

# Monthly Forecast

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## Overview

Kuwait will have the presidency in February and has chosen as its centrepiece a ministerial-level briefing on the [purposes and principles of the UN Charter in the maintenance of international peace and security](#), with the Secretary-General as the main speaker. It is also planning to hold an open debate on [working methods](#) (Kuwait is the chair of the Working Group on Documentation and Other Procedural Questions).

There will be two [counter-terrorism](#) briefings this month: one on UN counter-terrorism efforts against the Islamic State in Iraq and the Levant, by Under-Secretary-General Vladimir Voronkov, the head of the UN Office of Counter-Terrorism; and the other on a report from the 1373 Counter-Terrorism Committee (CTC) on the implementation of resolution 2341 concerning critical infrastructure.

The Council will be following closely the outcome of the January meetings on [Syria](#) in Vienna and Sochi. It will have the regular briefings on the political and humanitarian situation and on chemical weapons, but depending on developments more meetings may be scheduled.

Other Middle East issues that will be considered are:

- [Iraq](#), an update on the activities of UNAMI;
- [Israel-Palestine](#), the regular monthly meeting;
- [Yemen](#), an update on the political process and

humanitarian situation, and the renewal of the 2140 sanctions regime and the mandate of its Committee's Panel of Experts.

The Council will continue to follow developments in [South Sudan](#) and will be briefed on the Secretary-General's confidential 30-day report on the deployment of the Regional Protection Force. It is also expected to receive the recommendations of the Secretary-General on the strategic review of UNMISS.

There will be discussions on two more African issues:

- [Burundi](#), an update on recent developments; and
- developments in the [Central African Republic](#) and activities of MINUSCA.

Two mandate renewals are expected this month: the mandate of the Panel of Experts of the [1591 Sudan Sanctions Committee](#) and the mandate of UNIOGBIS in [Guinea-Bissau](#). Ahead of the adoption on Guinea-Bissau, the Council will meet for a briefing and consultations on the situation.

The Council will have its quarterly meeting on UNMIK ([Kosovo](#)) and another on the activities of the [1718 DPRK Sanctions Committee](#). Other issues that the Council will be following closely include the [Democratic Republic of the Congo](#) and [Myanmar](#).

## In Hindsight: The Security Council in 2017

In 2017, the Council held the highest ever number of public meetings since it was created. It was also a year that saw the most vetoes cast since 1988, but among the resolutions that were adopted, there was a drop in non-consensual decision making. There was a fall in the total number of decisions taken—resolutions and presidential statements. There were five vetoes on Syria, all connected to chemical weapons. The sixth veto in 2017 was on Israel/Palestine. The Council continued to pay regular attention to several volatile places in the world, including the Central African Republic, Democratic Republic of the Congo, Libya, Mali and South Sudan.

It devoted considerable time to addressing the heightened tensions in the Korean Peninsula and the testing of missile and nuclear technology by the Democratic People's Republic of Korea (DPRK), both through resolutions strengthening sanctions on the DPRK and thematic meetings on non-proliferation. Terrorism continued to be a focus in country-specific situations such as Mali, Iraq and the Lake Chad Basin countries. The Council also addressed it as a thematic issue through meetings on foreign terrorist fighters, trafficking of people, particularly by ISIL/Daesh and Boko Haram, and trafficking of cultural heritage.

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## In Hindsight: The Security Council in 2017

The Council adopted 88 decisions, a decrease from last year's 96, which had been the highest since 2008. It adopted 61 resolutions, a decrease from the 77 in 2016. Presidential statements, on the other hand, rose from a 27-year low of just 19 in 2016, to 27 in 2017. The majority of resolutions continued to be mandate extensions and sanctions renewals, but there were also several resolutions on counter-terrorism related thematic issues such as migrant smuggling; preventing terrorists from acquiring weapons of mass destruction; protection of cultural heritage; and protection of critical infrastructure. The Council, furthermore, adopted resolutions on UN police, mine action and small arms. One resolution which attempted to address a potential crisis was that on The Gambia, which was adopted in January, following the deterioration in the political situation.

The Council chose to address potential volatile political situations and the implementation of political agreements in a number of situations, including Burundi, DRC, CAR, Guinea-Bissau, South Sudan and Libya, through presidential statements. Presidential statements were also adopted on thematic issues such as sustaining peace and on famine. Press statements, which are not a formal decision of the Council but do require consensus, continued to fall. In 2017, there were 93 press statements issued, a slight drop from 2016 from the 106 issued in 2016 (the height was in 2014, with 138 press statements produced). Council members have been using press statements to condemn terrorist-related activities, and attacks on civilians, as well as attacks on UN personnel; these were the focus of over 64 percent of press statements.

The Council held 296 formal meetings: 282 public and 14 private. This highest number of public meetings in the Council's history can be largely attributed to a push from some members to encourage greater transparency of positions. Regarding informal meetings, there were 137 consultations, a drop from the 169 held in 2016. The issues taken up most frequently in consultations were: Syria (33 times), South/South Sudan (19 times) and the Middle East, including the Palestinian question (ten times). The drop in the number of consultations may be partly attributed to the fact that some discussions that might otherwise have taken place in consultations were held as public meetings in 2017. "Any Other Business", often used for more discreet discussion of issues, was employed on

39 occasions, a slight drop from 2016.

While the Council still spent considerable time in formal meetings and consultations, in 2017 the average number of hours per month dropped from 62 to 56. This may partly be due to fewer open debates in 2017. There were 18 open debates, (where the larger UN membership can participate) compared to 23 in 2016. The number of debates also fell from 14 in 2016 to 10 in 2017. Conversely, there were 44 more briefings in 2017. The debates included a number of regular thematic issues, including children and armed conflict, women, peace and security, and counter-terrorism, as well as newer issues such as trafficking. For the first time the issue of threats against critical infrastructure was discussed in the Council.

### Trends in 2017

#### *High Number of Vetoes on Specific Issues, but Overall Greater Unanimity*

Six resolutions were vetoed in 2017, the highest number since 1988. They were, with one exception, all on the use of chemical weapons in Syria, with four focused specifically on the renewal of the Joint Investigative Mechanism (JIM) of the Organization for the Prohibition of Chemical Weapons and the UN. Russia vetoed all five Syria resolutions, with Bolivia also voting against all five. China vetoed, jointly with Russia, a resolution that would have imposed sanctions for the use of chemical weapons and abstained on all the other vetoed Syria draft resolutions. Egypt, Ethiopia and Kazakhstan were among those that abstained on a number of the Syria resolutions. As a result of the Russian vetoes on the renewal of the JIM, this mechanism, which was tasked to determine responsibility for the use of chemical weapons in Syria, was terminated. Following US president Donald Trump's declaration in December that the US would recognise Jerusalem as the capital of Israel and move its embassy there from Tel Aviv, the US vetoed a resolution that called upon all states to refrain from the establishment of diplomatic missions in Jerusalem pursuant to resolution 478 (1980) of the Council.

There were two non-consensual resolutions, compared to eight in 2016. Three members (Bolivia, China and Russia) abstained on a vote on a resolution renewing the authorisation for cross-border and cross-line humanitarian access to Syria. There were difficult negotiations on this resolution as Russia argued strongly that given the establishment of de-escalation

areas and the need to work with the Syrian government, changes were needed in the UN cross-border delivery process of humanitarian aid. The other non-consensual resolution was on the renewal of Somalia-Eritrea sanctions where Bolivia, China, Egypt and Russia abstained. These members believed that the Council should reconsider sanctions measures against Eritrea and wanted this reflected in the resolution. There was also one resolution on Syria chemical weapons related to the efforts to renew the JIM which was not adopted due to insufficient affirmative votes.

Unlike in 2016, it seems that there were more attempts to obtain consensus on a draft text before putting it to a vote. The vetoes and abstentions were a response to substantive concerns, rather than a reaction to the process. Although negotiations were rarely easy, it seems that members were more willing to compromise, particularly on mission mandate renewals. In general, mandate renewal resolutions were adopted unanimously, in contrast to 2016 where members were not united on the mandates of a number of missions.

#### *Unity Over a Serious Threat*

There was significant activity in the Council as a result of the DPRK missile activities. There has been an increase this year in the pace of missile tests conducted by the DPRK, with signs of significant technological advances in the development of intermediate-range and submarine-launched missiles. In response, the Council increased the intensity of its attention to the DPRK, holding briefings shortly after a missile test and agreeing to an outcome in a shorter timeframe than in the past. In 2017, the Council held 12 meetings on DPRK (including one on human rights), and adopted one presidential statement and five resolutions. Four of the resolutions imposed stronger sanctions on the DPRK, while one renewed the Sanctions Committee's panel of experts. The Council responded more swiftly to the missile launches than in previous years, particularly towards the end of 2017. In the past, negotiations on a resolution would take four to five months, whereas in 2017, resolutions were often adopted just weeks after a missile launch. China, which in the past had been reluctant to impose stronger sanctions, appears to have been more open to stronger measures in the face of the increasing threat from the DPRK, as well as possible concerns over US retaliation.

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## In Hindsight: The Security Council in 2017

### *E10 Activism*

Last year elected members found their voice on a number of issues. The E10 voice got stronger in 2017 as elected members as a group continued to meet regularly. The E10 also began meeting with the Secretary-General. The 2017 elected members, in spite of their political differences, were united in wanting to play a substantive role in the Council's work during their terms on the Council. On issues where the P5 were divided, such as Syria chemical weapons, the E10 more than once offered alternative texts in an attempt to break the impasse. As humanitarian leads on Syria, Egypt, Japan and Sweden played a pivotal role in getting the resolution on cross-border and cross-line authorisation renewed. In general, elected members have been particularly active on humanitarian issues, often exerting pressure on the penholder to pay attention to these issues, such as in relation to Myanmar and Yemen. Within the E10, the African members (A3) were also a cohesive force in 2017, in spite of having different positions on a number of issues. This was an important factor in getting agreement on a number of African issues. Elected members who were also troop- and police-contributing countries were actively engaged in negotiations on mandate renewals and were able to contribute substantively to draft texts.

Over the last few years, elected members have increasingly shown that they can play an important role, particularly on issues where

there are deep P5 divisions. In negotiating texts they have been able to achieve compromises that would have been more difficult if proposals had come from a P5 member.

### *High Number of Council Visiting Missions*

The Council continued its trend from 2016 of a high number of visiting missions. There were five Council visiting missions in 2017: to the Lake Chad Basin region (Cameroon, Chad, the Niger and Nigeria); Colombia; Haiti; Addis Ababa for the annual meeting with the AU; and the Sahel region (Burkina Faso, Mali and Mauritania). Most of these visits were proposed by the president of the Council for the month of the visit. Unlike in 2016, the visits did not focus on specific potentially volatile political situations, but had a variety of different objectives. Two of the visits focused on the impact of terrorism on a region. The visit to the Lake Chad Basin region was undertaken during the UK presidency and a key objective was to give members an understanding of Boko Haram's operations and their impact on the region. The mission afforded Council members an appreciation of the link between climate change and the rise of Boko Haram, and shortly after their return, the Council adopted a resolution on the Lake Chad Basin region.

The visiting mission to the Sahel during France's presidency allowed members to assess the situation in the affected countries regarding the level and nature of the threat

posed by terrorism and transnational crime, as well as to assess the status of the operationalisation of the joint force of the Group of Five for the Sahel (consisting of Burkina Faso, Chad, Mali, Mauritania and Niger). This visit also gave the Council an opportunity to deliver a message to parties in Mali regarding the implementation of the 2015 Peace and Reconciliation Agreement.

The Council visited Haiti during Bolivia's presidency as the UN Stabilization Mission in Haiti was about to be replaced by its successor mission, the UN Mission for Justice Support in Haiti. The visit allowed Council members to assess the progress made and steps taken toward closing down MINUSTAH and the transition between the old and new missions.

The Colombia mission, undertaken during Uruguay's presidency, was used to show the Council's commitment to the peace process in Colombia and took place at a sensitive moment for the process.

The mission to Addis Ababa, held during Ethiopia's presidency, was solely for the annual AU-UN meeting, and unlike similar visits in the past did not include visiting other countries in Africa.

Compared with previous years, the 2017 visiting missions were organised faster and often planned strategically ahead of the Council's consideration of the situation in the Council, allowing for a better understanding of the issues and challenges.

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## Status Update since our January Forecast

### **Afghanistan**

On 5 January, Council members issued a press statement condemning the ISIL terrorist attack on Kabul the day before in which at least 15 people were killed and 25 injured (SC/13153). From 13 to 15 January, the Council conducted a visiting mission to Afghanistan. The main purpose of the mission was to reiterate the Council's support for Afghanistan and its government's efforts to restore peace and stability, and to provide the Council with better understanding of the situation on the ground. During the visit, the Council met with a wide range of stakeholders in the country. These included the President of Afghanistan, Ashraf Ghani; Chief Executive Abdullah Abdullah; and other senior government officials, including Minister of Foreign Affairs Salahuddin Rabbani,

Chairman of the High Peace Council Mohammad Khalili, and several other ministers. The Council also held meetings with representatives of women's NGOs, civil society, electoral management bodies, UNAMA and NATO's Resolute Support Mission. The Council held a briefing on the mission on 17 January (S/PV.8158). On 19 January, Kazakhstan's Minister of Foreign Affairs, Kairat Abdrakhmanov, chaired a ministerial-level debate on "Building Regional Partnership in Afghanistan and Central Asia as a Model to Link Security and Development" (S/PV.8162). Rabbani and representatives of the Central Asian countries also addressed the Council. During the debate the Council adopted a presidential statement which emphasised the importance of advancing regional, interregional and international

cooperation to achieve stability and sustainable development in Afghanistan and the Central Asian region (S/PRST/2018/2). On 22 January, council members issued a press statement condemning the terrorist attack at the Intercontinental Hotel in Kabul, which resulted in 22 people killed and nine injured (SC/13172). On 25 January, Council members issued a press statement condemning the terrorist attack in Jalalabad targeting an international humanitarian organisation which resulted in at least five people killed and numerous injured (SC/13180).

### **Iran**

On 5 January, the Security Council held a public meeting, requested by the US, on the recent protests in Iran (S/PV.8152). Assistant

## Status Update since our January Forecast

Secretary-General for Political Affairs Tayé-Brook Zerihoun briefed and Council members gave statements. A number of members expressed the view that the situation did not meet the criterion for Council consideration as a threat to international peace and security. While referring to the recent demonstrations, several members stressed the importance of upholding the Joint Comprehensive Plan of Action on the Iran nuclear deal. Iran's Permanent Representative Gholamali Khoshroo also addressed the Council.

### Liberia

On 8 January, Security Council members issued a press statement congratulating Liberia for the peaceful conduct of the 26 December 2017 presidential runoff election (SC/13154). While referring to the upcoming withdrawal at the end of March of UNMIL, the statement encouraged the international community and donors to remain engaged and to assist Liberia's continued efforts to achieve sustainable peace, including in support of the commitments made in the Liberia Peacebuilding Plan.

### Democratic Republic of the Congo

On 9 January, Under-Secretary-General for Peacekeeping Operations Jean-Pierre Lacroix briefed the Council on recent developments in the DRC (S/PV.8153) and on the latest MONUSCO report (S/2018/16). The briefing was followed by consultations, in which Assistant Secretary-General for Human Rights Andrew Gilmour also participated. Council members issued a press statement on 16 January, calling on all stakeholders to remain committed to the 31 December 2016 Agreement, which remains the only viable path out of the current political situation (SC/13163). The DRC Sanctions Committee held a briefing open to all UN member states on 26 January.

### Sudan (Darfur)

On 10 January, the Council was briefed by Under-Secretary-General for Peacekeeping Operations Jean-Pierre Lacroix on the 60-day report of the Secretary-General on UNAMID (S/2017/1113) and on the joint assessment by the Chairperson of the AU Commission and the Secretary-General of phase one of the reconfiguration of UNAMID (S/2018/12) (S/PV.8155). As UNAMID moved towards the implementation of phase two, he recommended that a review should take place to consider a new mission concept.

### Colombia

On 10 January, the Council received a briefing on the UN Verification Mission in Colombia from Special Representative Jean Arnault (S/PV.8154), focusing on the Secretary-General's recent report on Colombia (S/2017/1117). The briefing was followed by consultations. On the same day, members issued a press statement (SC/13160) in which they "urged continued momentum towards full implementation of the peace agreement" with the Fuerzas Armadas Revolucionarias de Colombia-Ejército del Pueblo (FARC-EP) and hoped that the Colombian government and the Ejército de Liberación Nacional (ELN) "would resume work to agree a renewal and strengthening of the ceasefire...".

### West Africa and the Sahel

On 11 January, Mohamed Ibn Chambas, the Special Representative and head of UNOWAS, briefed the Council (S/PV.8156) on the Secretary-General's latest report on the region (S/2017/1104). Several Council members made public statements before continuing discussions in consultations. On 30 January, the Council adopted a presidential statement on the West Africa and Sahel region and activities of UNOWAS. The statement, inter alia, looked forward to ongoing activities undertaken by UNOWAS in the areas of conflict prevention, mediation and good offices, welcomed the regional countries' efforts to address terrorism and transnational crime, and reiterated that the Secretary-General include assessing implementation of resolution 2349 on the Lake Chad Basin in his regular UNOWAS reporting, with specific attention in his next report on the region in July.

### Libya

On 17 January, the Council was briefed by Ghassan Salamé, the Special Representative of the Secretary-General and head of the UNSMIL, and Hajer Sharief, co-founder of the civil society organisation Together We Build It (S/PV.8159). Irina Schoulgin Nyoni, Deputy Permanent Representative of Sweden, briefed the Council on the work of the 1970 Libya Sanctions Committee.

### Non-Proliferation of Weapons of Mass Destruction

On 18 January, the Council held a high-level briefing on non-proliferation of weapons of mass destruction focused on confidence-building measures (S/PV.8160). President

Nursultan Nazarbayev of Kazakhstan presided, and Secretary-General António Guterres briefed. Guterres highlighted "information-sharing on military budgets, strategic outlooks and troop movements" as measures that can "help to decrease tension and avert conflict". He expressed concern that "Global anxieties about nuclear weapons are at the highest level since the Cold War".

### Conflict Prevention

On 18 January, the Council adopted a presidential statement on conflict prevention (S/PRST/2018/1) that states that a comprehensive conflict prevention strategy should include early warning, preventive deployment, mediation, peacekeeping, non-proliferation, accountability measures, and post-conflict peacebuilding, recognising that these components are interdependent, complementary and non-sequential (S/PV.8161).

### Security Council Working Group on Children and Armed Conflict

The Working Group on Children and Armed Conflict held a formal meeting on 22 January to discuss its conclusions on the Secretary-General's report on Children and Armed Conflict in Myanmar (S/2017/1099).

### UNRCCA (Central Asia)

On 22 January, the Council held consultations on UNRCCA. Special Representative and head of the UNRCCA Natalia Gherman briefed Council members in consultations on key regional issues, including the threat of terrorism and extremism, the impact on the region of the situation in Afghanistan, drug trafficking, trans-boundary water management, and tensions linked to border-related disputes. On 25 January, Council members issued a press statement on UNRCCA in which they welcomed further cooperation and coordination between UNRCCA, the Central Asian States, and relevant regional organisations, including those organisations of which the Central Asian States are members (SC/13179). This is the first time since January 2015 that Council members were able to agree on a press statement on UNRCCA.

### Mali

On 23 January, the Council was briefed by Jean-Pierre Lacroix, Under-Secretary-General for Peacekeeping Operations (S/PV.8163), who presented the 26 December

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## Status Update since our January Forecast

2017 report of the Secretary-General on Mali (S/2017/1105). The Foreign Minister of Mali, Tiéman Hubert Coulibaly, also participated in the meeting. On 24 January, Council members issued a press statement welcoming the renewed commitment of the government of Mali and the coalitions of armed groups to the expeditious implementation of all of their remaining obligations under the Agreement on Peace and Reconciliation in Mali by the end of March 2018 (SC/13177).

### Somalia

On 24 January, Special Representative of the Secretary-General Michael Keating and Special Representative of the Chairperson of the AU Commission Francisco Madeira briefed the Council on the situation in Somalia (S/PV.8165) and the 26 December 2017 report of the Secretary-General (S/2017/1109). On 25 January, Council members issued a press statement that welcomed Somalia's political commitment to security sector, economic and political reforms and the progress made to date, and

in which the members of the Security Council agreed that all parties should make 2018 a year of implementation (SC/13181).

### Israel/Palestine

On 25 January, the Council held its quarterly open debate under the agenda item, "the situation in the Middle East, including the Palestinian question" (S/PV.8167). Special Coordinator for the Middle East Peace Process Nikolay Mladenov briefed via video teleconference from Jerusalem.

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## Security Council Working Methods

### Expected Council Action

Kuwait, the 2018 chair of the Informal Working Group on Documentation and Other Procedural Questions, is planning an open debate on the Council's working methods during its presidency in February. This will be the first such open debate since July 2016. No outcome is expected at this stage.

### Key Recent Developments

On 30 August 2017, the Council issued its most extensive compendium to date of agreed working methods (S/2017/507). The document was produced under the leadership of Japan in its capacity as the 2016–2017 chair of the Informal Working Group on Documentation and Other Procedural Questions (IWG), the venue for most discussions regarding the Council's working methods. During its two previous terms as an elected Council member, Japan also led elaborations of the comprehensive document on working methods, the 2006 and 2010 versions of "Note 507". The document number 507 has been used on all three occasions to make it easier to find the papers in the UN documents system, and the implementation of Note 507 has been the agenda item under which the Council has discussed working methods since 2008. Open debates on working methods have been held regularly since

2008 and have always attracted high interest from member states. The 2017 Note 507 highlighted members' commitment "to continuing to provide opportunities to hear the views of the broader membership on the working methods of the Council, including in any open debate on the implementation of the present note, and to welcoming the continued participation by the broader membership in such debates".

In organising the debate, Kuwait aims to receive from the UN's broader membership practical proposals for how to enhance the Council's working methods in a way that would enable the Council to improve its effectiveness and better fulfil its mandate of maintaining international peace and security.

### Key Issues and Options

With the debate taking place soon after the most extensive compendium of Council working methods was published, a key issue for the Council is how to achieve full implementation of the agreed practices. An option for individual Council members would be to prioritise particular aspects of the agreed practices for follow-up while on the Council.

Another issue would be to identify areas of working methods that have not yet been articulated in writing, either because of a lack of agreement among members to do so or

because of their new and emerging nature. An option in this context would be to include these elements in the work plan of the IWG for 2018.

While no outcome is expected from the open debate, one option for the chair of the IWG would be to produce an analytical summary of the views presented by member states during the debate and issue it as a letter to the Secretary-General with a request to circulate it as a document of the General Assembly and the Council (as done by Spain following the open debate on working methods it held during its October 2015 presidency).

### Council and Wider Dynamics

The dynamics related to Council working methods have evolved over the years. One particularly visible area of change is the attitude toward publicly discussing working methods and inviting the membership at large to present their views and suggestions. After the first such discussion was held in 1994 at the initiative of France, no further public debates occurred for over a decade, despite considerable interest in the topic from outside the Council. In the final document of the September 2005 World Summit held at UN headquarters, world leaders said, "We recommend that the Security Council continue to adapt its working methods so as to

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**UN DOCUMENTS ON WORKING METHODS** Security Council Presidential Statement S/PRST/2015/19 (30 October 2015) expressed the Council's intention to continue to hold an annual open debate on its working methods and affirmed its commitment to continue to keep its working methods under consideration in its regular work. **Notes by the President of the Security Council S/2017/507** (30 August 2017) was the outcome of the work of the Informal Working Group on Documentation and Other Procedural Questions updating the 2010 Note 507. **S/2010/507** (26 July 2010) was the outcome of the work of the Informal Working Group on Documentation and Other Procedural Questions updating the 2006 Note 507. **S/2006/507** (19 July 2006) was the first comprehensive compendium of Security Council working methods. **Security Council Meeting Records S/PV.8038** (30 August 2017) was the wrap-up session of Egypt's presidency, during which the permanent representative of Japan briefed members on the just-issued Note S/2017/507. **S/PV.7740** (19 July 2016) was an open debate on working methods during Japan's presidency. **S/PV.7539** and **Resumption 1** (20 October 2015) was an open debate on working methods during Spain's presidency. **Other Documents S/2016/35** (12 January 2016) was a letter from the Permanent Representative of Spain to the Secretary-General requesting that the summary from the 2015 open debate on working methods be circulated as a document of the General Assembly and of the Security Council. **A/RES/60/1** (16 September 2005) was the outcome document of the 2005 World Summit.

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## Security Council Working Methods

increase the involvement of States not members of the Council in its work, as appropriate, enhance its accountability to the membership and increase the transparency of its work". In response, the Council undertook a considerable amount of work focused on the matter, including the elaboration of the first Note 507, but there was reluctance, largely on the part of permanent members, to hold an open debate.

After unsuccessful attempts in 2007 and months of efforts by elected members Belgium and Costa Rica in 2008, an open debate was held during Belgium's presidency in August 2008. Japan was successful in organising an open debate during its presidency in April 2010. From that point on, holding an annual debate became an accepted practice, eventually acknowledged in a 2015 presidential statement (S/PRST/2015/19) and in the

most recent Note 507. All but one of the nine open debates on working methods were held at the initiative of an elected member, and an elected member presided over all of them. This pattern will continue with the upcoming debate during Kuwait's presidency.

### New Report on Working Methods from Security Council Report

In late January, Security Council Report issued its fourth report on working methods, *Security Council Working Methods: Provisional Progress*. The report examines the most recent procedural developments in the Security Council and the IWG and takes a longer-term look at the role of the elected Council members in shaping and codifying Security Council working methods. Covered in the report is the history of the IWG and its transformation from a sometimes ephemeral entity with a chairmanship that rotated monthly into an active and firmly established subsidiary body since 2006, when it started to be chaired

by a single elected member throughout the year.

While focusing more closely on the 2017 version of Note 507 and the negotiating process that led to its issuance last August, the report also examines its 2006 and 2010 predecessors. Two aspects of working methods – those related to sanctions and to the Council's engagement with troop- and police-contributing countries – are examined in greater detail in case studies.

Some themes recur in all three Notes 507, for example, reiterating the Council's resolve to make consultations more substantive and interactive, and its stated determination to use descriptive formulations for agenda items. One conclusion from analysing various Council documents related to working methods is that even though a tremendous amount of work and energy often goes into negotiating agreement on many of the working methods, some are never implemented. In some cases, the agreed practices tend to be followed for a period but later their implementation begins to falter, and a new, similarly focused initiative is undertaken by a different member or group of members.

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## Purposes and Principles of the UN Charter

### Expected Council Action

In February, there will be a ministerial-level briefing on the purposes and principles of the UN Charter in the maintenance of international peace and security. Secretary-General António Guterres is expected to brief.

### Background

Kuwait is organising the briefing this month, which coincides with the 27th anniversary of the expulsion of Iraqi forces from Kuwait by a broad international coalition, authorised by the Security Council through resolution 678 of 29 November 1990. This is often viewed as a highpoint for the Council, an example of how the collective security machinery outlined in the UN Charter was used to address a breach of the peace.

The briefing will be an opportunity for members to discuss in depth the purposes and principles of the UN Charter, with a focus on Chapters VI ("Pacific Settlement of Disputes"), VII ("Action with Respect to Threats to the Peace, Breaches of the Peace and Acts of Aggression"), and VIII ("Regional Arrangements"), and article 99 of Chapter XV, which says that the Secretary-General "may bring to the attention of the Security Council any matter which in his opinion may threaten the maintenance of international peace and security".

A number of long-standing and

fundamental issues related to the implementation of the Council's Charter mandate may feature in the discussion. These could include issues such as:

- how the Council can strengthen its approach to conflict prevention, including through the use of tools such as "negotiation, enquiry, mediation, conciliation, arbitration, judicial settlement" and other peaceful means highlighted in Chapter VI;
- how sanctions (i.e. article 41 of Chapter VII) can be used to pressure parties to a conflict to engage constructively in peace processes;
- how relationships between the Council and regional and sub-regional organisations can be strengthened to prevent and resolve conflicts; and
- how the Council can best support the Secretariat's good offices efforts.

The briefing may also offer the Secretary-General an opportunity to update the Council on his proposals to reform the UN's peace and security architecture. It builds on ministerial-level open debates that the Council held in 2015 and 2016 that focused on the UN Charter, in both cases featuring briefings by then Secretary-General Ban Ki-moon.

On 23 February 2015, a ministerial-level open debate was convened at the initiative of China on the UN Charter, with the intention

of reaffirming commitment to the purposes and principles of the UN Charter at the time of the commemoration of the 70th anniversary of the end of World War II and the founding of the UN. The meeting was chaired by China's foreign minister, Wang Yi, and 79 member states participated, including those on the Council. Ban underscored that at "the heart of the Charter is a commitment to the prevention of armed conflict through the peaceful settlement of disputes and the protection of human rights". He also referred to the importance of sovereignty to the international order, but emphasised that sovereignty comes with responsibilities and that timely "action to prevent conflict and protect human rights helps to strengthen sovereignty, rather than challenge or restrict it", given that human rights violations "kill and displace people, divide communities, undermine economies and destroy cultural heritage".

Venezuela initiated a ministerial-level open debate on 15 February 2016 in which 64 member states participated, including Council members. The meeting focused on the topic "Respect for the principles and purposes of the Charter of the United Nations as a key element for the maintenance of international peace and security". Venezuela's foreign minister, Delcy Rodríguez Gómez, presided. In his briefing, Ban reiterated his emphasis on

# Purposes and Principles of the UN Charter

prevention “through both early warning and early action”. While he noted the importance of respecting sovereignty and of cooperation in engaging with states, he maintained that “it is violence and conflict—and not our attempt to help member states prevent them—that threaten state sovereignty”, a point he made in the 23 February 2015 debate. Ban also referred to the importance of article 99 during the meeting, underscoring the importance of “alert[ing] the Council when we see situations that we feel require its engagement”, positing that “[w]hether or not Article 99 is formally invoked may be secondary”.

## Key Issues and Options

The key issue for the Council is linking the principles and tools of the Charter to concrete situations related to international peace and security. One possible option is for a chair’s summary of the briefing to be produced. This could serve as a useful reference to highlight the instruments at the Council’s disposal and how they have been used to promote international peace and security. In recent years, such summaries have been helpful in capturing the key issues raised in Council meetings. Most recently, Kazakhstan announced that it

would produce a summary of the 18 January high-level briefing on the non-proliferation of weapons of mass destruction.

Given that the Charter is the overarching document guiding the work of the Council (and the UN system), it could be helpful for Council members to continue to engage in dialogue regarding ways in which the Charter has been applied in maintaining international peace and security. One possibility is for an Arria-formula meeting to be held with current and former senior Secretariat officials and UN scholars to discuss creative applications of the Charter in the past and how these examples could serve as a model for the Council in other situations.

## Underlying Problem

A significant challenge is how to manage the contrasting world views and political challenges that often come with efforts to apply the tools outlined in the Charter. Differing views on the nature of state sovereignty—as well as political divisions among the P5 and other influential member states—have frequently made it difficult for the Council to decide when, how and even whether to intervene at early stages of crises.

## Council Dynamics

Different interpretations of the Charter will most likely be discussed following the briefing. There is a tension in the Charter between state sovereignty and human rights that is evident when the Council addresses a number of country situations, as reflected in recent years by deliberations on Burundi, Iraq, Syria and South Sudan, among other cases. Some Council members tend to emphasise elements of the Charter related to political independence, territorial integrity and non-interference in the domestic affairs of states. Such views have been most strongly expressed by Bolivia, China, and Russia in the Council. Other members, such as France and the UK, among others, have maintained that state sovereignty should not be a shield against actions to protect civilians from massive human rights violations, while highlighting the need in some instances for coercive measures to fight impunity, promote accountability, and combat the violence of actors undermining international peace and security. Some Council members may express views somewhere between these two positions.

# Syria

## Expected Council Action

In February, the Council expects to receive the monthly briefings on political and humanitarian developments in Syria and on chemical weapons.

## Key Recent Developments

Council members continue to put forward divergent narratives regarding the humanitarian situation in Syria. On 9 January, Assistant Secretary-General for Humanitarian Affairs Ursula Mueller briefed Council members under “any other business”. The briefing had been requested by Russia to focus on the humanitarian situation of Raqqa and to call for the US-led coalition involved in liberating the city from the Islamic State of Iraq and the

Levant to play a role in its reconstruction.

In early January, Under-Secretary-General for Humanitarian Affairs Mark Lowcock visited Syria. In remarks to the press in Damascus on 11 January he highlighted five areas where progress is needed. These were conveyed to Council members in a briefing under “any other business” on 22 January:

- The finalisation of the UN humanitarian response plan for 2018 to meet the needs of more than 13 million people in Syria.
- Reaching an agreement to allow for the medical evacuation for hundreds of people trapped in Eastern Ghouta.
- Ensuring consistent and regular cross-line access.
- Agreeing on UN-supported aid convoys

from Damascus to the remote area of Rukban (the berm) in south-eastern Syria.

- Developing more effective arrangements to allow the UN to support the work of Syrian and international NGOs.

On 25 January, Kuwait and Sweden circulated a draft presidential statement calling for progress on these issues. The situation in Eastern Ghouta, where nearly 400,000 people are besieged by government forces and their allies, continues to be dire. Even though 29 critically ill persons were allowed to evacuate, along with some family members, more than 500 remain in need of urgent medical care. A government offensive in December 2017 targeting Al Nusra Front’s-affiliate Hay’at Tahrir Al-Sham in Idlib has led to the displacement

**UN DOCUMENTS ON SYRIA** Security Council Resolutions S/RES/2393 (19 December 2017) renewed the authorisation for cross-border and cross-line aid delivery. **Secretary-General’s Report S/2018/60** (23 January 2018) was the monthly report on the humanitarian situation. **Security Council Letters S/2018/53** (20 January 2018) was a letter by Turkey informing the Council of a military operation against PKK-linked terrorist organisations. **S/2018/54** (22 January 2018) was a letter circulated by Russia criticising the US assessment of Russia’s stance regarding the use of chemical weapons in Syria. **S/2018/35** (10 January 2018) was a letter by the US challenging Russia’s criticisms of the OPCW Fact-Finding Mission and the JIM. **S/2017/1119** (27 December 2017) was an OPCW report on progress in the elimination of the Syrian chemical weapons programme. **S/2017/931** (3 November 2017) forwarded the OPCW’s Fact-Finding Mission report concluding that sarin “was more than likely used as a chemical weapon” on 30 March 2017 in Lataminah. **Security Council Meeting Record S/PV.8164** (23 January 2017) was a meeting held at the request of Russia on the use of chemical weapons in Syria.

# Syria

of some 200,000 civilians. On 18 January, the UN special advisers on the prevention of genocide and the responsibility to protect, respectively Adama Dieng and Ivan Šimonović, issued a statement expressing concern about the devastating impact of escalating hostilities in both places. They highlighted how even though these are designated as “de-escalation areas”, civilians are regularly and directly targeted in a violation of fundamental principles of international humanitarian law.

The intra-Syrian talks held under UN auspices have failed to yield progress on the agenda established by resolution 2254—governance; constitutional issues; elections; and counter-terrorism, security and confidence-building measures. The UN Special Envoy Staffan de Mistura has repeatedly expressed his disappointment at the government delegation’s refusal to engage in direct talks and the establishment of preconditions. De Mistura convened a special meeting of the parties in Vienna on 25-26 January in order to discuss the constitution-drafting process. A Russian initiative, with the support of Iran and Turkey, to hold a conference of Syrians in Sochi on 29-30 January, also to address constitutional issues, was boycotted by key opposition groups. Ahead of the meeting, de Mistura emphasised that final agreement on any constitutional committee that may come out of Sochi is to be reached in the UN-led Geneva process, including on the mandate and terms of reference, powers, rules of procedure, and selection criteria for its composition. Russian officials have repeatedly emphasised coherence between the initiative and the intra-Syrian talks in Geneva.

On 20 January, Turkey launched “Operation Olive Branch”, a military offensive into the territory held by the YPG, a Kurdish militia that is part of the US-allied Syrian Democratic Forces (SDF) and that Turkey considers a terrorist organisation. That same day, Turkey justified the operation in a letter to the Council on the grounds of article 51 of the UN Charter (self-defence) in order to respond to an increase in rocket attacks and harassment fire against the provinces of Hatay and Kilis from the Syrian region of Afrin. The operation was launched after the US announced plans to establish a 30,000-strong force to secure the area controlled by the SDF near the border with Turkey. The offensive was discussed at the 22 January briefing under “any other business”, for which France requested information on the situation in Afrin. The Under-Secretary-General for Political Affairs, Jeffrey Feltman, who

briefed Council members along with Lowcock, described the potential impact of the offensive and its ramifications in the conflict dynamics.

Despite the failure to renew the Joint Investigative Mechanism (JIM) of the Organisation for the Prohibition of Chemical Weapons (OPCW) and the UN in November, the Council continues to receive information regarding the chemical weapons dossier on Syria. On 9 January, High Representative for Disarmament Affairs Izumi Nakamitsu briefed Council members in consultations on the efforts to eliminate Syria’s declared arsenal. She told Council members that 25 of the 27 chemical weapons production facilities declared by Syria had been verified by the OPCW Technical Secretariat as having been destroyed. Initial inspections had been carried out in the two remaining facilities and their destruction is expected. Nakamitsu told Council members that the OPCW fact-finding mission is expected to submit its next report to the Council in late February.

The polarisation among Council members on the chemical weapons file has continued even as indications of ongoing attacks emerged on 13 and 22 January in Eastern Ghouta. On 10 January, the US circulated a letter challenging Russia’s criticisms of the OPCW Fact-Finding Mission and the JIM. On 22 January, Russia responded, circulating a letter criticising the US assessment of Russia’s stance regarding the use of chemical weapons in Syria. On 23 January, Russia called for a Council meeting in order to address the accusations made by US Secretary of State Rex Tillerson the same day that Russia was responsible for shielding the Syrian government on this issue. At the meeting, Russia circulated a draft resolution aimed at establishing a new investigation mechanism to identify facts beyond a reasonable doubt that could lead to the attribution by the Council of the use of chemical weapons.

Also on 23 January, France convened in Paris the first meeting of an international partnership against impunity for the use of chemical weapons. A declaration of principles was signed by 24 member states (including Council members Côte d’Ivoire, Kuwait, the Netherlands, Peru, Poland and Sweden in addition to the P3).

## Human Rights-Related Developments

[In a 10 January statement, High Commissioner for Human Rights Zeid Ra’ad Al Hussein condemned the upsurge in civilian casualties in Eastern](#)

[Ghouta amid the recent escalation in airstrikes and ground-based attacks. The High Commissioner noted that “the suffering of the people of Syria knows no end. In Eastern Ghouta, where a crippling siege has caused a humanitarian catastrophe, residential areas are being hit day and night by strikes from the ground and from the air”. According to the statement, since 31 December 2017, at least 85 civilians, including 21 women and 30 children, have been killed and at least 183 injured in Eastern Ghouta.](#)

## Key Issues and Options

Almost seven years since the start of the war, P5 divisions have limited the options at the disposal of Council members. However, the Council could tackle some of the issues that could contribute to building trust among the parties. At a 21-22 December 2017 meeting in Kazakhstan, Iran, Russia and Turkey established a working group to address the issue of detainees, abductees and missing persons in Syria. Council members could hold an informal meeting to discuss with them, as well as other relevant actors, how confidence-building measures can be effectively implemented in order to support progress in the political process.

Following the circulation of the Russian draft to establish a new investigative mechanism for the use of chemical weapons, Council members could negotiate in an effort to achieve consensus. If reaching an agreement proves impossible, Council members could request options from the Secretary-General in order to devise such a mechanism taking into account the positions expressed by Council members in the failed negotiations to renew the JIM.

## Council and Wider Dynamics

The divergent perspectives among Council members continue to limit the Council’s work on Syria. The exchanges of letters and statements at the 23 January meeting show how Council members still blame each other for the demise of the JIM. Tensions over the characterisation of the humanitarian situation in Syria, the limited traction of the UN-led process in Geneva, and the emergence of initiatives that may provide an alternative platform to discuss political matters frame discussions in the other two tracks of the Syria dossier. Military escalation between Turkey and the SDF risks opening a new front in the conflict and further worsening the dire humanitarian situation.

In January, the US administration made several statements regarding its new policy on Syria. In a speech on Syria at Stanford University on 17 January, Tillerson stated

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# Syria

that “[a] total withdrawal of US personnel at this time would restore Assad and continue his brutal treatment of his own people” and explained how “[a] stable, unified

and independent Syria ultimately requires post-Assad leadership in order to be successful”. With its political engagement on Syria beyond counter-terrorism efforts, the US

is also expected to aim to limit the regional influence of Iran.

Kuwait and Sweden are the penholders on humanitarian issues in Syria.

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## Kosovo

### Expected Council Action

In February, the Council is expected to hold its quarterly briefing on the situation in Kosovo. The Special Representative and head of the UN Interim Administration Mission in Kosovo (UNMIK), Zahir Tanin, will brief on recent developments and the latest report by the Secretary-General. As on several previous occasions, Serbia is likely to participate at a high level, while Kosovo will probably be represented by its ambassador to the US.

### Key Recent Developments

The special court based in The Hague that will investigate crimes committed by the Kosovo Liberation Army (KLA) during the conflict in Kosovo became fully operational in July 2017 after it adopted its rules of procedure and evidence. Although the court has yet to issue its first indictments, former KLA members have already expressed their discontent with the court. In December, KLA veteran groups pressured representatives in Kosovo’s parliament to review the law that established the court. They allege the court will be discriminatory given that it focuses solely on crimes committed by the KLA.

On 22 December 2017, 43 representatives from the political parties that compose the ruling coalition signed a petition that called for a vote in the parliament on a law that would revoke the special court. On 17 January, the push to initiate a vote on the law failed because a quorum in the parliament’s presidency was lacking. However, on 22 January the parliament’s presidency formally sent the draft law to revoke the special court to the government, which will have to provide its opinion on the matter within 30 days. Given that the court was established by constitutional amendment, the law to revoke the court would require the support of two-thirds of the representatives in the 120-seat

parliament. Kosovo’s leadership—including President Hashim Thaçi, Prime Minister Ramush Haradinaj, and the president of the parliament, Kadri Veseli—have publicly expressed criticism of the court. All three held high-ranking positions in the KLA during the Kosovo war in the 1990s.

The tensions in Kosovo heightened on 16 January after the assassination of Oliver Ivanović, a prominent Serb politician from northern Mitrovica, a Serb-dominated part of Kosovo. He was gunned down by unknown assailants near the offices of his political party, Citizens’ Initiative, in North Mitrovica. Haradinaj and Thaçi condemned the murder of Ivanović and called for law enforcement authorities to bring those responsible to justice. Serbian President Aleksandar Vučić described the murder as an act of terrorism and announced that Serbia had made a formal request to UNMIK and the EU Rule of Law Mission in Kosovo to allow its authorities to participate in the investigation.

On 20 January, Vučić visited Kosovo and held a series of meetings with the local Serb population including political and religious leaders. He urged Kosovar Serbs to remain living in Kosovo and stated that Serbian government will assist them in this regard. He repeated his calls for accountability for those responsible for Ivanović’s murder, no matter what ethnic group they belong to. Although the Kosovo authorities rejected Serbia’s offer to participate in the investigation, on 22 January the prosecutors from Serbia and Kosovo reached an agreement on sharing information pertaining to Ivanović’s murder.

In December 2017, Haradinaj was formally removed from the list of Interpol’s International Wanted Notices, which enables him to travel freely outside Kosovo. Months before becoming prime minister in September, Haradinaj was detained in France on an

Interpol arrest warrant issued by Serbia for alleged war crimes against Kosovo Serbs in the 1990s. Haradinaj was later released when the French court rejected Serbia’s extradition request.

### Human Rights-Related Developments

The special rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, Nils Melzer, visited Kosovo in November 2017. In a [27 November 2017 statement](#), Melzer commended Kosovo for improving its treatment of prisoners but said it still must do more to fight arbitrary detention and police impunity. Melzer interviewed numerous inmates held in police stations, remand prisons and high-security penitentiaries, as well as residents of psychiatric and social care institutions and migrants accommodated in reception and transit centres. According to the statement, Melzer received numerous allegations of ill-treatment during police interrogation. The special rapporteur will submit a report to the Human Rights Council at its 37th session in March.

### Issues and Options

In light of the recent events surrounding the special court and murder of Ivanović, maintaining stability in Kosovo remains the main priority of the Council. Related to this is what role UNMIK can play in facilitating the implementation of the existing agreements between Belgrade and Pristina.

The ongoing efforts in the Kosovo legislature to repeal the law that permits the prosecution of former KLA members for war crimes in the special court in The Hague is an issue that the Council will follow closely. Should the tensions within the legislature affect cooperation by the Kosovo authorities with the court, the Council could consider issuing a statement calling on the authorities in Kosovo to adhere to its commitments to the court.

During the past several briefings, some Council members, especially the P3, have expressed their view that the Council should consider lengthening the reporting cycle and

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UN DOCUMENTS ON KOSOVO [Security Council Resolution S/RES/1244](#) (10 June 1999) authorised NATO to secure and enforce the withdrawal of Federal Republic of Yugoslavia forces from Kosovo and established UNMIK. [Secretary-General’s Report S/2017/911](#) (31 October 2017) was on UNMIK. [Security Council Meeting Record S/PV.8100](#) (14 November 2017) was a briefing on Kosovo.

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## Kosovo

possibly downsizing the UN mission, given the relative stability in Kosovo. An option for the Council would be to consider specific proposals to this end or request the Secretary-General to conduct a strategic review of the mission in order to explore ways to increase its efficiency.

### Council Dynamics

Over the years, Kosovo has become a low-intensity issue for the Council followed closely by several members that have a particular interest in the region. Another factor that has contributed to lowering the Council's priority to this issue has been the growing role of regional organisations, including the EU, NATO and the Organization for Security and Co-operation in Europe.

The permanent members remain deeply divided over Kosovo. France, the UK and the US recognise Kosovo's independence and are inclined to support the Kosovo government, while China and Russia do not recognise its independence and strongly support Serbia's position. During the past several briefings, P3 members, and the US in particular, have become more outspoken in advocating a lengthening of UNMIK's reporting cycle and thus reducing the frequency of meetings on Kosovo. Some members, including the UK and the US, have called for significant changes to the mandate of the mission, including its possible drawdown and eventual withdrawal, citing the changing circumstances on the ground and overall stability in Kosovo. During the November briefing,

the US representative said that the mission's resources could be used for more critical issues and called for recognition of Kosovo, expressing support for Kosovo's full membership in the UN.

Looking ahead, it seems likely that the issue of modifying UNMIK's mandate in the context of reviewing the UN peacekeeping operations will gain more traction as the P3 continue to pursue these objectives. Because UNMIK's mandate is open-ended and thus not renewed periodically, any attempt to change the current status of the mission would require a new resolution. Russia continues to oppose any such attempt, and at the moment, would likely block a resolution that would alter the status quo.

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## South Sudan

### Expected Council Action

In February, the Council is expected to receive a briefing on the Secretary-General's monthly assessment of the deployment and future requirements of the Regional Protection Force (RPF) and impediments to the UN Mission in South Sudan (UNMISS) in carrying out its mandate. The Council also expects to receive the recommendations of the Secretary-General on the strategic review of UNMISS.

The mandate of UNMISS expires on 15 March.

### Key Recent Developments

As the conflict in South Sudan enters its fifth year, the political, security, humanitarian, human rights and economic situations remain dire. Nearly four million people—about one in three South Sudanese—have been displaced both inside South Sudan and in neighbouring countries, including 2.4 million children. According to OCHA, nearly 700,000 people fled South Sudan and became refugees in neighbouring countries in 2017. Some 5.1 million people are severely food-insecure with more than a quarter of a million children severely malnourished and at imminent risk of death in 2018, UNICEF said in a 19 January statement.

In this context, deployment of the RPF, which was initially authorised in August 2016 and is expected eventually to comprise 4,000 troops, continues, with 759 troops currently in the country, less than a quarter of the authorised number. At a press briefing on 24 January in the capital, Juba, UNMISS Head David Shearer said the arrival of RPF troops in Juba is enabling UNMISS to extend its presence to more remote parts of the country. Shearer announced the official opening of a new permanent peacekeeping base in Yei, and said that a new "light and nimble" peacekeeping presence is being deployed to the remote town of Akobo in the north-east of the country. UNMISS continues to encounter violations of the Status of Forces Agreement, including among other things, restrictions of movement by government forces, the arrest and detention of UNMISS personnel, and the seizure of UN property.

On 21 December 2017, the parties attending the first phase of the High-Level Revitalization Forum (HLRF) in Addis Ababa, Ethiopia, organised by the Intergovernmental Authority on Development (IGAD), signed an agreement on cessation of hostilities, protection of civilians, and humanitarian access. Signatories included all parties to the 2015

peace agreement as well as new parties to the conflict. Among other things, the agreement required parties to cease all hostile military actions on 24 December 2017. According to the agreement, the Chairperson of Joint Monitoring and Evaluation Commission (JMEC) is expected to report any serious breaches of the agreement to the government, the IGAD Assembly of Heads of State, the AU Peace and Security Council (PSC), and the UN Security Council for their action. The Chairperson of the IGAD Council of Ministers and the JMEC receive this information from the Ceasefire and Transitional Security Arrangements Monitoring Mechanism (CTSAMM), which is the body mandated to monitor violations of the agreement. The agreement also includes provisions requiring the parties to cooperate with UNMISS in the discharge of its mandate to protect civilians and to fully support the full and rapid deployment and operations of the RPF. Since the 24 December 2017 deadline, there have been numerous allegations of ceasefire violations. As of press time, CTSAMM had released two reports, finding that both the Sudan People's Liberation Army (SPLA) and the SPLA-In Opposition had violated the ceasefire agreement.

On 12 January, the Chairperson of the

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**UN DOCUMENTS ON SOUTH SUDAN** Security Council Resolutions S/RES/2392 (14 December 2017) extended the mandate of UNMISS for three months. S/RES/2327 (16 December 2016) extended the mandate of UNMISS for one year and reauthorised the Regional Protection Force. Security Council Presidential Statement S/PRST/2017/25 (14 December 2017) was on the situation in South Sudan, focussing on IGAD's efforts to revitalise the peace process. Secretary-General's Report S/2017/1011 (1 December 2017) was the 90-day report on UNMISS. Security Council Meeting Record S/PV.8166 (24 January 2018) was a briefing on South Sudan.

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## South Sudan

AU and the Secretary-General released a joint statement that “strongly condemn[s] the recent violations” of the agreement, and “affirm[s] their intent to support the imposition of consequences, consistent with the AU PSC communiqué of 20 September 2017, should the parties continue to violate their own agreement”. The communiqué said that if the parties continue to delay the full implementation of the August 2015 peace agreement, the PSC “will consider the necessary steps, including sanction measures”. An AU PSC Summit is scheduled to take place on the margins of the 30th Ordinary Session of the Assembly of the AU in Addis Ababa on 27 January. IGAD is expected to convene phase two of the HLRF on 5 February in Addis Ababa to focus on governance issues, transitional security arrangements, and a permanent ceasefire.

On 24 January, the Council was briefed on South Sudan by Under-Secretary-General for Peacekeeping Operations Jean-Pierre Lacroix who urged members to speak out clearly against violations of the 21 December 2017 agreement and “to take the decisive actions necessary to impose real consequences.” JMEC Chairperson Festus Mogae briefed (via VTC) and said that three signatories had so far violated the agreement; he similarly urged the Council to impose consequences. Assistant Secretary-General for Humanitarian Affairs Ursula Mueller also briefed and said civilians continue to be killed and forcibly displaced, including in Yei River State, Central Equatoria and Greater Upper Nile, with several thousand people fleeing to Ethiopia and Uganda in January. Humanitarian access remains highly complex and unpredictable despite President Salva Kiir’s

decree of 9 November 2017, which ordered free, unimpeded and unhindered movement for humanitarian aid convoys, she said.

### Key Issues and Options

An immediate issue for the Council is how to support IGAD’s efforts to revitalise the political process in South Sudan and what consequences it should impose on those who undermine the process, including implementation of the recent agreement on cessation of hostilities, protection of civilians, and humanitarian access, concluded by the parties at the HLRF on 21 December 2017. The Council will also need to determine what role it can play in curbing the collapse of South Sudan, as the crisis gripping the country has entered its fifth year, and in addressing the extraordinarily difficult circumstances UNMISS is forced to operate under.

In an effort to reduce the level of violence and exert leverage on the parties, Council members could decide to revisit the proposals for an arms embargo and targeted sanctions.

The Council could also consider holding a briefing on ways to combat hate speech and incitement to ethnic violence in South Sudan, inviting the participation of the High Commissioner for Human Rights, international NGOs with a presence in South Sudan, and key South Sudanese religious figures, among others.

### Council Dynamics

Council members share deep concern about the political and humanitarian situation in South Sudan, as set out in the presidential statement adopted on 14 December 2017. While Council members expressed strong support for IGAD’s efforts in the presidential

statement, differences still exist over potential consequences for undermining the peace process. These differences are in line with the long-standing divide in the Council over whether to impose an arms embargo and further targeted sanctions. In this regard, while the presidential statement refers to the need for “cost and consequences for those who undermine the HLRF process”, it remains to be seen whether and how Council members will take this forward. The likelihood of potential Council action will reflect assessments of the extent of ceasefire violations committed and the respective outcomes of the AU PSC Summit at the end of January and the second phase of the HLRF in February.

All Council members made statements at the 24 January briefing, as has been the case in the previous two Council briefings on South Sudan in November and December 2017. Council members were unanimous in welcoming the first phase of the HLRF and condemning violations of the 21 December 2017 agreement. In its statement, the US said “the Council is at a crossroads” and “it is long past time to establish an arms embargo”. The UK reiterated its call for an arms embargo, as did France, which also expressed the need for individual sanctions. The Netherlands also expressed its support for an arms embargo. Equatorial Guinea said “[a]lthough sanctions could serve as a deterrent and break the deadlock between the parties, it is also important for the Council to consider other pragmatic approaches.”

The US is the penholder on South Sudan. Poland chairs the 2206 South Sudan Sanctions Committee.

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## Counter-Terrorism

### Expected Council Action

In February, Under-Secretary-General Vladimir Voronkov, the head of the UN Office of Counter-Terrorism, will brief the Security Council on the Secretary-General’s strategic-level report on the threat emanating from the

Islamic State in Iraq and the Levant (ISIL or Da’esh), followed by consultations.

The Council will also discuss a report from the 1373 Counter-Terrorism Committee (CTC) on the implementation of resolution 2341 concerning critical infrastructure.

### Background

The Council held an open debate on the protection of critical infrastructure against terrorist attacks on 13 February 2017, during the presidency of Ukraine. The country’s Foreign Minister, Pavlo Klimkin, chaired the session.

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**UN DOCUMENTS ON COUNTER-TERRORISM** Security Council Resolutions S/RES/2396 (21 December 2017) addressed the threat of foreign terrorist fighters. S/RES/2395 (21 December 2017) renewed the mandate of the Counter-Terrorism Committee Executive Directorate (CTED) until 31 December 2021. S/RES/2368 (20 July 2017) renewed and updated the 1267/1989/2253 ISIL (Da’esh) & Al-Qaida Sanctions regime with an annex that added eight individuals or organisations to the sanctions list. S/RES/2341 (13 February 2017) was on the protection of critical infrastructure against terrorist threats. S/RES/2253 (17 December 2015) was a resolution strengthening the Al Qaida sanctions regime and focusing on the Islamic State in Iraq and the Levant (ISIL). The sanctions regime was also renamed the “1267/1989/2253 ISIL (Da’esh) and Al-Qaida Sanctions List” to reflect this focus. Security Council Meeting Record S/PV.7882 (13 February 2017) was on the protection of critical infrastructure against terrorist attacks. General Assembly Document A/RES/71/291 (15 June 2017) established the UN Counter-Terrorism Office headed by a new Under-Secretary-General.

# Counter-Terrorism

Briefings were given by the Secretary-General's Chef de Cabinet, Maria Luiza Ribeiro Viotti; Jürgen Stock, the Secretary-General of the International Criminal Police Organization (via video teleconference); Hamid Ali Rao, Deputy Director-General of the Organisation for the Prohibition of Chemical Weapons; Chris Trelawny, Special Adviser on Maritime Security and Facilitation to the Secretary-General of the International Maritime Organization; and Olli Heinonen, Senior Advisor on Science and Non-proliferation at the Foundation for Defense of Democracies and a former Deputy Director-General of the IAEA.

At that meeting, the Council adopted resolution 2341 directing the CTC and the Counter-Terrorism Executive Directorate (CTED) to continue as appropriate, within their respective mandates, to examine member states' efforts to protect critical infrastructure from terrorist attacks. In addition, the resolution requested the CTC to provide an update on its implementation to the Council in 12 months.

Resolution 2253, adopted on 17 December 2015, requested the Secretary-General to provide strategic-level reports every four months about the threat emanating from ISIL (Da'esh), including from foreign terrorist fighters (FTFs) joining ISIL and associated groups and entities, FTFs returning to their countries of origin, and the sources of financing of these groups. In resolution 2368 of 20 July 2017, the Council requested the Secretary-General to produce the report every six months in collaboration with the Analytical Support and Sanctions Monitoring Team assisting the CTC.

## Key Recent Developments

The Council adopted two important resolutions on 21 December 2017. Resolution 2395 renewed the mandate of CTED as a special political mission under the guidance of the CTC until 31 December 2021; and resolution 2396 on FTFs and returnees was a follow up to resolution 2178 of September 2014 on fighters travelling to other countries to participate in terrorism.

Resolution 2395 provides a comprehensive text regarding CTED's full mandate, which now encompasses cross-cutting issues such as FTFs and countering violent extremism. It stresses that the assessment of the implementation of resolution 1373 and other relevant counter-terrorism resolutions is the core function of CTED, and that the analysis and recommendations from these assessments are invaluable. It requests CTED to report to

the CTC by 30 March on potential ways to strengthen the assessment process, including by considering targeted and focused follow-up visits and by shortening timelines for reviews of member states and reports where possible.

The resolution also addresses CTED's functions within the wider UN system, including the relationship between CTED and the UN Office of Counter-Terrorism (OCT), established on 15 June 2017 and headed by a new Under-Secretary-General, Vladimir Voronkov. It underscores the importance of strong coordination and cooperation between the two bodies to ensure effective UN engagement with member states to improve the implementation of the Global Counter-Terrorism Strategy, as well as other key counter-terrorism resolutions.

Resolution 2396 focuses on FTFs returning to their countries of origin and imposes several new obligations for states. It obligates states to develop watch lists or databases of known and suspected terrorists, including FTFs, for use by law enforcement and intelligence agencies to screen travellers and to conduct risk assessments and investigations, in compliance with domestic and international law, including human rights law, encouraging states to share this information with other states. It further calls on states to notify other states about the travel or detention of individuals whom they have reasonable grounds to believe are terrorists, including suspected FTFs.

The resolution turns what in September 2014 had been a call on states, expressed in resolution 2178, into a chapter VII obligation whereby the Council decides that states shall require airlines operating in their territories to provide advance passenger information (API) to the appropriate national authorities. (The International Civil Aviation Organisation required member states to establish API systems as of 23 October 2017.)

In addition, states are obligated to develop and implement biometric data systems, which could include fingerprints, photographs, facial recognition, and other relevant identifying biometric data. Furthermore, the resolution calls on states to provide technical assistance to other states for developing biometric data and encourages them to share this data responsibly among relevant states.

States are further called upon "to assess and investigate suspected individuals whom they have reasonable grounds to believe are terrorists, including suspected foreign terrorist fighters and their accompanying family

members, including spouses and children".

## Sanctions-Related Developments

Resolution 2396 directs the 1267/1989/2253 ISIL (Da'esh) & Al-Qaida Sanctions Committee and the Analytical Support and Sanctions Monitoring Team to continue to devote special focus to the threat posed by FTFs, in cooperation with other UN bodies. It also directs the CTC, with the assistance of CTED, to continue to identify new good practices in addressing FTFs, and to facilitate technical assistance to states, upon their request, specifically by promoting engagement between providers of capacity-building assistance and recipients.

The CTC met for the first time under the new Chair, Gustavo Meza-Cuadra Velásquez (Peru), on 25 January. The committee discussed its programme of work for 2018 and CTED's list of country visits for the year.

The 1267/1989/2253 ISIL (Da'esh) & Al-Qaida Sanctions Committee met on 12 January when the Coordinator of the Monitoring Team presented its 21st report, which included analysis of ISIL (Da'esh) funding businesses.

## Key Issues and Options

After the renewal of CTED's mandate, the main issue for the Council is to ensure the widespread implementation of resolution 1373, including the criminalisation of terrorism, the freezing of terrorism-related assets, and effective border and arms control. A related issue is ensuring the implementation of resolution 1624 to prevent acts of incitement to commit terrorism.

Another issue is the relationship between the newly established OCT and CTED and their heads. The Council may wish to ensure that it develops into a fruitful cooperation, particularly with respect to implementation and strengthening the capacity of states' counter-terrorism capabilities, and enhances the UN's overall effectiveness in addressing terrorism.

A key issue for the Council is to ensure overall implementation of the Al-Qaida sanctions regime, including targeting those violating the regime by helping terrorist groups improve their operational capabilities. At the same time, mitigating the humanitarian impact of these measures is an important issue to ensure their effectiveness.

With the adoption of resolution 2396, the Council will need to follow up on its implementation, particularly through its subsidiary bodies and CTED, while taking into account capacity gaps between states in implementing sophisticated border control and identification systems.

## Council and Wider Dynamics

Council members are in general agreement

## Counter-Terrorism

about the importance of receiving strategic analysis on ISIL (Da'esh), which can then feed into other counter-terrorism efforts or serve as background for the Council's counter-terrorism agenda. Several Council members, however, felt that receiving the strategic-level report every four months was excessive, and thus the report will be submitted biannually in accordance with resolution 2368.

The simultaneous and complicated

negotiations over the two resolutions adopted in December revealed that some of the divisions among Council members remain entrenched. For example, Russia was adamant that the resolutions refrain from referring to the Secretary-General's Plan of Action to Prevent Violent Extremism. Russia has expressed negative views about the plan, asserting that it infringes state sovereignty and is not objective in identifying the

root causes of extremism. Instead, the resolutions refer to "countering violent extremism conducive to terrorism". At the same time, such Council members as France, Italy and particularly Sweden insisted that references to adherence to international law, including human rights law, be inserted in several places in resolution 2396.

The US is the penholder on counter-terrorism.

## Guinea-Bissau

### Expected Council Action

In February, the Council expects a briefing by the Special Representative and head of the UN Integrated Peacebuilding Office in Guinea-Bissau (UNIOGBIS), Modibo Touré. Ambassador Mauro Vieira (Brazil), chair of the Guinea-Bissau configuration of the Peacebuilding Commission, is also likely to brief.

The Council is expected to renew the mandate of UNIOGBIS, which expires on 28 February, for a further 12 months.

### Key Recent Developments

Guinea-Bissau has remained mired in a political crisis that has left the country without a fully functioning government for almost two-and-a-half years. The impasse has pitted President José Mário Vaz against his own African Party for the Independence of Guinea and Cape Verde (PAIGC) led by Domingos Simões Pereira. There has been little progress toward implementing the October 2016 Conakry Agreement brokered by the Economic Community for West African States (ECOWAS), which includes naming a consensus prime minister and electoral reforms ahead of legislative elections, currently proposed for 10 May.

On 25 October 2017, 18 political parties, including the PAIGC, announced the formation of the Collective of Democratic Parties United Against Dictatorship. The Collective pledged to organise demonstrations until Vaz implemented the Conakry Agreement and to oppose the organisation of the next legislative elections under the current government, headed by Prime Minister Umaro Sissoco Embaló, whose November 2016 appointment

by Vaz, the PAIGC has argued, did not comply with the Conakry Agreement. The Collective organised protests from 27 to 31 October 2017 in Bissau. During a demonstration of several thousand supporters of the Collective on 16 November 2017, police used tear gas, and several people were injured and arrested.

An ECOWAS high-level mission visited Bissau on 2 and 3 December 2017 to assess the implementation of the Conakry Agreement and the September 2016 Bissau Six Point Roadmap, which had been the basis for the Conakry Agreement. Its findings on the failure to advance the Conakry Agreement were considered at the 16 December 2017 summit of ECOWAS heads of state and government in Abuja, where West African leaders requested Guinean President Alpha Condé and Togolese President Faure Gnassingbé to hold talks with all stakeholders within one month. They further threatened "collective or individual sanctions" on those hampering implementation of the Conakry Agreement.

On 12 January, Sissoco submitted his resignation. Vaz issued a presidential decree on 16 January, accepting the prime minister's resignation. An ECOWAS mission—led by Togo's Foreign Minister, Robert Dussey, who chairs the ECOWAS Council of Ministers, and the Secretary-General of the Presidency of Guinea, Naby Youssouf Kiridi Bangoura, representing the ECOWAS Mediator for Guinea-Bissau—deployed on 17 January. On 22 January, the main opposition political party, the Party for Social Renewal, the 15 dissident PAIGC members of parliament, and those of two smaller parties, which are all close with Vaz,

announced that they rejected ECOWAS mediation in the crisis. They described ECOWAS as "tendentious and partial...which without any evidence, wants to impose by force a name that was not adopted consensually by all subscribers to the Conakry Agreement".

Also in recent developments, On 18 January, former Prime Minister Carlos Gomes Júnior, ousted in the 12 April 2012 military coup, returned to Guinea-Bissau after more than five years in exile. Gomes Júnior has since declared himself "the sixteenth member" of the group of 15 PAIGC dissidents.

The Council presidential statement of 13 September 2017 "called on the Guinea-Bissau leadership to implement the Conakry Agreement of 14 October 2016, including by appointing a consensus Prime Minister as required by the Agreement". In a 30 January presidential statement on the West Africa and Sahel region, the Council called for the Conakry Agreement's implementation "without further delay", commended ECOWAS engagement, and expressed its "readiness to consider supporting further measures it could take in this regard".

### Developments in the Peacebuilding Commission

The Guinea-Bissau configuration of the Peacebuilding Commission (PBC) last met on 6 December 2017. Touré briefed via video teleconference on the political situation. Deputy Special Representative and Resident Coordinator David McLachlan-Karr briefed on developments regarding the 2018 legislative elections and on Peacebuilding Fund-supported projects in the country. The ECOWAS Permanent Observer to the UN, Tanou Koné, provided an overview on the recent

UN DOCUMENTS ON GUINEA-BISSAU [Security Council Resolution S/RES/2343](#) (23 February 2017) renewed the mandate of UNIOGBIS for another year. [Security Council Presidential Statements S/PRST/2018/3](#) (30 January 2017) was on West Africa and the Sahel region. [S/PRST/2017/17](#) (13 September 2017) called for implementation of the Conakry Agreement, including by appointing a consensus prime minister. [Security Council Meeting Record S/PV.8031](#) (24 August 2017) was a briefing on Guinea-Bissau.

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## Guinea-Bissau

### ECOWAS high-level mission.

On 11 December 2017, the configuration issued a statement reiterating its full support for the Bissau Roadmap and the Conakry Agreement, stressing the importance of free and fair elections in accordance with the constitution, calling on the international community to support this process, and urging the parties to respect the right to demonstrate peacefully.

### Human Rights-Related Developments

On 10 December 2017, Guinea-Bissau launched the National Network of Human Rights Defenders, composed of 43 national organisations working to provide protection to organisations and individuals targeted by civilian or military power. The head of the human rights section of UNIOGBIS and representative of the UN High Commissioner for Human Rights in Guinea-Bissau, Mireya Peña-Guzman, attended the launch and welcomed the initiative.

### Key Issues and Options

Progress in implementing the Conakry Agreement, including appointing a consensus prime minister and forming a new government, remains a key issue. Related to this are the approaching legislative elections that the National Electoral Commission (CNE) has proposed be held on 10 May; several steps in the Conakry Agreement were envisioned to be completed prior to elections. Also tied to the ability to hold elections are issues

related to the voter registration process and the appointment of a new CNE president.

A recurring issue is the future of the ECOWAS Mission in Guinea-Bissau (ECOMIB), the approximately 400-member force, which ECOWAS has repeatedly said it intends to withdraw because of the financial burden of maintaining it.

In renewing the mandate of UNIOGBIS, the Council may reaffirm its call on the parties to implement the Conakry Agreement and express its continued support of ECOWAS mediation efforts.

The Council may further reiterate its desire for UNIOGBIS to prioritise its political capacities in support of the Special Representative's good offices and political facilitation role and to streamline its management structure, expressed in last year's mandate resolution when it endorsed the recommendation of a December 2016 UN strategic review of the mission.

### Council and Wider Dynamics

On Guinea-Bissau, the Council tends to follow the lead of ECOWAS, seeking to support decisions or agreements that it reaches. On the ground, representatives in Bissau from ECOWAS, the AU, the Community of

Portuguese Language Countries, the UN and the EU—collectively referred to as the P5 in Guinea-Bissau—often act together to defuse tensions. Concerns for Security Council members include that the political stalemate or a deterioration of the situation could lead to an increase in transnational crime, such as drug trafficking and piracy, or be exploited by terrorist groups in the region. Members also commonly express concern about the risk of Guinea-Bissau's military interfering in the political situation, given the country's history.

Regarding the renewal of UNIOGBIS, some permanent members may seek opportunities to reduce its budget, questioning its impact. For last year's renewal the Council supported the Secretary-General's proposal to shift resources from programmatic activities that had become idle due to the political stalemate towards reinforcing the mission's political capacities, yet, until very recently, there have been few signs of progress in the situation.

Côte d'Ivoire is the penholder on Guinea-Bissau. It succeeds Senegal, which as a neighbouring country was active in keeping Council attention on Guinea-Bissau during the past two years. Equatorial Guinea chairs the 2048 Guinea-Bissau Sanctions Committee.

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## Iraq

### Expected Council Action

In February, the Special Representative and head of the UN Assistance Mission for Iraq (UNAMI), Ján Kubiš, will brief the Council on the Secretary-General's report on UNAMI and the most recent developments.

The mandate of UNAMI expires on 31 July 2018.

### Key Recent Developments

On 9 December 2017, Iraqi Prime Minister Haider al-Abadi announced a victory over the Islamic State in Iraq and the Levant (ISIL) after government forces gained control of the remaining territory held by ISIL on the border with Syria. At the height of its power, ISIL controlled around one-third of the country,

including the major population centres Falujah, Mosul and Ramadi. Iraqi government forces, together with Kurdish troops, Sunni tribal fighters, and the air support of the US-led coalition, engaged in a campaign against ISIL for more than three years. Although deprived of territory, ISIL has continued terrorist attacks against civilians and security forces, particularly in Baghdad.

Two people were killed and dozens injured in a 13 January attack in northern Baghdad. Two days later, ISIL claimed responsibility for the deadliest attack since the declaration of the group's defeat. In a double suicide bombing in Tayaran Square in Baghdad, close to 40 people were killed and another hundred wounded.

The tensions between Baghdad and Erbil continue after the Kurdistan Regional Government (KRG) held a referendum on independence in September 2017. The central government has since retaliated by taking control of Kirkuk and the surrounding areas in the disputed territories, while imposing a ban on international flights from two major airports in Kurdistan. During a 20 January meeting with KRG Prime Minister Nechirvan Barzani, al-Abadi reiterated the central government's conditions for scaling back restrictions on the KRG. Al-Abadi said that the KRG must surrender control of its airports and border crossings to the central government and stop independent oil exports.

In its decision issued on 31 October 2017,

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**UN DOCUMENTS ON IRAQ** Security Council Resolutions S/RES/2390 (8 December 2017) terminated the oil-for-food programme. S/RES/2379 (21 September 2017) was on the accountability measures for crimes committed by ISIL in Iraq. S/RES/2367 (14 July 2017) renewed UNAMI for a year. Security Council Letters S/2018/63 (19 January 2018) was the Secretary-General request for the extension of the deadline for the submission of the terms of reference for the investigative team until 9 February 2018. S/2017/966 (15 November 2017) was the executive summary, the observations and recommendations of an independent external assessment of UNAMI. Sanction Committee Documents S/2017/1078 (22 December 2017) was the annual report of the 1518 Iraq Sanctions Committee.

the Council of Ministers set 15 May 2018 as the date for the parliamentary elections. However, in December the Council of Ministers moved the election date to 12 May after the Independent High Electoral Commission requested the change in order to prevent an overlap with the beginning of Ramadan. The Federal Supreme Court of Iraq ruled on 21 January that parliamentary elections must be held within the timeframe set by the constitution and without delay. The next day, the Iraqi parliament approved a decision to hold the elections on 12 May. Since the initial elections date was first announced in October, Sunni lawmakers have called for their postponement amid concerns that some 3 million Iraqis, displaced as a result of the fight against ISIL, will not be able to return to their homes in time. Both al-Abadi and his predecessor, Nouri al-Maliki, have announced that they will run in the elections.

From 21 to 23 January, Assistant Secretary-General for Political Affairs Miroslav Jenča visited Iraq and held meetings with al-Abadi and other high-ranking government officials. Among the issues discussed during the visit was how the UN can assist Iraq in the upcoming elections, and improving relations between the central government and the KRG. He also visited Mosul and areas recently liberated from ISIL and said that the UN will continue to assist in the rebuilding and stabilisation of Iraq.

In September 2017, the Council adopted a resolution that requested the Secretary-General establish an investigative team to support Iraq's domestic efforts to hold ISIL accountable by collecting, preserving and storing evidence of war crimes. The Secretariat is still working on terms of reference for the team that will be acceptable to the government of Iraq. The initial deadline for their submission was 21 November 2017. However, the Secretary-General has requested an extension of the deadline on several occasions. He has informed the Council that the main unresolved issue remains "sharing of evidence by the team in respect of any criminal proceedings in which capital punishment could be imposed or carried out". The next deadline for submission is 9 February.

On 15 November 2017, the Secretary-General submitted to the Council the executive summary, recommendations and observations from a report conducted by an independent external assessment team focusing on a review of the structure and staffing

of UNAMI and related resources. In its general recommendations, the assessment team noted the need for the mission to have clearly defined objectives, a strategy to achieve them, and a performance measurement framework. The report also recommended increasing the capacity to deliver mandate-related results by adding political, human rights and analytical capabilities, especially outside Baghdad. The assessment team's recommendations are likely to be considered in the discussions on the renewal of UNAMI's mandate in July.

### Human Rights-Related Developments

The special rapporteur on extrajudicial, summary or arbitrary executions, Agnes Callamard, visited Iraq from 14 to 23 November 2017. She met with victims of ISIL's violence, visited camps housing people forced to flee their homes, and talked to expert teams working to identify the thousands of Iraqis buried in mass graves. In a statement at the end of her visit, she noted that "the Iraqi people have been subjected to inconceivable suffering at the hands of ISIL. Justice for victims demands that the possible crimes against humanity be investigated...But hasty judgment and execution of ISIL members for acts of 'terrorism' is a disservice to the country". The special rapporteur will submit a report to the Human Rights Council at its 38th session in June.

In a 15 December 2017 press briefing, the spokesperson for the High Commissioner for Human Rights, Liz Throssell, expressed concern over the mass execution of 38 men at a prison in southern Iraq on 14 December 2017. The spokesperson added that it appears "extremely doubtful that strict due process and fair trial guarantees were followed. This raises the prospect of irreversible miscarriages of justice and violations to the right of life". In the same briefing, the spokesperson also raised concerns about the situation in Tuz Khurmatu, in Salah al-Din Governorate (part of the disputed areas), where residential areas were reportedly shelled on 9 and 12 December, with casualties among civilians. According to the spokesperson, UN human rights officers visited the area on 7 and 14 December 2017 to investigate reports that homes had been burned and businesses looted.

### Sanctions-Related Developments

On 24 November 2017, the 1518 Iraq Sanctions Committee removed one entity from the sanctions list in an ongoing effort to wind down the committee. At press time there were still 169 entities and 86 individuals on the list.

On 8 December 2017, the Council adopted a resolution that ended the oil-for-food programme and indicated that the sanctions measures imposed under Chapter VII of the Charter in this regard have been fully implemented.

### Issues and Options

With ISIL defeated militarily, the Council's attention is likely to shift towards other

troubling issues, mainly the human rights and humanitarian situation and the continuing terrorist threats.

In addressing these issues, the Council could consider requesting more briefings by the representatives of the UN agencies with a field presence regarding the humanitarian and human rights situations, in view of reports of violations committed by pro-government forces. The Council could also adopt a resolution that would call for accountability for crimes committed by all armed groups.

The Council continues to follow closely developments related to the parliamentary elections planned for 12 May, especially because UNAMI will play a role in this process by providing electoral assistance to the government of Iraq. To this end, the Council could consider inviting Kubiš to brief on the preparation process and the readiness of the Iraqi government to hold the elections.

The Council continues to monitor the situation in Kurdistan after the conflict between the Iraqi government and the KRG escalated in October 2017. With the exception of one meeting under "any other business" in October, the Council has not held any further discussions on this specific issue. Given that the situation in Kurdistan remains tense, the Council could consider holding an informal interactive dialogue with the participation of both Iraqi government and KRG representatives to get their perspectives on this issue.

Another increasingly difficult issue is the elaboration of the terms of reference for the investigative team on accountability for crimes committed in Iraq by ISIL. The numerous executions of captured ISIL fighters carried out by the government since the declared defeat of the terrorist group only exacerbate concerns raised by the Secretariat in the process of drafting the terms of reference. Once the draft is submitted to the Council, one option is to hold a discussion in consultations with relevant Secretariat officials to review the substance of the document and allow these officials to answer any questions or respond to any concerns that may arise.

### Council Dynamics

Council members support UNAMI, and some subscribe to the view held by the US and Iraq, as well as by Kubiš, that the mission's mandate is sufficiently broad and flexible to support the mission's good offices role. Other Council members believe that UNAMI would benefit from a resolution that updates and

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## Iraq

prioritises its tasks, given that the mandate has not changed since resolution 1770 was adopted more than ten years ago. Some members have previously expressed interest in incorporating stronger language in the mandate renewal resolution on such issues as the promotion of

national reconciliation; accountability; security sector reform; deeper political and economic reforms; women, peace and security; children and armed conflict; and the right of internally displaced persons to return to their homes. It seems that the US, the penholder, and Iraq, the

host country, are reluctant to make any substantial changes to UNAMI's mandate.

The US is the penholder on Iraq issues in general, and the UK is the penholder on Iraq-Kuwait issues. Poland is the Chair of the 1518 Iraq Sanctions Committee.

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## Central African Republic

### Expected Council Action

In February, the Special Representative to the Central African Republic (CAR) and head of the UN Multidimensional Integrated Stabilization Mission in the Central African Republic (MINUSCA), Parfait Onanga-Anyanga, will brief the Council on the latest developments and the most recent MINUSCA report, due on 15 February. Assistant Secretary-General for Peacekeeping Operations Bintou Keita is expected to participate in the consultations after the briefing.

### Key Recent Developments

The security situation outside of the capital, Bangui, is dire. Self-proclaimed self-defence groups, loosely connected to some members of the anti-Balaka movement, have continued to operate in the south-east of the CAR and are targeting Muslims. Ex-Séléka factions continue to establish illegal parallel administration and taxation structures in areas under their control, preying on the population.

An acute crisis situation has also developed in the north-west of the country where more than half the population has been displaced. Since the end of December 2017, two armed groups, the Revolution and Justice (RJ) and the Mouvement de la libération de la Centrafrique (MNL) have clashed to the north of Paoua, in the north-west. Both are trying to control lucrative road checkpoints where large herds of cattle pass through on their way to neighbouring Chad. According to UNHCR, local authorities report that as of 23 January some 15,000 houses have been burned and 487 people killed. The fighting has displaced more than 65,000 people who are now seeking refuge in Paoua, which previously had only 40,000 inhabitants. An additional 17,000 have fled to Chad since the beginning of the year

due to the recent violence. An unknown number of people have sought refuge in the bush.

MINUSCA gave the two armed groups a 48-hour ultimatum to clear out of the area on 17 January, with the intention of securing a 50-kilometre perimeter around the town in order to allow the safe return of the displaced.

According to UNHCR, the total number of internally displaced people increased from 400,000 in May to 688,700 at the end of 2017, in addition to 542,380 refugees hosted in neighbouring countries.

On the political front, various national and regional peace and reconciliation initiatives have failed to gain momentum. The government, led by President Faustin Archange Touadéra, has minimal control outside Bangui, which is relatively calm. Disarmament efforts have made only limited progress, and factions of the ex-Séléka and anti-Balaka groups remain armed and in control of large areas of the country.

Armed groups continue to target humanitarian workers and MINUSCA peacekeepers, resulting in the death of 14 peacekeepers in 2017. Most recently, anti-Balaka elements killed a Mauritanian peacekeeper and wounded three others on 4 December 2017 in Bria in the east.

The Council adopted resolution 2387 on 15 November 2017, renewing the mandate of MINUSCA until 15 November 2018. The priority tasks of the mission include the protection of civilians, support for the peace process, and the delivery of humanitarian assistance. In addition, the resolution increases MINUSCA's troop ceiling by 900 troops to a total of 11,650 military personnel. In his regular reporting on MINUSCA, the Secretary-General is to include the outcome of a performance review of MINUSCA's contingents no

later than the end of the first quarter of 2018.

The Secretary-General is also to keep the Council informed through his reports on MINUSCA about the mission's progress in implementing a zero-tolerance policy on sexual exploitation and abuse (SEA) and on reviews pursuant to resolution 2272 of 11 March 2016. The resolution requests the Secretary-General to replace a troop-contributing country (TCC) when it has not taken appropriate steps to investigate allegations of sexual exploitation and abuse or when the particular TCC has not held the perpetrators accountable.

An independent special investigation appointed by Under-Secretary-General for Peacekeeping Operations, Jean-Pierre Lacroix, to look into attacks on civilians that occurred between 1 May and 31 August 2017, announced its main findings on 24 January. It found that while MINUSCA has a well-established protection of civilians strategy and functioning early warning mechanisms, these did not translate into preventive actions and there were deficiencies in civil-military-police planning, and operations. Additionally, gaps were identified with regard to contingents' training and understanding of protection of civilians.

French magistrates decided on 15 January to end proceedings against French soldiers accused of allegedly abusing children in the CAR, citing insufficient evidence. The Guardian reported that an internal UN investigation recorded detailed testimony from children in the CAR who said they were sexually abused between December 2013 and June 2014 by French troops deployed in the CAR as part of the Council-authorized French intervention force and by soldiers from the Chad and Equatorial Guinea contingents of the AU peacekeeping mission before it was re-hatted into MINUSCA.

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**UN DOCUMENTS ON THE CAR Security Council Resolutions S/RES/2387** (15 November 2017) renewed the mandate of MINUSCA until 15 November 2018. **Sanctions Committee Documents SC/13147** (28 December 2017) emphasised the importance of freezing the assets of listed individuals. **SC/13123** (15 December 2017) was a statement on the 2127 CAR Sanctions Committee meeting with its Panel of Experts to hear briefings on weapons and ammunition management in the country. **S/2017/1023** (6 December 2017) was the final report of the Panel of Experts assisting the 2127 CAR Sanctions Committee.

# Central African Republic

## Sanctions-Related Developments

On 4 December 2017, the 2127 CAR Sanctions Committee met with its Panel of Experts to discuss the final report of the panel and hear briefings by the UN Mine Action Service and UN Institute for Disarmament Research on weapons and ammunition management in the country.

The report recommended that the committee encourage MINUSCA to report any acts of incitement to ethnic or religious violence and hatred, and to identify the perpetrators or instigators. It further recommended that the Council expand designation criteria to include inciting ethnic or religious violence and hatred, as well as justifying such acts. Also, the panel recommended that the committee encourage neighbouring states to take effective action to counter the illicit flow of weapons and ammunition into the CAR.

In a press release on 28 December 2017, the committee emphasised the recommendation of the panel that it was important that states ensured that all funds, financial assets, and economic resources of listed individuals and entities be frozen without further delay.

The committee met for the first time under the chairmanship of Ambassador Bernard Tanoh-Boutchoué (Côte d'Ivoire) on 26 January in an open briefing. The Coordinator of the Panel of Experts, Romain Esmenjaud, briefed the Council.

The committee met for the first time under the chairmanship of Ambassador Bernard Tanoh-Boutchoué (Côte d'Ivoire) on 26 January. On 30

January, the Council adopted resolution 2399 renewing the sanctions regime until 31 January 2019 and the mandate of the Panel of Experts until 28 February 2019. On top of the existing designation criteria, the resolution decided that individuals who commit acts of incitement to violence, in particular on an ethnic or religious basis, and then engage in or provide support for acts that undermine the peace, stability or security of the CAR may also be sanctioned.

## Key Issues and Options

The need to respond to the increased fighting between rebels, attacks against civilians along sectarian lines, and the targeting of MINUSCA personnel and other UN and humanitarian personnel is of key concern to the Council.

The Council could consider acting through the 2127 CAR Sanctions Committee, listing those with links to recent attacks and civilians and individuals who have incited ethnic or religious violence.

The performance of MINUSCA's contingents has not been uniform, with some contingents accused of being overly passive and ill-equipped, while others are alleged to have committed SEA. Council members could consider reports from the Secretariat on the performance of MINUSCA's contingents,

including in the context of sexual misconduct.

## Council and Wider Dynamics

The deteriorating security situation and the government's inability to project law and order beyond Bangui continue to worry all Council members. During the negotiations over MINUSCA's mandate renewal, all Council members agreed that an increase in troop numbers and streamlining MINUSCA's mandate to focus on a few priority tasks was necessary.

However, there continues to be a rift in the Council with respect to the Council's involvement in oversight of specific contingents generally, and with respect to SEA in particular, and the publicity of such oversight. The US, with the support of other Council members, has been pushing for closer scrutiny of contingents and greater accountability, while TCCs and those supporting them on the Council view this approach as an attempt to shame and blame them for the more general shortcomings of the mission.

France is the penholder on the CAR, and Côte d'Ivoire chairs the 2127 CAR Sanctions Committee.

# Burundi

## Expected Council Action

In February, the Secretary-General's Special Envoy, Michel Kafando, will brief the Council on the Secretary-General's latest report and on the situation in Burundi.

## Key Recent Developments

The security and political situation in Burundi—which deteriorated sharply after April 2015 when Burundian President Pierre Nkurunziza announced that he would run for a controversial third term later that year—remains unsettled. The Burundian government, for its part, maintains that the security situation is good throughout the country. Yet, serious human rights abuses continue to be committed daily with impunity, and oppression and state control over Burundian society—including the opposition and the media—remain high, exerted mainly by the

government and the Imbonerakure, the youth group of Nkurunziza's party. House search operations, arbitrary arrests and other abuses have reportedly become the norm. Thus, while the security situation may not have deteriorated, many fear it is untenable and masks a serious risk of violent escalation between the government and those that oppose it.

On 24 October 2017, the government adopted recommendations by the Commission nationale de dialogue inter-burundais (CNDI) to amend the constitution. The amendments remove references to the Arusha Accord, which in 2000 put an end to civil war and ethnic violence and formed the basis for the current constitution. They extend the presidential term from the current five to seven years and suggest that presidential terms are to be counted from their adoption, thus allowing Nkurunziza to run for re-election in 2020 and—since two

terms may be served consecutively—potentially remain in power until 2034, pending further changes. Among other things, the amendments also replace the current two-thirds majority necessary to pass basic bills in parliament with a simple majority, and restructure the government by creating a prime ministerial post and eliminating the current system of two equal vice presidents, one of whom is from the opposition.

The amendments will be put to a referendum in May. Jean Minani, Chairman of the opposition platform in exile, the Conseil National pour le respect de l'Accord d'Arusha (CNARED), has called on Nkurunziza to refrain from amending the constitution, saying that the referendum's objective is to break the Arusha Accord and to undermine democracy. He further opined that its results are predetermined in favour of the amendments and called on people to boycott the polls.

**UN DOCUMENTS ON BURUNDI** [Security Council Resolution S/RES/2303](#) (29 July 2016) established a UN police component in Burundi of 228 officers for an initial period of one year. [Security-General's Report S/2018/779](#) (January 2018) was on Burundi. [Security Council Meeting Record S/PV.8109](#) (20 November 2017) was a briefing on the situation in Burundi by Special Envoy for Burundi Michel Kafando and the chair of the Peacebuilding Commission's Burundi configuration, Ambassador Jürg Lauber (Switzerland). [Human Rights Council Document A/HRC/36/54](#) (11 August 2017) was the report of the Commission of Inquiry on Burundi, established by HRC resolution 33/24 of 30 September 2016.

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## Burundi

Burundi law only allows for public partisan campaigning regarding the amendments in the two weeks prior to the vote. However, Nkurunziza launched a “campaign of explanation” regarding the constitutional amendments on 12 December, warning that those opposing it are “crossing a red line”. On 18 January, the opposition claimed that 42 activists had been arrested since 12 December 2017 for illegally contesting the referendum.

Meanwhile, the fourth session of the Inter-Burundian dialogue, led by the East African Community (EAC) and facilitated by former Tanzanian President Benjamin Mkapa, took place in Arusha between 27 November and 8 December 2017. The Secretary-General’s latest report notes the absence of progress and deplores the lack of commitment of the government and the opposition to compromise. It further calls on the government to engage in the process without any preconditions and for the region to support the process.

Kafando last visited the region from 11 to 14 December 2017. He met with the Minister of External Relations, Alain Aimé Nyamitwe; with Edouard Nduwimana, the Ombudsman, an official elected by the National Assembly to investigate violations of civil rights by state officials; and with diplomats.

Kafando held consultations with the

Chairperson of the AU, Moussa Faki, and AU Commissioner for Peace and Security Smail Chergi in Addis Ababa on 10 January. They discussed the crisis in Burundi and reviewed UN and AU support for the EAC-led Inter-Burundian Dialogue.

### Key Issues and Options

The pressing issue is ensuring that the situation in Burundi does not descend into further violence, particularly in light of the referendum expected in May. The Council could consider a visiting mission to the region, possibly timed ahead of the referendum.

A general issue is for the Council to find a new avenue for reengagement with Burundi in order to address the political crisis, likely one that is not based on resolution 2303 of 29 July 2016, which authorised the deployment of a police component to Burundi but has not been implemented because of Burundi’s opposition.

Finally, a major issue is the lack of accountability for potential international crimes in Burundi, particularly in light of the magnitude of the findings presented in the 11 August 2017 report of the Commission of Inquiry into grave human rights violations established by the Human Rights Council.

One possible way to address these issues would be to impose targeted sanctions against

those obstructing a genuine political dialogue, those responsible for human rights violations, and those who are blocking the implementation of resolution 2303.

### Council Dynamics

The Council is at an impasse with respect to its engagement with the country. Some Council members have increasingly challenged the need for Council involvement as they view the situation as an internal issue lacking a pressing security dimension. They further note that Burundi is not different from several states in the region that have amended their constitutions or laws to allow incumbent leaders to continue to run and serve for several terms. Other Council members see the situation as volatile and a threat to the viability of the 2000 Arusha Accord, which ended ethnic-based violence and a civil war.

With the Council divided, the current state of affairs in Burundi seems to have become a “tolerable” status quo for the international community as its attention shifts elsewhere. However, some members view the constitutional amendment process as a key event that may potentially destabilise Burundi further, similar to events that unfolded in April 2015.

France is the penholder on Burundi.

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## DPRK (North Korea)

### Expected Council Action

In February, the chair of the 1718 Democratic People’s Republic of Korea (DPRK) Sanctions Committee, Ambassador Karel van Oosterom (Netherlands), is due to provide his first briefing in this capacity. The committee is expected to discuss the final report of the Panel of Experts in February, but the report is not expected to be formally presented to the Council until March.

### Key Recent Developments

The DPRK launched a new type of inter-continental ballistic missile on 29 November 2017. The Council held a public briefing on the same day, during which members condemned the missile test and demanded

that the DPRK abide by UN resolutions. The Council adopted resolution 2397 on 22 December, further strengthening sanctions on the DPRK. This resolution cuts DPRK’s import of gasoline, diesel and other refined products by about 90 percent by setting a ceiling of 500,000 barrels for 12 months starting on 1 January 2018. It caps the supply of crude oil at 4 million barrels for a period of 12 months, followed by another year at the same number if the 4 million barrels was not exceeded. The resolution further restricts the commodities that the DPRK can import and export; bans all new work permits for DPRK citizens working abroad, requiring countries to expel all DPRK workers within 24 months; and tightens the sanctions in relation

to maritime interdiction of vessels.

Under-Secretary-General for Political Affairs Jeffrey Feltman briefed Council members on 1 December following his visit to the DPRK from 5 to 8 December 2017. While in Pyongyang, Feltman met with Minister for Foreign Affairs Ri Yong Ho and Vice Minister for Foreign Affairs Pak Myong Guk, the UN country team, and the diplomatic corps. During his meetings, Feltman emphasised that time was of the essence and noted that there was an urgent need to prevent miscalculations and open the channels of communication to reduce the risks of conflict.

On 15 December, the Council held a ministerial-level meeting on the “Threats and Challenges posed by the DPRK to International

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**UN DOCUMENTS ON THE DPRK** [Security Council Resolution S/RES/2397](#) (22 December 2017) tightened sanctions further in response to the DPRK’s nuclear test. [S/RES/2371](#) (5 August 2017) condemned the 3 and 28 July ballistic missile launches. [Security Council Meeting Records S/PV.8151](#) (22 December 2017) was the adoption of resolution 2397. [S/PV.8130](#) (11 December 2017) was the fourth meeting on the human rights situation in the DPRK. [Security Council Letters S/2017/1006](#) (11 December 2017) was the joint letter asking for a briefing on the human rights situation. [Other SC/13113](#) (8 December 2017) was the press release from the 1718 Sanctions Committee ahead of its 11 December meeting.

# DPRK (North Korea)

Peace and Security”. In his briefing Secretary-General António Guterres warned that an accidental escalation could lead to conflict on the Korean Peninsula and emphasised that it was time to re-establish and strengthen communications channels, including inter-Korean and military-to-military ones, in order to lower the risk of miscalculation or misunderstanding.

In his New Year’s Day message, DPRK president Kim Jong-un claimed that the country had completed its nuclear weapons and ballistic missile programmes. He also signalled that North Korea might participate in the Winter Olympics to be held in Pyeongchang, Republic of Korea (ROK), from 9 to 25 February, and proposed talks to discuss the games and ways to “defuse military tension”. Within the next few days, the two Koreas restored their communication channel at Panmunjom, which had been defunct since early 2016 when the joint Kaesong industrial zone was shut down by the ROK in protest over the DPRK’s fourth nuclear test. They also agreed that the inter-Korean talks would take place on 9 January with a focus on the DPRK’s participation in the Olympics. During the talks, the DPRK agreed to send a high-ranking delegation and athletes to the Olympics and agreed to hold military and high-level inter-Korean talks.

At the request of Poland and Sweden, Council members were briefed on 10 January on the outcome of the inter-Korean talks by Assistant Secretary-General for Political Affairs Miroslav Jenča. Following the meeting, Council members agreed on elements to the press that said they noted that such initial dialogue between the two Koreas could open possibilities for confidence- and trust-building to reduce tensions on the Korean peninsula. They also expressed hope that such interactions could lead to denuclearisation. A number of Council members expressed similar sentiments during the 18 January high-level briefing on non-proliferation.

## Sanctions-Related Developments

On 28 December 2017, the 1718 DPRK Sanctions Committee designated four vessels for a port ban pursuant to resolution 2371. These ships now have a global ban on entry to ports as a result of their continued shipment of banned goods to DPRK, including refined petroleum products, and for carrying coal from the DPRK. This was the first time the committee made such a designation.

The 1718 Sanctions Committee met on 11 December 2017 to hear briefings on the humanitarian impact of the sanctions on the DPRK and on the challenges of implementing financial

sanctions. Ahead of the meeting, the committee issued a press release making clear that sanctions measures are not intended to have adverse consequences for the DPRK’s civilian population. It also highlighted that the committee may exempt any activity from the measures in order to facilitate the work of organisations involved in assistance or relief activities. It called upon humanitarian actors to work with member states to provide humanitarian assistance, seek exemptions and provide timely information.

## Human Rights-Related Developments

The special rapporteur on human rights in the DPRK, Tomás Ojea Quintana, visited the DPRK from 11 to 14 December 2017. This was the first time the DPRK granted access to the special rapporteur since the mandate was created in 2004. In a 6 December 2017 statement before the visit, Quintana noted, “[t]his is a country that has long been closed to any conversation on human rights, so these interactions with the international community should be encouraged as they help improve the living conditions of the population”. In a 15 December 2017 statement after his visit, Quintana said that many North Koreans have been reduced to economic survival, and civilians in the countryside “live a life marked by arduous forced labour, with a total breakdown in the basic services meant to be provided by the state and people being left to fend for themselves”. He also stressed that the potential adverse impact on human rights and the livelihoods of the population have to be considered in the design and implementation of international sanctions. The special rapporteur will submit a report to the Human Rights Council at its 37th session in March.

On 11 December 2017, the Council held its fourth meeting on the human rights situation in the DPRK, with briefings by High Commissioner for Human Rights Zeid Ra’ad Al Hussein (by video teleconference) and Jenča. The meeting was convened in response to a request in a joint letter from France, Italy, Japan, Senegal, Sweden, Ukraine, the UK, the US and Uruguay. At the beginning of the meeting, there was a procedural vote to adopt the agenda at the request of several members, which was subsequently adopted with ten votes in favour, three against (Bolivia, China and Russia) and two abstentions (Egypt and Ethiopia).

## Key Issues and Options

An issue is how the dialogue between the two Koreas can be used to encourage wider diplomatic activity. The Council could consider how to support further engagement with the DPRK by relevant parties, including the UN.

Finding the right balance between applying pressure through sanctions and exploring the diplomatic track continues to be an issue. The possible window of opportunity that has opened up with recent developments may require a frank discussion among Council members on the best way to bring the DPRK to the table.

An upcoming issue may be getting agreement in the sanctions committee on the recommendations of the Panel of Experts. Members expect certain recommendations, such as those on financial sanctions and interdiction, to be possibly divisive. Given that the strict implementation of the sanctions is a serious issue that the committee continues to grapple with, once the recommendations of the sanction committee based on the final report of the Panel of Experts have been agreed, they could be used as the basis for a robust discussion of areas of implementation that need Council oversight.

A continuing issue for some members is the humanitarian impact of the sanctions. The Council could emphasise the importance of humanitarian organisations’ providing early information to the committee on the need for humanitarian exemptions. The Panel of Experts could also be given the responsibility to monitor closely the impact of humanitarian sanctions on the civilian population.

## Council Dynamics

While the Council was able to adopt three resolutions strengthening sanctions on the DPRK in 2017, differences remain between those who want to focus mainly on sanctions and those who believe that these measures should be combined with diplomacy. China and the US continue to be the lead actors, with Russia playing an increasing role. The US has made clear that all options are still on the table and continues to believe in its “maximum pressure” approach. It agreed to shift the start of the next joint military exercise with the ROK to after the Olympics, but in general is not open to stopping these exercises in order to get the DPRK to halt its missile development. Some of the US rhetoric in recent months is seen to have contributed to the escalation of tensions on the Korean peninsula. China appears to have accepted the need for stronger sanctions over the last year but continues to strongly advocate for dialogue. Russia had specific issues with some of the sanctions language in the last year, resulting in its expressing strong views during negotiations. Some elected members are taking an active interest in this issue, with Sweden and Poland taking the initiative to ask for a briefing on the recent inter-Korean talks.

The US is the penholder on the DPRK, and the Netherlands chairs the 1718 DPRK Sanctions Committee.

# Yemen

## Expected Council Action

In February, the Council expects a briefing on Yemen by Special Envoy Ismail Ould Cheikh Ahmed. Under-Secretary-General for Humanitarian Affairs Mark Lowcock is likely to brief on the humanitarian situation.

The Council is also expected to adopt a resolution renewing the 2140 Yemen sanctions regime and the mandate of the supporting Panel of Experts. Current sanctions measures expire on 26 February, and the mandate of the panel expires on 27 March.

## Key Recent Developments

After months of tensions, the alliance between the Houthi rebel group and supporters of former president Ali Abdullah Saleh fractured. Full-scale fighting erupted between the two sides in Sana'a on 1 December 2017. Saleh said in televised remarks on 2 December that his party, the General People's Congress (GPC), was open to dialogue and willing to turn a "new page" with the Saudi Arabia-led coalition, which since March 2015 has been fighting Houthi and Saleh forces on behalf of the internationally recognized Yemeni government. After several days, the Houthis gained the upper hand in the fighting. On 4 December 2017, Houthi fighters killed Saleh, who had ruled Yemen from 1978 to 2011. During the fighting and in ensuing days, a number of Saleh's family members and high-ranking GPC members were killed or detained. In an attempt to not completely alienate GPC members, the Houthis announced that their dispute was with Saleh and those who took up arms against them and not with his party.

Yemen's humanitarian crisis as a result of the war remains the world's largest with over 22 million people requiring assistance, 8 million people at risk of famine, a cholera epidemic that has exceeded a million cases, and a spreading outbreak of diphtheria. On 20 December 2017, the Saudi-led coalition announced that it would keep Houthi-controlled Hodeidah port, which handles most of Yemen's imported food, fuel and medical supplies, open for a further month. That same day, Saudi Arabia announced that the coalition would allow delivery of four cranes to the port to replace those damaged by air strikes in August 2015. (The coalition had prevented the delivery of the cranes over the

past year.) On 15 January, the cranes arrived in Hodeidah. On 17 January, Saudi Arabia announced that it would deposit \$2 billion into the Central Bank of Yemen to prevent the Yemeni riyal from collapsing. On 22 January, Saudi Arabia further announced that the coalition would provide \$1.5 billion to the UN's 2018 Yemen Humanitarian Response Plan (YHRP), which was launched the previous day and seeks \$2.96 billion to assist 13.1 million people in 2018.

On the political front, the deputy head of mission of the Office of the Special Envoy, Muin Shreim, visited Sana'a from 6 to 10 January. In a 14 January letter to the Secretary-General and the Security Council, the Houthis welcomed Shreim's proposal of holding a round of joint talks in Muscat with the Special Envoy. On 22 January, Ould Cheikh Ahmed announced that he would not continue in his position after his contract ends at the end of February.

On 21 January, the Southern Transitional Council, which is backed by the United Arab Emirates (UAE), declared a state of emergency in Aden and said that it would overthrow the Yemeni government unless President Abd Rabbu Mansour Hadi replaced Prime Minister Ahmed bin Daghr and his entire cabinet with technocrats within a week.

Ould Cheikh Ahmed last briefed Council members on 5 December 2017 in consultations. On 22 December, a Council press statement "condemned in the strongest possible terms" a Houthi ballistic missile attack against Riyadh on 19 December. The missile, which the coalition said it intercepted, was the second ballistic missile to reach Riyadh that the Houthis had fired since November 2017.

## Sanctions-Related Developments

On 10 January, the Yemen Panel of Experts submitted its annual final report to the 2140 Sanctions Committee. In the report, the panel identified missile remnants, related military equipment and unmanned military aerial vehicles of Iranian origin, concluding that Iran is in non-compliance with resolution 2216 for having "failed to take the necessary measures to prevent the direct or indirect supply, sale or transfer" of such items.

The panel said that all parties to the conflict committed widespread violations of international humanitarian and human rights law throughout 2017. This included indiscriminate Saudi Arabia-led coalition airstrikes and Houthi-Saleh forces' use of

explosive ordnance; arbitrary arrests and detentions, enforced disappearances and torture by the Yemeni government, the UAE and Houthi-Saleh forces; and both sides' obstruction of humanitarian assistance. It described coalition restrictions on entry points to Yemen as having "the effect of using the threat of starvation as an instrument of war". The report further described Yemen's conflict as "warring statelets", with no single side possessing the political support or military strength to reunite the country or achieve victory. The report contained ten recommendations. The committee discussed the report with the panel on 23 January.

## Human Rights-Related Developments

On 4 December 2017, High Commissioner for Human Rights Zeid Ra'ad Al Hussein appointed the members of the Group of Eminent Experts on Yemen, established by Human Rights Council resolution 36/31 of September 2017. In a statement, Zeid noted that "for three years, the people of Yemen have been subjected to death, destruction and despair. It is essential that those who have inflicted such violations and abuses are held to account". The experts – Kamel Jendoubi (Tunisia), Charles Garraway (UK), and Melissa Parke (Australia) – will submit a report to the High Commissioner by September.

## Key Issues and Options

Key issues remain the resumption of a political process, along with mitigating the humanitarian crisis and the war's impact on civilians. Related to the challenges facing any political process is the proliferation of armed groups and Yemen's fragmentation, including the threat of Al-Qaeda in the Arabian Peninsula and the Islamic State in Iraq and the Levant, which have benefited from the vacuum created by the conflict.

Since 2015, the Council has focused the annual resolution renewing Yemeni sanctions exclusively on sanctions issues, avoiding broader and more controversial political or humanitarian aspects. In renewing sanctions and the mandate of the Panel of Experts for a further 12 months from their respective expiration dates, the Council, following up on the Panel's latest and past recommendations, could:

- call on member states to fully implement the arms embargo in resolution 2216, while recalling that regular denial and delays of shipping access through Red Sea ports and the continued closure of the Sana'a airport meet the designation criterion of obstructing humanitarian assistance to Yemen referred to in resolution

**UN DOCUMENTS ON YEMEN** Security Council Resolutions S/RES/2342 (23 February 2017) renewed the Yemen sanctions regime. S/RES/2216 (14 April 2015) established a targeted arms embargo against the Houthis and Saleh-loyalist forces. Security Council Presidential Statement S/PRST/2017/7 (15 June 2017) stressed the importance of keeping all of Yemen's ports functioning, including Hodeidah. Security Council Press Statement SC/13143 (22 December 2017) condemned the 19 December ballistic missile attack by the Houthis against Riyadh. Secretary-General's Report S/2017/1030 (8 December 2017) was the fourth report of the Secretary-General on the implementation of resolution 2231.

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## Yemen

2216 as violating the sanctions regime;

- call on member states of the Saudi Arabia-led coalition not to misuse resolution 2216 as a justification to obstruct delivery of essential goods and humanitarian aid by air or sea;
- reiterate the need for coalition states to report all inspections to the 2140 Committee as required under resolution 2216; and
- authorise UN Verification and Inspection Mechanism monitors to maintain a presence at Hodeidah port as a confidence-building measure to oversee commercial vessel discharges.

Such a resolution could also include a specific condemnation of Iran's non-compliance with the arms embargo established in resolution 2216, as concluded by the panel.

An additional option is adopting a new resolution coinciding with the appointment of a new special envoy that calls on the sides to resume negotiations without preconditions and to establish a cessation of hostilities.

Either resolution could request the Secretary-General to provide monthly updates on the humanitarian crisis to ensure greater Council attention on the situation, similar to its monthly discussions of the humanitarian

crises in Syria and South Sudan.

Following up on a Secretary-General's recommendation in his 8 December 2017 report on implementation of resolution 2231 on the Iran nuclear deal, the 2140 Committee and the Security Council's "2231 format" could organise a joint meeting to be briefed by both the Yemen Panel of Experts and the Secretariat (which supports the 2231 format) on their respective findings.

### Council and Wider Dynamics

The P3, and Council members in general, have strategic relations with Saudi Arabia and other Gulf countries. This is a reason that the Council has had difficulty being more engaged on Yemen, especially when it might involve taking positions counter to Saudi preferences. Recent months have seen a trend, however, in which several members, including Bolivia, France and Sweden, have broken silence jointly on Council products they felt were too one-sided. This included the initial draft of members' 22 December press statement, which at first did not include references to the humanitarian crisis.

The Netherlands, which is a new member, is perceived as likely to seek greater Council

engagement on Yemen, having led initiatives in the Human Rights Council to set up an international inquiry of violations in the war. Kuwait, a member of the Saudi-led coalition, is expected to support coalition positions.

The US has been active over recent months in seeking to demonstrate Iran's role in supplying the Houthis with ballistic missiles, including US ambassador Nikki Haley's 14 December 2017 press event at a military base near Washington, D.C., during which she presented what she said were Iranian missile remnants and fragments of a drone that were used by the Houthis. A number of members have expressed concerns about the Panel of Experts' independence and evidentiary standards in its conclusion regarding the missiles, and at the latest meeting of the 2140 Committee, China and Russia questioned the Panel's evidence and methodology in making this determination. At press time, Council members were planning to go to Washington, D.C., upon the initiative of Haley, to view the missile remnants and have lunch with US President Donald Trump.

The UK is the penholder on Yemen. Peru chairs the 2140 Yemen Sanctions Committee.

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## Lead Roles within the Council in 2018: Penholders and Chairs of Subsidiary Bodies

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The charts in this Forecast provide an update on Security Council penholders and chairs of subsidiary bodies as of January 2018. The charts do not cover all the agenda items of which the Council is currently seized; rather, they focus on items with regular outcomes or those for which a subsidiary body has been established. For the full names of agenda items, please refer to the latest summary statement by the Secretary-General of matters of which the Security Council is seized (S/2018/10). The list of chairs of subsidiary bodies is contained in a 2 January note by the Council President (S/2018/2).

Under Japan's leadership as the chair of the Informal Working Group on Documentation and Other Procedural Questions (IWG), the Council reached agreement on 30 August 2017 on a new version of the compendium of its working methods, commonly referred to as "Note 507". In the updated Note 507,

particular attention was paid to the penholder system and the appointment of chairs of subsidiary bodies.

The penholder system emerged around 2010 but was not mentioned in a Council document other than meeting records until a 2014 presidential note (S/2014/268). The updated 2017 Note 507 stated, as previously articulated in the 2014 note, that "[a]ny member of the Security Council may be a penholder" and also added language reiterating that "[m]ore than one Council member may act as co-penholders, when it is deemed to add value, taking into account as appropriate the expertise and/or contributions of Council members on the subjects". While both notes specify that any member of the Council can be a penholder, the P3 (France, the UK and the US) continue to dominate the penholder list. However, this is only an informal system, with no process for Council

members to decide or review penholderships, and seemingly nothing prevents other Council members from drafting outcomes on any given issue.

The updated Note 507 provides guidelines regarding the processes leading up to the adoption of Council outcomes in the current penholder system, including stressing the desirability of at least one round of discussions with all members of the Council on all drafts. It emphasises the need for providing reasonably sufficient time for consideration, referring to "silence procedure", a common practice that had never been articulated in writing, whereby a draft is circulated by email with a deadline for raising objections, in the absence of which the draft becomes final, recognising "that any Council member may request extension of and/or break silence if further consideration is required". Furthermore, the Note acknowledges that for certain

# Lead Roles within the Council in 2018: Penholders and Chairs of Subsidiary Bodies

open debates, the adoption of an outcome might take place at a later date to allow the outcome to more fully reflect matters raised during the debate.

New Council members who, as of press time, have assumed the role of penholders for 2018 include: Côte d'Ivoire, penholder on Guinea-Bissau and co-penholder with Sweden on West Africa, including the Sahel; Kuwait, penholder on Working Methods; the Netherlands, penholder on Afghanistan; and Peru, penholder on international tribunals.

In contrast to the penholder system, the many subsidiary bodies established by the Council are all chaired by non-permanent members. The appointment process is largely controlled by the P5, although non-permanent members have long been pushing for a more inclusive and transparent process that takes into consideration to a greater extent the priorities and preferences of all Council members. As a result of these efforts, modifications to the appointment process of chairs of subsidiary

bodies were agreed in Notes by the President S/2016/170 and S/2016/619. These notes focused on improving the transparency of the subsidiary bodies and preparing newly elected council members, respectively. In particular, note S/2016/619 stated that the process of appointing chairs “will be facilitated jointly by two members of the Security Council working in full cooperation”, with the unwritten understanding that the two members would be one permanent member and the chair of the IWG. It also expressed the desirability of appointing the chairs by 1 October.

The 2017 Note 507 incorporated the key elements from both of these notes, and further stated that the “members of the Council should also consult informally with the newly elected members in the process”. In 2016, the Council did not reach agreement on the selection of chairs for 2017 until 31 October, but in 2017, the Council agreed on the selection of chairs by the end of the first week of October.

Because the selection of chairs for 2018

was completed in the first week of October 2017, it gave the incoming elected members Côte d'Ivoire, Equatorial Guinea, Kuwait, the Netherlands, Peru and Poland considerably more time to prepare for their new responsibilities than was the case in the past. Côte d'Ivoire chairs the 2127 Central African Republic Sanctions Committee and the Working Group on Peacekeeping Operations; Equatorial Guinea, the 1636 Lebanon Sanctions Committee and the 2048 Guinea-Bissau Sanctions Committee; Kuwait, the 1533 Democratic Republic of the Congo Sanctions Committee; the Netherlands, the 1718 Democratic People's Republic of Korea Sanctions Committee; Peru, the 1373 Counter-Terrorism Committee, the 2140 Yemen Sanctions Committee, the Informal Working Group on International Tribunals, and the Working Group on Counter-Terrorism; and Poland, the 1518 Iraq Sanctions Committee, the 1591 Sudan Sanctions Committee, and the 2206 South Sudan Sanctions Committee.

COUNTRY SITUATION	CURRENT PENHOLDER IN THE COUNCIL
Afghanistan	The Netherlands
Bosnia and Herzegovina	Rotating on a monthly basis among members of the contact and drafting group (currently France, Germany, Italy, the Netherlands, Poland, Russia, the UK, and the US.)
Burundi	France
Central Africa (UNOCA/LRA)	UK
Central African Republic	France
Central Asia (UNRCCA)	Russia
Colombia	UK
Côte d'Ivoire	France
Cyprus	UK
Democratic Republic of the Congo (DRC)	France
DPRK (Non-proliferation)	US
Golan Heights (UNDOF)	Russia and the US
Guinea-Bissau	Côte d'Ivoire
Haiti	US in consultation with the Group of Friends of Haiti (Argentina, Brazil, Canada, Chile, Colombia, France, Guatemala, Peru, the US, Uruguay and Venezuela).
Iran (Non-Proliferation)	US; the Netherlands acts as facilitator for the implementation of resolution 2231
Iraq	US on Iraq; UK on Iraq/Kuwait
Lebanon	France
Liberia	US
Libya	UK
Mali	France
Middle East (Israel/Palestine)	The US is often seen as the lead, but recent proposals on this issue have been drafted by various other Council members.

# Lead Roles within the Council in 2018: Penholders and Chairs of Subsidiary Bodies

COUNTRY SITUATION	CURRENT PENHOLDER IN THE COUNCIL
Somalia	UK; US on piracy
Sudan and South Sudan	UK on Darfur; US on South Sudan and Sudan/South Sudan
Syria	Kuwait and Sweden lead on humanitarian issues. On other issues, incl. chemical weapons, texts are normally agreed between Russia and the US prior to seeking agreement by the broader Council although France and the UK have also been active in tabling drafts and calling for meetings.
Ukraine	There is no clear pen-holder for Ukraine. Both Russia and the US have drafted texts and other members have been active in calling for meetings on the issue.
Yemen	UK
West Africa, including the Sahel	Côte d'Ivoire and Sweden
Western Sahara	US
Thematic issue	
Children and Armed Conflict	Sweden
Counterterrorism (1267 1989 and 2253)	US
Counterterrorism (1373)	US
Counterterrorism (1566)	US
ICTY and International Residual Mechanism for Criminal Tribunals	Peru
Non-proliferation of Weapons of Mass Destruction (1540)	Bolivia
Peace and Security in Africa	N/A
Peacekeeping	UK
Protection of Civilians in Armed Conflict	UK
Women and Peace and Security	UK on women's participation and protection (resolution 1325); US on sexual violence in conflict (resolution 1820)
Working Methods	Kuwait

COUNTRY SITUATION	CHAIR OF THE RELEVANT COUNCIL SUBSIDIARY BODY
Afghanistan	Kairat Umarov (Kazakhstan), 1988 Taliban Sanctions Committee
Bosnia and Herzegovina	N/A
Burundi	N/A
Central Africa (UNOCA/LRA)	N/A
Central African Republic	Bernard Tanoh-Boutschoue (Côte d'Ivoire), 2127 CAR Sanctions Committee
Central Asia (UNRCCA)	N/A
Colombia	N/A
Côte d'Ivoire	N/A (The 1572 Côte d'Ivoire Sanctions Committee was dissolved on 28 April 2016.)
Cyprus	N/A
Democratic Republic of the Congo (DRC)	Mansour Alotaibi (Kuwait), 1533 DRC Sanctions Committee
DPRK (Non-proliferation)	Karel J. G. van Oosterom (the Netherlands), 1718 DPRK Sanctions Committee
Golan Heights (UNDOF)	N/A

COUNTRY SITUATION	CHAIR OF THE RELEVANT COUNCIL SUBSIDIARY BODY
Guinea-Bissau	Anatolio Ndong Mba (Equatorial Guinea), 2048 Guinea-Bissau Committee
Haiti	N/A
Iran (Non-Proliferation)	N/A
Iraq	Joanna Wronecka (Poland), 1518 Iraq Sanctions Committee
Lebanon	Anatolio Ndong Mba (Equatorial Guinea), 1636 Lebanon Sanctions Committee
Liberia	N/A (The 1521 Liberia Sanctions Committee was dissolved on 25 May 2016.)
Libya	Olof Skoog (Sweden), 1970 Libya Sanctions Committee
Mali	Olof Skoog (Sweden), 2374 Mali Sanctions Committee
Middle East (Israel/Palestine)	N/A
Somalia	Kairat Umarov (Kazakhstan), 751/1907 Somalia-Eritrea Sanctions Committee
South Sudan	Joanna Wronecka (Poland), 2206 South Sudan Sanctions Committee
Sudan	Joanna Wronecka (Poland), 1591 Sudan Sanctions Committee
Syria	N/A
Ukraine	N/A
Yemen	Gustavo Meza-Cuadra (Peru), 2140 Yemen Sanctions Committee
West Africa, including the Sahel	N/A
Western Sahara	N/A
<b>THEMATIC ISSUE</b>	
Children and Armed Conflict	Olof Skoog (Sweden), Working Group on Children and Armed Conflict
Counterterrorism (1267 1989 and 2253)	Kairat Umarov (Kazakhstan), 1267/1989/2253 Islamic State of Iraq and the Levant (ISIL) (Da'esh)/Al-Qaida Sanctions Committee
Counterterrorism (1373)	Gustavo Meza-Cuadra (Peru), 1373 Counterterrorism Committee
Counterterrorism (1566)	Gustavo Meza-Cuadra (Peru), 1566 Working Group
ICTY and International Residual Mechanism for Criminal Tribunals	Gustavo Meza-Cuadra (Peru), Informal Working Group on International Tribunals
Non-proliferation of Weapons of Mass Destruction (1540)	Sacha Sergio Llorenty Solíz (Bolivia), 1540 Committee
Peace and Security in Africa	Tekeda Alemu (Ethiopia), Ad Hoc Working Group on Conflict Prevention and Resolution in Africa
Peacekeeping	Bernard Tanoh-Boutchoue (Côte d'Ivoire), Working Group on Peacekeeping Operations
Protection of Civilians in Armed Conflict	UK, Protection of Civilians Informal Expert Group
Women and Peace and Security	Peru, Sweden and the UK co-chair the 2242 Informal Expert Group on Women, Peace and Security.
Working Methods	Mansour Alotaibi (Kuwait), Informal Working Group on Documentation and Other Procedural Questions

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