i>SG report on UN Integrated Office in Burundi (BINUB)</i> S/RES/1719
27 November	<i>Commissioner's report on UN International Independent Investigation Committee (UNIIC) regarding Lebanon (every four months)</i> S/RES/1748
30 November	<i>SG monthly report on the UN Assistance Mission in Darfur (UNAMID)</i> S/RES/1769
1 December	<i>SG report on UN Peacekeeping Force in Cyprus (UNFICYP)</i> S/RES/1758
3 December	<i>SG semi-annual report on the UN Peacekeeping Office in the Central African Republic (BONUCA)</i> S/PRST/2001/25 S/PRST/2006/47
4 December	<i>SG report on UN Disengagement Observer Force (UNDOF)</i> S/RES/1759
5 December	<i>SG semi-annual Iraq-Kuwait missing persons/property report</i> S/RES/1284 S/2006/469
6 December	<i>Panel of Experts of the 1521 Sanctions Committee concerning Liberia semi-annual report</i> S/RES/1760
early/mid December	<i>ICTY/ICTR annual reports and semi-annual completion strategy reports</i> S/RES/1534
mid-December	<i>SG assessment report on UN Integrated Office in Sierra Leone (UNIOSIL), delayed from mid-August</i> S/RES/1734
15 December	<i>SG quarterly report on UN Peacebuilding Support Office in Guinea-Bissau (UNOGBIS)</i> S/RES/1580

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## Notable Dates for December *(continued)*

Reports Due for Consideration in December		Document Requesting Report
26 December	<i>SG report on the UN Mission in the Central African Republic (MINURCAT)</i>	<b>S/RES/1778</b>
27 December	<i>Interim report of the Sudan Panel of Experts to the 1591 Sanctions Committee</i>	<b>S/RES/1779</b>
31 December	<i>SG report on UN Mission in Kosovo (UNMIK)</i>	<b>S/RES/1244</b>
31 December	<i>SG quarterly report on Darfur</i>	<b>S/RES/1769</b>

December 2007	Mandates Expire	Relevant Document
15 December	<i>UNFICYP (Cyprus)</i>	<b>S/RES/1758</b>
20 December	<i>Travel and arms embargo on Liberia</i>	<b>S/RES/1731</b>
20 December	<i>Panel of Experts of the 1521 Sanctions Committee concerning Liberia</i>	<b>S/RES/1760</b>
23 December	<i>Monitoring Group of Somalia Sanctions Committee</i>	<b>S/RES/1766</b>
31 December	<i>AU Mission in Sudan (AMIS)</i>	<b>PSC/PR/Comm(LXXIX)</b>
31 December	<i>BINUB (Burundi)</i>	<b>S/RES/1719</b>
31 December	<i>BONUCA (Central African Republic)</i>	<b>S/PRST/2006/47</b>
31 December	<i>UNIOSIL (Sierra Leone)</i>	<b>S/RES/1734</b>
31 December	<i>Counter-Terrorism Committee Executive Directorate (CTED)</i>	<b>S/RES/1535</b>
31 December	<i>ICTY Prosecutor</i>	<b>S/RES/1775</b>
31 December	<i>Multinational Force in Iraq</i>	<b>S/RES/1723</b>
31 December	<i>UN Mission in the DRC (MONUC)</i>	<b>S/RES/1756</b>
31 December	<i>UNDOF (Golan Heights)</i>	<b>S/RES/1759</b>
31 December	<i>UNIIIC Commissioner (Lebanon)</i>	<b>S/2007/351</b>
		<b>S/2007/352</b>
31 December	<i>UNOGBIS (Guinea-Bissau)</i>	<b>S/2006/975</b>
31 December	<i>UN Office for West Africa (UNOWA)</i>	<b>S/2005/16</b>
		<b>S/2004/858</b>
31 December	<i>UN Political Office for Somalia (UNPOS)</i>	<b>S/2005/730</b>
		<b>S/2005/729</b>
31 December	<i>Working Group on Conflict Prevention and Resolution in Africa</i>	<b>S/2007/6</b>

### December 2007 Other Important Dates

3 December	<i>The Council's Ad Hoc Working Group on Conflict Prevention and Resolution in Africa is expected to hold a seminar on the Council's role in conflict prevention strategy in Africa.</i>
3-14 December	<i>The UN Climate Change Conference will be held in Bali.</i>
10 December	<i>The report of Kosovo's Contact Group to the Secretary-General is due.</i>
8-9 December	<i>An initiative to discuss drug-trafficking in Guinea-Bissau is being planned during the EU-Africa Summit in Lisbon.</i>
18 December	<i>The Council is expected to receive a briefing from the 1737 Sanctions Committee concerning Iran by this date.</i>
20 December	<i>The Council will review the termination of Liberia's diamond sanctions and measures concerning Charles Taylor.</i>
31 December	<i>Iraq's oil-for-food programme, development fund arrangements, and provisions for gas and petroleum products immunity will expire.</i>

Also expected in December:

- The Council is expected to receive briefings by the Chairman of the Sudan Sanctions Committee and the ICC Chief Prosecutor.
- The Council is expected to receive a briefing on its November mission to Timor-Leste.
- The Council is expected to receive briefings and/or reports from all out-going chairs of its sanctions committees, counter-terrorism committees and working groups (S/1995/234). New chairs for 2008 will be elected by the end of December.
- The Council is expected to elect its two members to the Peacebuilding Commission for 2008.
- Under Secretary-General for Humanitarian Affairs John Holmes is expected to brief the Council on his mission to Africa which began on 26 November and is due to wrap up by early December.
- The third round of UN-sponsored talks on Western Sahara between Morocco and Frente Polisario are expected to resume in Europe by the end of the year. The venue and exact dates are yet to be determined.
- The mandate of the Human Rights Council's group of experts on Darfur expires on 15 December.

## Important Dates over the Horizon

- In Georgia, early presidential elections and a referendum on the timing of parliamentary elections have been scheduled for 5 January.
- The Council is expected to hold a debate on security sector reform in early 2008 after the Secretary-General's report on this thematic issue is released. At press time, the report was expected to be issued sometime in November.
- The constituent assembly elections in Nepal have been postponed to an unspecified date and have been delayed twice from 22 November and 20 June.
- Presidential elections in Côte d'Ivoire are now expected in early 2008, postponed from 31 October.
- Municipal and local elections in Sierra Leone are expected in May 2008.

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