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## **Chapter V**

### **Subsidiary organs of the Security Council**

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## Introductory note

This chapter covers procedures of the Security Council relating to the establishment and monitoring of subsidiary organs deemed necessary for the performance of its functions under the Charter of the United Nations. The Council's power to establish subsidiary organs is set out in Article 29 of the Charter and reflected in rule 28 of its provisional rules of procedure.

### *Article 29*

*The Security Council may establish such subsidiary organs as it deems necessary for the performance of its functions.*

### *Rule 28*

*The Security Council may appoint a commission or committee or a rapporteur for a specified question.*

The period from 2004 to 2007 saw the Council mandate the establishment of a wide variety of new subsidiary bodies. These included seven peacekeeping operations, six political missions, one regional office, six committees to oversee the implementation of measures adopted pursuant to Article 41 or other tasks, one Ad Hoc Committee, two informal working groups, two investigative bodies, a commission of experts, one tribunal, and, in conjunction with the General Assembly, a Peacebuilding Commission.

Part I of this chapter considers these new organs, together with those established prior to 2000 and continuing during part or all of the period under review. The organs are divided into seven main categories, reflecting their main character or functions: (a) standing and ad hoc committees; (b) committees to oversee the implementation of measures adopted pursuant to Article 41 and other committees;<sup>1</sup> (c) informal and ad hoc working groups; (d) investigative bodies and tribunals; (e) ad hoc commissions; (f) peacekeeping operations, political missions and regional offices and (g) the Peacebuilding Commission. Three peacekeeping and six political missions were terminated during the period under review, as were one ad hoc committee, two ad hoc commissions and one informal working group. This is reflected in part II. Part III describes one instance in which a subsidiary organ was formally proposed but not established.

In a note by the President of the Council of 19 July 2006,<sup>2</sup> the Council outlined several measures to enhance the effectiveness and transparency of the work of its subsidiary bodies. More specifically, the note outlined the following measures:

The members of the Security Council encourage the Chairs of all subsidiary bodies to continue to report to the Council on any outstanding issues, when necessary and in any event on a regular basis, in order to receive strategic guidance from the Council.

The members of the Security Council encourage subsidiary bodies of the Council to seek the views of Member States with strong interest in their areas of work. The members of the Security Council in particular encourage sanctions committees to seek the views of Member States that are particularly affected by the sanctions.

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<sup>1</sup> For decisions and discussions relating to Article 41, see also chap. XI, part III.

<sup>2</sup> S/2006/507.

The members of the Security Council encourage Chairs of the subsidiary bodies of the Council to make the schedules of meetings of subsidiary bodies available to the public, when appropriate, through their websites and the *Journal of the United Nations*.

The members of the Security Council welcome the participation in the meetings of the Security Council Working Group on Peacekeeping Operations by the Secretariat, troop-contributing countries and other major stakeholders, and encourage this practice in order to foster closer cooperation between the Council and those actors.

During the period under review, the Council held a number of meetings under the item “Briefings by Chairmen of subsidiary bodies of the Security Council” at which it heard briefings by the Chairmen of various subsidiary bodies. The table provides a complete list of such briefings.

### **Briefings by Chairmen of subsidiary bodies**

<i>Meeting</i>	<i>Date</i>	<i>Briefings by Chairmen</i>
5106 <sup>a</sup>	22 December 2004	Security Council Committees established pursuant to resolution 1267 (1999) concerning Al-Qaida and the Taliban and associated individuals and entities; resolution 1521 (2003) concerning Liberia; and resolution 1572 (2004) concerning Côte d’Ivoire; and Ad Hoc Working Group on Conflict Prevention and Resolution in Africa
5168	25 April 2005	Security Council Committees established pursuant to resolution 1267 (1999) concerning Al-Qaida and the Taliban and associated individuals and entities; resolution 1373 (2001) concerning counter-terrorism; and resolution 1540 (2004)
5229	20 July 2005	Security Council Committees established pursuant to resolution 1267 (1999) concerning Al-Qaida and the Taliban and associated individuals and entities; resolution 1373 (2001) concerning counter-terrorism; and resolution 1540 (2004)
5293	26 October 2005	Security Council Committees established pursuant to resolution 1267 (1999) concerning Al-Qaida and the Taliban and associated individuals and entities; resolution 1373 (2001) concerning counter-terrorism; and resolution 1540 (2004)
5332	19 December 2005	Security Council Committees established pursuant to resolution 1533 (2004) concerning the Democratic Republic of the Congo; resolution 918 (1994) concerning Rwanda; resolution 1132 (1997) concerning Sierra Leone; resolution 751 (1992) concerning Somalia; resolution 1518 (2003); and resolution 1540 (2004); Ad Hoc Working Group on Conflict Prevention and Resolution in Africa; and Working Group established pursuant to resolution 1566 (2004)
5375	21 February 2006	Security Council Committees established pursuant to resolution 1373 (2001) concerning counter-terrorism; resolution 1267 (1999) concerning Al-Qaida and the Taliban and associated individuals and entities; and resolution 1540 (2004)

<i>Meeting</i>	<i>Date</i>	<i>Briefings by Chairmen</i>
5538	28 September 2006	Security Council Committees established pursuant to resolution 1267 (1999) concerning Al-Qaida and the Taliban and associated individuals and entities; resolution 1373 (2001) concerning counter-terrorism; and resolution 1540 (2004)
5601	20 December 2006	Security Council Committees established pursuant to resolution 918 (1994) concerning Rwanda; resolution 1267 (1999) concerning Al-Qaida and the Taliban and associated individuals and entities; resolution 1373 (2001) concerning counter-terrorism; resolution 1521 (2003) concerning Liberia; resolution 1572 (2004) concerning Côte d' Ivoire; resolution 1591 (2005) concerning the Sudan; resolution 1636 (2005); and resolution 1132 (1997) concerning Sierra Leone; Informal Working Group on Documentation and Other Procedural Questions; and Working Group on Peacekeeping Operations
5679	22 May 2007	Security Council Committees established pursuant to resolution 1267 (1999) concerning Al-Qaida and the Taliban and associated individuals and entities; resolution 1373 (2001) concerning counter-terrorism; and resolution 1540 (2004)
5779	14 November 2007	Security Council Committees established pursuant to resolution 1267 (1999) concerning Al-Qaida and the Taliban and associated individuals and entities; resolution 1373 (2001) concerning counter-terrorism; and resolution 1540 (2004)
5806	17 December 2007	Security Council Committees established pursuant to resolution 1518 (2003); resolution 1533 (2004) concerning the Democratic Republic of the Congo; resolution 1132 (1997) concerning Sierra Leone; resolution 1521 (2003) concerning Liberia; resolution 1540 (2004); Informal Working Group on Documentation and Other Procedural Questions; Ad Hoc Committee on Mandate Review; Ad Hoc Working Group on Conflict Prevention and Resolution in Africa; and Working Group established pursuant to resolution 1566 (2004)

<sup>a</sup> This meeting was held under the item entitled "Briefings by Chairmen of Security Council Committees and Working Groups".

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## Part I

### Subsidiary organs of the Security Council established or continuing during the period 2004-2007

#### A. Standing and ad hoc committees

##### Note

During the period 2004 to 2007, the Committee of Experts on Rules of Procedure, established by the Security Council at the 1506th meeting, which studies the question of associate membership, and the Committee on Council Meetings away from Headquarters continued to exist but did not meet.

The Committee on the Admission of New Members was asked to consider the application for admission to membership in the United Nations of the Republic of Montenegro, referred to it by the Council under rule 59 of the Council's provisional rules of procedure.<sup>3</sup>

During this period, the Council also established one new ad hoc committee, the Ad Hoc Committee on Mandate Review.

##### Ad Hoc Committee on Mandate Review

By a letter dated 16 May 2006 to the Secretary-General,<sup>4</sup> the President of the Security Council informed the Secretary-General about the decision of the members of the Council to establish an Ad Hoc Committee on Mandate Review to conduct the review of Council mandates called for by Heads of State and Government in the 2005 World Summit Outcome<sup>5</sup> and to follow up on the recommendations contained in the report of the Secretary-General entitled "Mandating and delivering".<sup>6</sup>

The Committee, consisting of all members of the Council, had two Co-Chairs. The Council also welcomed the participation of a senior member of the Secretary-General's staff in relevant meetings of the Committee to answer questions on those aspects of the Secretary-General's report that specifically related to

Council mandates, as well as the continuing assistance of the Secretariat in providing substantive services throughout the process of mandate review.<sup>7</sup> At its 5806th meeting, on 17 December 2007, the Council heard a briefing on the work of the Committee.

By a letter dated 28 December 2007 addressed to the Secretary-General,<sup>8</sup> the President of the Council announced the accomplishment of the main goals of the Ad Hoc Committee on Mandate Review and the conclusion of its work.

#### B. Security Council committees established under Chapter VII of the Charter

##### Note

During the period under review, the Security Council established several committees to monitor the implementation of measures or to perform other tasks adopted pursuant to Chapter VII of the Charter and extended the mandate of previously established ones.<sup>9</sup> The committees consisted of all 15 members of the Council and held their meetings in private, unless a committee itself decided otherwise, and reached their decisions by consensus. The bureaux of the committees, generally consisting of a Chairman and Vice-Chairman, were elected by the Council annually and announced in notes by the President of the Council.<sup>10</sup>

This section deals first with 12 Security Council committees established to monitor specific sanctions measures. It then deals with two other Council

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<sup>7</sup> See S/2006/354.

<sup>8</sup> S/2007/770. See also the report of the Security Council to the General Assembly covering the period from 1 August 2007 to 31 July 2008 (A/63/2), part VI, chap. 22.

<sup>9</sup> The primary responsibility of the implementation of these measures rests with Member States.

<sup>10</sup> For the bureaux of the committees during the period under review, see S/2004/4, S/2004/280, S/2004/436, S/2004/472, S/2004/770, S/2004/950, S/2005/3, S/2005/297, S/2005/734, S/2006/7, S/2006/66, S/2006/833, S/2006/846, S/2007/20, S/2007/461 and S/2007/635.

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<sup>3</sup> The recommendations made by the Committee and the Council concerning admissions are considered in chapter VII.

<sup>4</sup> S/2006/354.

<sup>5</sup> General Assembly resolution 60/1.

<sup>6</sup> A/60/733 and Corr.1.

committees with broader mandates (“other committees”). Within each category, the committees are considered in the order of their establishment. The subsidiary bodies whose work is closely linked with that of the committees are included with the relevant committees.

### **Security Council committees monitoring specific sanctions measures**

From 2004 to 2007, the Council established six new committees to supervise the implementation of measures adopted under Chapter VII of the Charter against the Democratic Republic of the Congo,<sup>11</sup> Côte d’Ivoire,<sup>12</sup> the Sudan,<sup>13</sup> the Democratic People’s Republic of Korea<sup>14</sup> and the Islamic Republic of Iran.<sup>15</sup> During the same period, the Council oversaw a total of 12 committees, including committees that had been established in prior periods.<sup>16</sup>

In addition, on several occasions, the Council requested the Secretary-General to establish monitoring bodies, in the forms of panels or committees of experts and monitoring groups or mechanisms, to assist the work of committees or to look into the question of the illegal exploitation of natural resources.<sup>17</sup> To develop general recommendations on how to improve the effectiveness of United Nations sanctions, the Council also decided to extend the mandate of its Informal

Working Group on General Issues of Sanctions until the end of 2006.<sup>18</sup>

During the period under review, the Council, acting under Chapter VII of the Charter, established committees to undertake tasks related to sanctions measures in accordance with rule 28 of the provisional rules of procedure of the Council. The tasks that the committees were mandated to undertake, during the period under review, included (a) seeking information regarding the implementation of measures imposed under Article 41; (b) considering information concerning the violations of the measures and recommending appropriate measures in response thereto; (c) reporting to the Council on the information regarding alleged violations; (d) giving consideration to and deciding upon request for exemptions from the measures; (e) examining reports submitted to them, including those from monitoring bodies; (f) identifying individuals and entities subject to the measures and to maintain such a list, and (g) making recommendations to the Council on how to improve the effectiveness of the measures.

The Council also adopted several resolutions under the item “General issues related to sanctions” that affected the general mandate of the committees or their general functioning.<sup>19</sup> By resolution 1730 (2006) of 19 December 2006, the Council adopted a procedure to receive requests for de-listing, requested the Secretary-General to establish within the Secretariat (Security Council Subsidiary Organs Branch) a focal point to receive such requests and to perform the tasks below, and directed the sanctions committees to revise their guidelines accordingly. The focal point would receive a de-listing request from a petitioner, determine if it was a repeat request, and forward the request to the designating Government(s) and to the Government(s) of citizenship and residence. If any of those Governments recommended de-listing, that Government would forward its recommendation either through the focal point or directly to the Chairman of the relevant sanctions Committee, and the Chairman would then place the de-listing request on the Committee’s agenda. The focal point would also inform the Committee of any opposition to the request.

<sup>11</sup> Security Council Committee established pursuant to resolution 1533 (2004) concerning the Democratic Republic of the Congo.

<sup>12</sup> Security Council Committee established pursuant to resolution 1572 (2004) concerning Côte d’Ivoire.

<sup>13</sup> Security Council Committee established pursuant to resolution 1591 (2005) concerning the Sudan.

<sup>14</sup> Security Council Committee established pursuant to resolution 1718 (2006).

<sup>15</sup> Security Council Committee established pursuant to resolution 1737 (2006).

<sup>16</sup> These were the Security Council Committees established pursuant to resolutions 751 (1992) concerning Somalia, 918 (1994) concerning Rwanda; 1132 (1997) concerning Sierra Leone; 1267 (1999) concerning Al-Qaida and the Taliban and associated individuals and entities; 1518 (2003); and 1521 (2003) concerning Liberia.

<sup>17</sup> Monitoring bodies were established in connection with the measures imposed against the Democratic Republic of the Congo, Côte d’Ivoire and the Sudan.

<sup>18</sup> For details, see sect. C below.

<sup>19</sup> The report of the Informal Working Group on General Issues of Sanctions, containing recommendations on how to improve the effectiveness of sanctions, is contained in document S/2006/997.

If none of the Governments consulted commented, any member of the Committee could, after consultation with the designated Government(s), recommend de-listing by forwarding the request to the Chairman. If, after one month, no Committee member recommended de-listing, then it would be deemed rejected. The focal point would also convey all communications that it received from Member States to the Committee and inform the petitioner of the decision of the sanctions Committee to grant or not grant the de-listing.<sup>20</sup> By resolution 1699 (2006), the Council noted that cooperation with the International Criminal Police Organization (INTERPOL) could benefit the sanctions committees established by the Council, and requested the Secretary-General to take the necessary steps to increase cooperation between the United Nations and INTERPOL in order to provide the Committees with better tools, and allow them to fulfil their mandates more effectively.<sup>21</sup>

In accordance with the transparency measures outlined by the President of the Council in his note of 29 March 1995,<sup>22</sup> committees continued to submit their annual reports to the Council. In some instances, the Council decided to send a mission of a Committee to the region concerned to demonstrate the Council's determination to give full effect to the measures imposed.

It should be noted that for clarification purposes only and when required, summarized descriptions of the mandatory measures, based on their nature, are included — for example, arms embargo, assets freeze, travel restrictions, diamond ban, petroleum embargo, restriction of air traffic, and restrictions on diplomatic representation, and prohibitions on round logs and timber products. The above-mentioned descriptions are not intended to serve as legal definitions of measures. The measures imposed by the Council pursuant to Article 41 are described in chapter XI of this Supplement.

### **1. Security Council Committee established pursuant to resolution 751 (1992) concerning Somalia**

During the period under review, the Committee established pursuant to resolution 751 (1992)

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<sup>20</sup> Resolution 1730 (2006), paras. 1 and 2.

<sup>21</sup> Resolution 1699 (2006), fourth preambular paragraph and para. 1.

<sup>22</sup> S/1995/234.

concerning Somalia continued to monitor the arms embargo imposed by resolution 733 (1992).

### **Mandate implementation**

By resolution 1587 (2005) of 15 March 2005, the Council requested the Committee to consider sending a mission, led by its Chairman, to Somalia and the region to demonstrate the Council's determination to give full effect to the arms embargo.<sup>23</sup> The Chairman visited the region, specifically Kenya, Ethiopia and Yemen, from 26 November to 4 December 2005.<sup>24</sup> By resolution 1676 (2006), the Council again requested the Committee to consider a visit to Somalia or the region.<sup>25</sup> By resolutions 1744 (2007) of 20 February 2007 and 1772 (2007) of 20 August 2007, the Council adopted exemptions to the arms embargo that were to be approved by the Committee on a case-by-case basis.<sup>26</sup>

### **Monitoring and reporting**

The Committee submitted four annual reports covering the period under review, which, inter alia, dealt with its activities as well as those of the Monitoring Group.<sup>27</sup> In particular, the Committee underlined its active engagement in the implementation of the arms embargo in Somalia. It further observed that, despite intensified fighting in Somalia, its commitment remained high, as did its support for the Monitoring Group and its readiness to engage in dialogue with States as its 2005 mission in the region had demonstrated.

During the period under review, the Council re-established six times, for periods of six months, the Monitoring Group established by resolution 1519 (2003) of 16 December 2003 with a mandate focused on the ongoing violations of the arms embargo, including transfers of ammunition, single-use weapons, and small arms. The Council also requested the Committee, in consultation with the Monitoring Group, to consider ways to improve the arms embargo in response to continuing violations and to assist in identifying areas where the capacities of States in the

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<sup>23</sup> Such a request was reiterated in resolution 1630 (2005).

<sup>24</sup> S/2005/813, para. 17.

<sup>25</sup> Resolution 1676 (2006), para. 7.

<sup>26</sup> Resolutions 1744 (2006), para. 5, and 1772 (2007), para. 11.

<sup>27</sup> S/2004/1017, S/2005/813, S/2007/154 and S/2007/761.

region could be strengthened to facilitate the implementation of the arms embargo.<sup>28</sup> The Group produced six reports,<sup>29</sup> in which, observing that the situation in Somalia was worsening and violations of the embargo continuing, it provided a number of recommendations on improving implementation of the arms embargo, but noted that successful implementation of the recommendations depended on the establishment of a viable government in Somalia.

## **2. Security Council Committee established pursuant to resolution 918 (1994) concerning Rwanda**

The Committee established pursuant to resolution 918 (1994) concerning Rwanda continued to fulfil its mandate to monitor the arms embargo imposed by that resolution and modified by resolution 1011 (1995).<sup>30</sup>

### **Mandate implementation**

By resolution 1749 (2007) of 28 March 2007, the Council, acting under Chapter VII of the Charter, decided to terminate the measures imposed by paragraph 11 of resolution 1011 (1995) regarding the transfer of arms or related material to Rwanda.<sup>31</sup> The Committee continued to monitor the remaining measures contained in paragraphs 9 and 10 of resolution 1011 (1995).

### **Monitoring and reporting**

<sup>28</sup> Resolutions 1558 (2004), paras. 3 and 6; 1587 (2005), paras. 3 and 6; 1630 (2005), paras. 3 and 6; 1676 (2006), paras. 3 and 6; 1724 (2006), paras. 3 and 6; and 1766 (2007), paras. 3 and 6. See also the letters from the Secretary-General appointing the experts (S/2004/73, S/2005/229, S/2005/695, S/2006/313, S/2006/986, S/2007/575 and S/2007/667).

<sup>29</sup> S/2004/604, S/2005/153, S/2005/625, S/2006/229, S/2006/913 and S/2007/436.

<sup>30</sup> While the restrictions imposed by paragraph 13 of resolution 918 (1994) on the sale or supply of arms and related materiel to the Government of Rwanda were terminated on 1 September 1996, in accordance with paragraph 8 of resolution 1011 (1995), all States were required to continue to implement the foregoing restrictions with a view to preventing the sale and supply of arms and related materiel to non-governmental forces for use in Rwanda.

<sup>31</sup> Resolution 1749 (2007), para. 1.

During the period under review, the Committee submitted five reports,<sup>32</sup> in which it noted that no violations of the arms embargo had been brought to its attention, while observing that the Committee did not have any specific monitoring mechanism to ensure the effective implementation of the arms embargo and that it relied solely on the cooperation of States and organizations in a position to provide pertinent information.

## **3. Security Council Committee established pursuant to resolution 1132 (1997) concerning Sierra Leone**

During the period under review, the Committee established pursuant to resolution 1132 (1997) concerning Sierra Leone continued to fulfil its mandate to monitor the measures concerning the arms embargo and travel restrictions imposed by resolution 1132 (1997).<sup>33</sup>

### **Monitoring and reporting**

During the period under review, the Committee submitted five annual reports, in which it provided information on the activities of the Committee and stated that no violations of the arms embargo had been brought to its attention.<sup>34</sup>

## **4. Security Council Committee established pursuant to resolution 1267 (1999) concerning Al-Qaida and the Taliban and associated individuals and entities**

The Committee established pursuant to resolution 1267 (1999) continued to fulfil its mandate to monitor the implementation of the measures against Al-Qaida

<sup>32</sup> S/2004/134, S/2005/76, S/2006/164, S/2006/1049 and S/2007/782.

<sup>33</sup> By resolution 1793 (2007) of 21 December 2007, para. 8, the Council, acting under Chapter VII of the Charter, decided to exempt from the measures imposed by paragraph 5 of resolution 1171 (1998) the travel of any witnesses whose presence at trial before the Special Court for Sierra Leone was required.

<sup>34</sup> S/2004/166, S/2005/44, S/2005/843, S/2006/1043 and S/2007/777.

and the Taliban and associated individuals and entities.<sup>35</sup>

### **Mandate implementation**

By resolution 1526 (2004) of 30 January 2004, the Council decided to strengthen the mandatory measures that included an asset freeze, travel ban and arms embargo.<sup>36</sup> It also decided to strengthen the mandate of the Committee to include, in addition to the oversight of States' implementation of those measures, a role in assessing information for the Council's review as well as recommending improvements to the measures.<sup>37</sup> The Council requested the Committee to follow up with States regarding effective implementation of the sanctions measures and to provide States with an opportunity, at the request of the Committee, to send representatives to meet with the Committee for more in-depth discussion of relevant issues; to seek from States, as appropriate, status reports on the implementation of the measures concerning listed individuals and entities, specifically with respect to the aggregate amounts of the frozen assets of the listed individuals and entities; and to circulate to the Council a list of those States that had not submitted by 31 March 2004 reports pursuant to paragraph 6 of resolution 1455 (2003), including an analytical summary of the reasons put forward by States for not reporting.<sup>38</sup> Moreover, the Council decided to establish an Analytical Support and Sanctions Monitoring Team under the direction of the Committee.<sup>39</sup>

By resolution 1617 (2005) of 29 July 2005, the Council decided that, when proposing names for the Consolidated List, States should also provide to the Committee a statement of case describing the basis of the proposal, and that the case could be used by the Committee in responding to queries from Member

States whose nationals, residents or entities had been included on the Consolidated List. It also decided that the Committee could decide on a case-by-case basis to release the information to other parties, with the prior consent of the designating State.<sup>40</sup> The Council also reiterated the need for ongoing close cooperation and exchange of information between the Committee, the Counter-Terrorism Committee and the Committee established pursuant to resolution 1540 (2004), as well as their respective groups of experts, including enhanced information-sharing, coordinated visits to countries, technical assistance and other issues of relevance to all three committees.<sup>41</sup>

By resolution 1735 (2006) of 22 December 2006, the Council introduced additional rules in the de-listing procedure. Specifically, the Council decided that the Committee should consider, *inter alia*, names included in the Consolidated List due to a mistake of identity and whether the individual or entity no longer met the criteria set out in relevant resolutions.<sup>42</sup>

The Committee revised its guidelines several times,<sup>43</sup> as requested by the Council.<sup>44</sup>

### **Monitoring and reporting**

The Committee submitted three annual reports<sup>45</sup> covering the period under review, by which, *inter alia*, it informed the Council of activities of the Committee and the Monitoring Team established pursuant to resolution 1526 (2004). During the period under review, the Committee took several trips<sup>46</sup> pursuant to the requests of the Security Council<sup>47</sup> to selected countries.

By resolution 1526 (2004) of 30 January 2004, the Council requested the Secretary-General to

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<sup>35</sup> The name of the Committee was changed on 2 September 2003 from "Security Council Committee established pursuant to resolution 1267 (1999)" to "Security Council Committee established pursuant to resolution 1267 (1999) concerning Al-Qaida and the Taliban and associated individuals and entities".

<sup>36</sup> Resolution 1526 (2004), para. 1. Resolution 1617 (2005) of 29 July 2005 did not modify the scope of the mandatory sanctions measures but provided clarification on the measures and their implementation.

<sup>37</sup> Resolution 1526 (2004), para. 2.

<sup>38</sup> *Ibid.*, paras. 11, 21 and 23.

<sup>39</sup> See "Monitoring and reporting" below for details.

<sup>40</sup> Resolution 1617 (2005), paras. 4 and 6.

<sup>41</sup> *Ibid.*, para. 13. This call was repeated in resolution 1735 (2006), para. 27. For more information on cooperation among the three committees, see "Other committees" below.

<sup>42</sup> Resolution 1735 (2006), para. 14.

<sup>43</sup> S/2004/1039, para. 11; S/2006/22, para. 11; and S/2007/59, para. 9.

<sup>44</sup> Resolutions 1617 (2005), para. 18; 1730 (2006), para. 2; and 1735 (2006), para. 17.

<sup>45</sup> S/2004/1039, S/2006/22 and S/2007/59.

<sup>46</sup> See S/2004/1039, para. 25; S/2006/22, para. 28; S/2007/59, para. 27.

<sup>47</sup> Resolution 1526 (2004), para. 10; resolution 1617 (2005), para. 15; and resolution 1735 (2006), para. 30.

establish, for a period of 18 months, a monitoring team with the mandate to, *inter alia*, assess and make recommendations on the implementation of the measures, pursue case studies and explore other matters as directed by the Committee.<sup>48</sup> The Council further requested the Monitoring Team to submit independent reports to the Committee on a six-monthly basis.<sup>49</sup> In accordance with its mandate, the Monitoring Team submitted seven reports to the Council through the Committee.<sup>50</sup> The mandate of the Monitoring Team was subsequently renewed for a period of 17 months by resolution 1617 (2005) and an additional period of 18 months by resolution 1735 (2006).<sup>51</sup>

#### **5. Security Council Committee established pursuant to resolution 1518 (2003)**

During the period under review, the Committee established pursuant to resolution 1518 (2003) continued to fulfil its mandate to identify senior officials of the former Iraqi regime and their immediate family members, including entities owned or controlled by them or by persons acting on their behalf, who were subject to the measures imposed by paragraph 23 of resolution 1483 (2003).

#### **Monitoring and reporting**

During the period under review, the Committee submitted three annual reports,<sup>52</sup> by which it informed the Council, *inter alia*, about its activity updating the lists of individuals and entities whose funds and economic resources should be frozen, in accordance with paragraphs 19 and 23 of resolution 1483 (2003).<sup>53</sup>

<sup>48</sup> Resolution 1526 (2004), paras. 6 and 7.

<sup>49</sup> *Ibid.*, para. 8.

<sup>50</sup> S/2004/679, S/2005/83, S/2005/572, S/2006/154, S/2006/750, S/2007/132 and S/2007/677.

<sup>51</sup> Resolutions 1617 (2005), para. 19; and 1735 (2006), para. 32.

<sup>52</sup> S/2004/1036, S/2005/827 and S/2007/51.

<sup>53</sup> The Committee held no meetings in 2007.

#### **6. Security Council Committee established pursuant to resolution 1521 (2003) concerning Liberia**

The Committee established pursuant to resolution 1521 (2003) continued to fulfil its mandate to oversee the implementation of the arms embargo, restrictions on the travel of individuals designated by the Committee, and prohibitions on the import of rough diamonds and timber products originating in Liberia.

#### **Mandate implementation**

By resolution 1532 (2004) of 12 March 2004, the Council imposed an asset freeze on selected individuals, specifically the President of Liberia, Charles Taylor, his immediate family and other associates.<sup>54</sup> The Council decided that the Committee should identify individuals and entities covered by the asset freeze and circulate to all States a list of the said individuals; maintain and regularly update the list; assist States in tracing and freezing the funds and assets of such individuals; and seek from all States information regarding the actions taken by them.<sup>55</sup>

By resolution 1683 (2006) of 13 June 2006, the Council decided that the arms embargo would not apply to the weapons and ammunition already provided to the Special Security Service for training purposes on the basis of advance approval by the Committee, and to limited supplies of weapons and ammunition for members of the Government of Liberia police and security forces who had been vetted and trained since the inception of the United Nations Mission in Liberia in October 2003, as approved on a case-by-case basis by the Committee.<sup>56</sup>

By resolution 1689 (2006) of 20 June 2006, the Council terminated the prohibition on the import of timber products originating in Liberia.<sup>57</sup> By resolution 1753 (2007) of 27 April 2007, the Council terminated the measures on diamonds, and encouraged the Kimberley Process Certification Scheme for diamonds to report to the Council through the Committee, on the application of Liberia to the Kimberley Process.<sup>58</sup>

<sup>54</sup> Resolution 1532 (2004), para. 1.

<sup>55</sup> *Ibid.*, para. 4.

<sup>56</sup> Resolution 1683 (2006), paras. 1 and 2.

<sup>57</sup> Resolution 1689 (2006), para. 1.

<sup>58</sup> Resolution 1753 (2007), paras. 1 and 2.

### **Monitoring and reporting**

The Committee submitted four annual reports<sup>59</sup> covering the period under review, which, inter alia, dealt with its activities as well as those of the Panel of Experts. In particular, the Committee provided an overview on the implementation of the relevant measures and highlighted that no violations were reported.

### **Panel of Experts**

By resolution 1521 (2003), the Council requested the Secretary-General to establish a Panel of Experts with the mandate to, inter alia, report on the implementation of the Council's relevant measures. The Panel of Experts was re-established or its mandate extended on a six-month basis by a series of resolutions.<sup>60</sup> In accordance with its mandate, the Panel submitted 10 reports to the Council through the Committee and provided, inter alia, an assessment of the measures regarding diamonds, timber, travel ban, assets freeze and arms embargo, as well as the socioeconomic impact of such measures and the financial situation of Liberia.<sup>61</sup>

By resolution 1549 (2004) the Panel of Experts was mandated to conduct an assessment mission to Liberia and neighbouring States to investigate and report on violations of the arms embargo, travel ban, as well as diamonds and timber embargoes. Moreover, it was mandated to assess the progress made in the ceasefire, disarmament, demobilization, and control of diamonds and timber production and trade, as well as to monitor the implementation and enforcement of the measures and assess their socioeconomic and humanitarian impact.<sup>62</sup> By subsequent resolutions, its mandate was expanded and the Committee was requested to cooperate with other relevant groups of experts,<sup>63</sup> assess the implementation of the forestry legislation,<sup>64</sup> identify and make recommendations

regarding areas where the capacity of States in the region to implement the measures could be strengthened,<sup>65</sup> monitor specific measures targeted on designated individuals, including former President Taylor,<sup>66</sup> and to assess the compliance of the Government of Liberia with the Kimberley Process Certification Scheme.<sup>67</sup>

### **7. Security Council Committee established pursuant to resolution 1533 (2004)**

#### **Establishment**

By resolution 1533 (2004) of 12 March 2004, the Council established a Committee to oversee the relevant measures imposed by resolution 1493 (2003), which included, inter alia, the ban of arms transfers to the Democratic Republic of the Congo and the prohibition of assistance from other countries to all foreign and Congolese armed groups and militias operating in the territory of North and South Kivu and of Ituri, and to groups not parties to the Global and All-Inclusive Agreement, in the Democratic Republic of the Congo.

#### **Mandate**

Pursuant to resolution 1533 (2004), the Committee was mandated, inter alia (a) to seek from all States, and particularly those in the region, information regarding the actions taken by them to implement effectively the measures, and to request from them whatever further information it might consider useful; (b) to examine, and to take appropriate action on, information concerning alleged violations of the measures and information on alleged arms flows, identifying where possible individual and legal entities reported to be engaged in such violations, as well as aircraft or other vehicles used; and (c) to present regular reports to the Council on its work, with its observations and recommendations, in particular on ways to strengthen the effectiveness of the measures.<sup>68</sup>

#### **Mandate implementation**

By resolution 1596 (2005) of 18 April 2005, the Council, inter alia, decided that the measures would apply to any recipient in the territory of the Democratic

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<sup>59</sup> S/2004/1025, S/2006/464, S/2006/1044 and S/2007/776.

<sup>60</sup> Resolutions 1549 (2004), para. 1; 1579 (2004), para. 8; 1607 (2005), para. 14; 1647 (2005), para. 9; 1689 (2006), para. 5; 1731 (2006), para. 4; 1760 (2007), para. 1; and 1792 (2007), para. 5.

<sup>61</sup> S/2004/396, S/2004/752, S/2004/955, S/2005/176, S/2005/360, S/2005/745, S/2006/379, S/2006/976, S/2007/340 and S/2007/689.

<sup>62</sup> Resolution 1549 (2004), para. 1.

<sup>63</sup> Resolution 1607 (2005), para. 14 (f).

<sup>64</sup> Resolution 1731 (2006), para. 4 (c).

<sup>65</sup> *Ibid.*, para. 4 (f).

<sup>66</sup> *Ibid.*, para. 4 (b).

<sup>67</sup> Resolution 1760 (2007), para. 1 (d).

<sup>68</sup> Resolution 1533 (2004), para. 8.

Republic of the Congo, except for the police that country, the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC) and supplies of non-lethal military equipment intended for humanitarian use; and that all Governments in the region needed to ensure that aircraft were operating in accordance with relevant international law; strengthen customs controls and ensure that means of transport were not used in violation of the measures; prevent the transit through their territories of all persons designated by the Committee, unless the Committee provided an exemption in advance; and to freeze the funds and other assets of those persons designated by the Committee.<sup>69</sup> The Council also decided that, in addition to its previous mandate, the Committee would designate persons and entities with respect to the measures contained in the same resolution, to seek information from States, to decide on requests for exemptions and to promulgate guidelines to facilitate the implementation of the measures.<sup>70</sup>

By resolution 1649 (2005) of 21 December 2005, the Council extended the measures that called on all States to prevent the transit through their territories of political and military leaders of foreign armed groups operating in the Democratic Republic of the Congo who impeded the disarmament and the voluntary repatriation or resettlement of their combatants, as well as political and military leaders of Congolese militia receiving support from outside the country, unless the Committee authorized in advance, on a case-by-case basis, the transit of individual returning to the State of their nationality, or participating in efforts to bring to justice perpetrators of international humanitarian law. The Council also decided that the tasks of the Committee to, *inter alia*, designate persons would extend to the above-mentioned measures in the resolution.<sup>71</sup>

By resolution 1698 (2006) of 31 July 2006, the Council decided to extend those provisions to political and military leaders recruiting or using children in armed conflict and individuals committing serious violations of international law involving the targeting of children in situations of armed conflict.<sup>72</sup>

<sup>69</sup> Resolution 1596 (2005), paras. 1, 2, 6, 10, 13 and 15.

<sup>70</sup> *Ibid.*, para. 18.

<sup>71</sup> Resolution 1649 (2005), paras. 2, 3 and 4.

<sup>72</sup> Resolution 1698 (2006), para. 13.

### Monitoring and reporting

During the period under review, the Committee submitted three annual reports on its activities and those of the Group of Experts.<sup>73</sup>

### Group of Experts

By resolution 1533 (2004) of 12 March 2004, the Council requested the Secretary-General to establish a Group of Experts consisting of no more than four members to analyse information on violations of the relevant measures. Moreover, the Group was also mandated to report to the Council through the Committee on its activities: to monitor the effective implementation of the measures; to provide recommendations on ways to improve the capabilities of States to implement the measures; to cooperate with MONUC; and to provide the Committee with a list of violators of the measures.<sup>74</sup>

By resolution 1649 (2005), the Council requested the Group to assist the Committee in the designation of the leaders referred to in paragraph 2 of the resolution.<sup>75</sup> By resolution 1698 (2006) of 31 July 2006, the Council asked the Group of Experts to provide recommendations on feasible and effective measures the Council might impose to prevent the illegal exploitation of natural resources financing armed groups and militias in the eastern part of the Democratic Republic of the Congo and to assess the relative importance of the exploitation of natural resources to the armed groups as compared to other sources of income.<sup>76</sup>

During the period under review, the Group of Experts submitted seven reports on its activities.<sup>77</sup> By a series of resolutions,<sup>78</sup> the Council re-established or extended the mandate of the Group of Experts on seven occasions, requesting it to report on the implementation of the measures.

<sup>73</sup> S/2005/81, S/2006/54 and S/2006/1048.

<sup>74</sup> Resolution 1533 (2004), para. 10.

<sup>75</sup> Resolution 1649 (2005), para. 5.

<sup>76</sup> Resolution 1698 (2006), para. 6.

<sup>77</sup> S/2004/551, S/2005/30, S/2005/436, S/2006/53, S/2006/525, S/2007/40 and S/2007/423.

<sup>78</sup> Resolutions 1552 (2004), para. 5; 1596 (2005), para. 21; 1616 (2005), para. 4; 1654 (2006), para. 1; 1698 (2006), para. 3; 1768 (2007), para. 4; and 1771 (2007), para. 9.

## **8. Security Council Committee established pursuant to resolution 1572 (2004) concerning Côte d'Ivoire**

### **Establishment and mandate**

By resolution 1572 (2004) of 15 November 2004, the Council imposed a number of measures on Côte d'Ivoire, consisting of an arms embargo, a travel ban and the freeze of assets owned or controlled by designated individuals.<sup>79</sup> By the same resolution, the Council further decided to establish a Committee to oversee the measures. The Committee was mandated to designate the individuals and entities subject to the travel ban and assets freeze; to seek relevant information from all States concerned; to consider and decide upon requests for exemptions; to make relevant information publicly available; to promulgate guidelines to facilitate the implementation of the relevant measures and to report regularly to the Council on its activities.<sup>80</sup>

### **Mandate implementation**

By resolution 1782 (2007) of 29 October 2007, the Council authorized the Committee to request whatever further information it might consider necessary from all States concerned.<sup>81</sup>

### **Monitoring and reporting**

The Committee submitted three annual reports on its activities<sup>82</sup> and those of the Group of Experts. The Committee reported violations of both the arms embargo and the diamonds embargo in 2006<sup>83</sup> and violations of the diamonds embargo and the asset freeze in 2007.<sup>84</sup>

### **Group of Experts**

By resolution 1584 (2005) of 1 February 2005, the Council requested the Secretary-General to establish a Group of Experts to assist the Committee in its tasks for an initial period of six months. Specifically, the Group was mandated to examine and analyse information gathered by the United Nations

Operation in Côte d'Ivoire (UNOCI), as well as all relevant information on arms flows in Côte d'Ivoire; to consider and recommend ways of improving the capabilities of States to implement the measures; to report to the Council through the Committee; and to collaborate with UNOCI and other relevant groups of experts, as well as to provide the Committee with a list of individuals and entities that violated the measures imposed for possible future measures by the Council.<sup>85</sup> By resolution 1643 (2005), the Council required the Group of Experts to monitor the implementation of the travel ban and the freeze of assets of designated individuals.<sup>86</sup> During the period under review, the Group of Experts submitted seven reports on its activities.<sup>87</sup> By a series of resolutions,<sup>88</sup> the Council extended the mandate of the Group on six occasions for periods of up to one year, the last until 31 October 2008.

## **9. Security Council Committee established pursuant to resolution 1591 (2005) concerning the Sudan**

### **Establishment and mandate**

By resolution 1556 (2004) of 30 July 2004, the Council decided that all States should take the necessary measures to prevent the sale or supply of arms and related materiel, as well as the provision of related technical training or assistance, to all non-governmental entities and individuals operating in the States of Northern, Southern and Western Darfur in the Sudan.<sup>89</sup> By resolution 1591 (2005) of 29 March 2005, the Council established a Committee to oversee the measures contained in the resolution, which consisted of a travel ban and asset freeze on selected individuals and an expansion of the arms embargo imposed by resolution 1556 (2005) to all the parties to the N'Djamena Ceasefire Agreement and any other belligerents in Darfur.<sup>90</sup> Specifically, the Committee was mandated to monitor the implementation of the arms embargo; to designate the individuals and entities

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<sup>79</sup> Resolution 1572 (2004), paras. 7-12.

<sup>80</sup> *Ibid.*, para. 14.

<sup>81</sup> Resolution 1782 (2007), para. 7.

<sup>82</sup> S/2006/55, S/2006/1017 and S/2007/764.

<sup>83</sup> S/2006/1017, paras. 25 and 28.

<sup>84</sup> S/2007/764, paras. 24 and 27.

<sup>85</sup> Resolution 1584 (2005), para. 7.

<sup>86</sup> Resolution 1643 (2005), para. 9 (i).

<sup>87</sup> S/2005/470, S/2005/699, S/2006/204, S/2006/735, S/2006/964, S/2007/349 and S/2007/611.

<sup>88</sup> Resolutions 1632 (2005), para. 1; 1643 (2005), para. 9; 1708 (2006), para. 1; 1727 (2006), para. 7; 1761 (2007), para. 1; and 1782 (2007), para. 8.

<sup>89</sup> Resolution 1556 (2004), paras. 7 and 8.

<sup>90</sup> Resolution 1591 (2005), paras. 3 and 7.

subject to the travel ban and assets freeze; to promulgate guidelines to facilitate the implementation of those measures; to consider and decide upon requests from the Government of the Sudan for exceptions to the arms embargo to allow for the movement of military equipment and supplies into the Darfur region; and to report regularly to the Council on its activities.<sup>91</sup> The resolution also established a Panel of Experts.<sup>92</sup>

### **Monitoring and reporting**

The Committee submitted three annual reports on its activities on those of the Panel of Experts.<sup>93</sup> The Committee reported several violations of the arms embargo and took action on several occasions.<sup>94</sup>

### **Panel of Experts**

By resolution 1591 (2005) of 29 March 2005, the Council requested the Secretary-General to establish a Panel of Experts to assist the Committee in monitoring the implementation of the measures, to regularly update the Committee on its findings and to coordinate its activities with ongoing operations of the African Union Mission in the Sudan;<sup>95</sup> and, subsequently, with the African Union-United Nations Hybrid Operation in Darfur (UNAMID).<sup>96</sup> By a series of resolutions,<sup>97</sup> the Council extended the mandate of the Panel of Experts on four occasions, the last extension being until 15 October 2008. During the period under review, the Panel of Experts submitted four reports on its activities.<sup>98</sup>

## **10. Security Council Committee established pursuant to resolution 1636 (2005)**

### **Establishment and mandate**

By resolution 1636 (2005) of 31 October 2005, the Council decided, as a step to assist in the investigation of the terrorist bombing that killed the former Prime Minister of Lebanon, Rafiq Hariri, and

22 others, that all individuals designated by the International Independent Investigation Commission or the Government of Lebanon as suspected of involvement in the planning, sponsoring, organizing or perpetrating of that terrorist act would be subject to a travel ban and asset freeze and to establish a Committee to oversee those measures.<sup>99</sup> The Council further decided that the Committee should register as subject to measures those individuals designated by the International Independent Investigation Commission or the Government of Lebanon; approve exceptions to the travel ban and assets freeze on a case-by-case basis; register the removal of individuals from the scope of the travel ban and asset freeze measures in accordance with resolution 1636 (2005) and inform all Member States which individuals were subject to those measures.<sup>100</sup>

## **11. Security Council Committee established pursuant to resolution 1718 (2006)**

### **Establishment and mandate**

By resolution 1718 (2006) of 14 October 2006, the Council decided that the Democratic People's Republic of Korea should abandon all nuclear weapons and existing nuclear programmes, and imposed a number of measures, including a prohibition on the import or export of certain arms, nuclear material and luxury goods to the Democratic People's Republic of Korea. Other measures included, inter alia, the prohibition of any assistance related to nuclear technology, as well as a travel ban and asset freeze. The Council further decided to establish a Committee to oversee these measures. Specifically, the Committee was mandated to seek relevant information from all States concerned; to examine and take appropriate action on alleged violations of the measures; to consider and decide upon requests for exemptions; to update the lists of individual and entities subject to the measures as well as to determine additional items to be included in the list of banned items; to promulgate guidelines to facilitate the implementation of the relevant measures and to report regularly to the Council on its activities.<sup>101</sup>

### **Monitoring and reporting**

<sup>99</sup> Resolution 1636 (2005), para. 3.

<sup>100</sup> Ibid., annex.

<sup>101</sup> Resolution 1718 (2006), para. 12.

<sup>91</sup> Ibid., para. 3.

<sup>92</sup> Ibid., para. 3 (b).

<sup>93</sup> S/2006/543, S/2006/1045 and S/2007/779.

<sup>94</sup> See S/2006/1045, para. 22, and S/2007/779, para. 25.

<sup>95</sup> Resolution 1591 (2005), para. 3 (b).

<sup>96</sup> Resolution 1779 (2007), para. 3.

<sup>97</sup> Resolutions 1651 (2005), para. 1; 1665 (2006), para. 1; 1713 (2006), para. 1; and 1779 (2007), para. 1.

<sup>98</sup> S/2006/65, S/2006/250, S/2006/795 and S/2007/584.

During the period under review, the Committee submitted one annual report on its activities.<sup>102</sup>

## **12. Security Council Committee established pursuant to resolution 1737 (2006)**

### **Establishment**

By resolution 1737 (2006) of 23 December 2006, the Council, acting under Article 41 of the Charter, reiterated the request contained in resolution 1696 (2006)<sup>103</sup> that the Islamic Republic of Iran suspend all enrichment-related and reprocessing activities and work on all heavy water-related projects,<sup>104</sup> adopted measures on the Islamic Republic of Iran, including a proliferation-sensitive nuclear and ballistic missile programmes-related embargo; and individual targeted sanctions, inter alia, a travel ban, a travel notification requirement, and an assets freeze, on designated persons and entities;<sup>105</sup> and established a Committee to oversee the implementation of the relevant measures included in the resolution.<sup>106</sup>

### **Mandate**

Pursuant to resolution 1737 (2006), the Committee was mandated to undertake the following tasks, and to report on its work to the Council with its observations and recommendations at least every 90 days:<sup>107</sup> (a) to seek from all States information regarding the actions taken by them to implement the measures imposed by the resolution and thereafter to request from them whatever further information it might consider necessary; (b) to seek from the secretariat of the International Atomic Energy Agency (IAEA) information regarding the actions taken by IAEA; (c) to consider and to take appropriate action on information brought to its attention concerning alleged violations of the measures imposed by the resolution; (d) to consider and decide upon requests for exceptions to the sanctions, including to the embargo in cases where items or assistance would not contribute to the development of proliferation-sensitive nuclear activities; (e) to update the list of banned transfers; (f) to update the list of individuals and entities subject to

travel ban and asset freeze; (g) to promulgate guidelines facilitating the implementation of the measures; and (h) to report at least every 90 days to the Council on its work, with its observations and recommendations.

### **Mandate implementation**

By resolution 1747 (2007) of 24 March 2007, the Council imposed a ban on exports of arms from the Islamic Republic of Iran and designated additional persons and entities as subject to the assets freeze and the measures concerning travel. The Council also called upon all States to exercise vigilance and restraint in the provision of heavy weapons and related services to the Islamic Republic of Iran, and called upon all States and international financial institutions not to enter into new commitments for grants, financial assistance and concessional loans to the Government of the Islamic Republic of Iran, except for humanitarian and developmental purposes. In addition, the Council called on all States to report to the Committee within 60 days of the adoption of the resolution on the steps they had taken to implement the above provisions.<sup>108</sup>

### **Monitoring and reporting**

During the period under review, the Council heard three briefings from the Chairman of the Committee.<sup>109</sup> The Committee also presented an annual report on its activities from 23 December 2006 to 31 December 2007.<sup>110</sup>

### **Other committees**

During the period under review, the Counter-Terrorism Committee established pursuant to Security Council resolution 1373 (2001) continued its work, and the Council established a Committee pursuant to resolution 1540 (2004), by which, inter alia, it required States to take measures to prevent non-State actors from obtaining weapons of mass destruction.

Considering the related nature of the mandates of these two Committees as well as the Committee established pursuant to resolution 1267 (1999) concerning Al-Qaida and the Taliban and associated individuals and entities, the Council called on a number of occasions for enhanced cooperation among

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<sup>102</sup> S/2007/778.

<sup>103</sup> Resolution 1696 (2006), para. 2.

<sup>104</sup> Resolution 1737 (2006), para. 2.

<sup>105</sup> *Ibid.*, paras. 3-8, 10 and 12.

<sup>106</sup> *Ibid.*, para. 18.

<sup>107</sup> *Ibid.*

<sup>108</sup> Resolution 1747 (2007), paras. 4-8.

<sup>109</sup> See S/PV.5702, S/PV.5743 and S/PV.5807.

<sup>110</sup> S/2007/780.

the three Committees, as well as the Working Group established pursuant to resolution 1566 (2004). Specifically, this included, *inter alia*, enhanced information-sharing, coordinated visits to countries and cooperation on other issues of relevance to all the three Committees and the Working Group. The Council also encouraged the three Committees to enhance cooperation with a view to identifying, promoting and developing, as appropriate, best practices to provide clarity and guidance to States on implementation of the provisions of the relevant resolutions; to ensure that, in their dialogue with States, they presented a consolidated message from the Council on its efforts to fight terrorism; and to avoid duplication, including in their requests for information from Member States about implementation.<sup>111</sup>

### **1. Committee established pursuant to Security Council resolution 1373 (2001) concerning counter-terrorism**

During the period under review, the Counter-Terrorism Committee established pursuant to resolution 1373 (2001) under Chapter VII of the Charter, continued to monitor implementation of the resolution, with the assistance of appropriate expertise.

#### **Mandate implementation**

Having considered the report of the Chairman of the Committee on the problems encountered both by Member States and the Committee itself in the implementation of resolution 1373 (2001),<sup>112</sup> the Council, by resolution 1535 (2004), endorsed the report of the Committee on its revitalization,<sup>113</sup> and decided that the revitalized Committee would consist of the plenary, composed of the Security Council member States, and the Bureau, composed of the Chair and the Vice-Chairs, assisted by the Counter-Terrorism Committee Executive Directorate, to be established as a special political mission, under the policy guidance of the plenary, for an initial period ending 31 December 2007.<sup>114</sup> The Council also decided that

the Committee would continue to report to the Council on a regular basis.

By a statement of the President dated 19 July 2004,<sup>115</sup> the Council invited the Counter-Terrorism Committee to pursue its agenda as set out in the work programme for the twelfth 90-day period focusing on practical measures to implement resolution 1535 (2004) on the revitalization of the Committee as well as to accelerate its work on country assessments of assistance needs.<sup>116</sup>

By resolution 1566 (2004) of 8 October 2004, the Council requested the Counter-Terrorism Committee to develop a set of best practices to assist States in implementing the provisions of resolution 1373 (2001) related to the financing of terrorism. It also directed the Committee to start visits to States in order to enhance the monitoring of the implementation of resolution 1373 (2001).<sup>117</sup>

By a statement of the President dated 19 October 2004,<sup>118</sup> the Council invited the Committee to pursue its agenda as set out in the work programme for its thirteenth 90-day period,<sup>119</sup> focusing on practical measures to increase the Committee's capacity, including through enhanced cooperation with the sanctions Committee established pursuant to resolution 1267 (1999) concerning Al-Qaida and the Taliban and the Committee established pursuant to resolution 1540 (2004).

By a statement of the President dated 18 January 2005,<sup>120</sup> the Council invited the Counter-Terrorism Committee to pursue its agenda as set out in the work programme for its fourteenth 90-day period.<sup>121</sup> It also invited the Committee, *inter alia*, to ensure that its Executive Directorate became fully operational in the shortest possible time; to initiate contacts with the Working Group established pursuant to resolution 1566 (2004) and to conduct the first of its visits to Member States in March 2005.

By resolution 1624 (2005) of 14 September 2005, the Council directed the Committee to (a) include in its dialogue with Member States their efforts to implement

<sup>111</sup> Resolutions 1617 (2005), para. 13; and 1735 (2006), para. 27; S/PRST/2005/16, S/PRST/2005/34 and S/PRST/2006/56.

<sup>112</sup> S/2004/70.

<sup>113</sup> S/2004/124.

<sup>114</sup> See below for more information on the Counter-Terrorism Committee Executive Directorate.

<sup>115</sup> S/PRST/2004/26.

<sup>116</sup> S/2004/541.

<sup>117</sup> Resolution 1566 (2004), paras. 7 and 8.

<sup>118</sup> S/PRST/2004/37.

<sup>119</sup> See S/2004/820.

<sup>120</sup> S/PRST/2005/3.

<sup>121</sup> See S/2005/22.

the resolution, which, *inter alia*, it called on States to adopt such measures as might be necessary to prohibit by law incitement to commit a terrorist act; (b) work with Member States to help build capacity, including through spreading best legal practice and promoting exchange of information in this regard; and (c) report back to the Council in 12 months on the implementation of the resolution.<sup>122</sup>

By a statement of the President dated 20 December 2006,<sup>123</sup> the Council called on the Committee to report on the status of implementation of resolution 1373 (2001), particularly on any outstanding issues, when necessary on a regular basis, in order to receive strategic guidance from the Council.

### **Reporting**

During the period under review, the Counter-Terrorism Committee issued one report on the implementation of resolution 1624 (2005).<sup>124</sup>

### **Counter-Terrorism Committee Executive Directorate**

The Counter-Terrorism Committee Executive Directorate was established by resolution 1535 (2004) as a special political mission, under the policy guidance of the plenary, for an initial period ending 31 December 2007.<sup>125</sup> The Council decided further that the Executive Directorate, headed by an Executive Director, would be responsible, *inter alia*, for the following tasks: to support and advise the plenary and the Chair in all their functions; ensure the comprehensive follow-up of all the decisions of the Committee; propose to the Secretary-General the appointment of all assigned staff; attend, or be represented, at all the meetings of the plenary and the Bureau; submit, through the Secretary-General, a semi-annual comprehensive report to the plenary as well as the programme of work for the Executive Directorate; prepare a results-based budget; keep the plenary regularly informed on the progress of States in their implementation of resolution 1373 (2001); facilitate the provision of assistance programmes to States; pursue relations and collaboration with other bodies of the United Nations system; continue to

strengthen cooperation with relevant international, regional and subregional organizations; and design, propose and implement, with the approval of the plenary, a proactive communication policy.<sup>126</sup> The Council requested the Secretary-General to appoint an Executive Director of the Executive Directorate; and the Executive Director to submit to the plenary, for its endorsement, an organizational plan for the Executive Directorate.<sup>127</sup> The Executive Director was appointed through an exchange of letters between the Secretary-General and the President of the Security Council.<sup>128</sup>

By a statement of the President dated 21 December 2005,<sup>129</sup> the Council endorsed the report of the Counter-Terrorism Committee submitted as part of the Council's comprehensive review of the Executive Directorate<sup>130</sup> and agreed with its conclusions. In its report the Committee stressed that the following areas were the highest priority for the future focus of the Executive Directorate: monitoring implementation of Council resolution 1373 (2001) through (a) providing in-depth analysis of the implementation of the resolution; (b) enhancing dialogue with States; (c) reviewing and proposing how to update the reporting regime; and (c) cooperating closely with the other relevant subsidiary bodies of the Council, in particular the Committees established pursuant to resolutions 1267 (1999) and 1540 (2004); and continuing effective capacity-building work, through (a) strengthening the facilitation of technical assistance; (b) improving the assistance provided to Member States through publishing and developing best practices in all areas of resolution 1373 (2001); (c) reviewing and proposing how to further develop cooperation with international, regional and subregional organizations to enhance the synergy between the work of the Committee and that of these organizations in furthering implementation of resolution 1373 (2001).<sup>131</sup> The Council also welcomed the fact that the Counter-Terrorism Committee, in consultation with the Secretary-General, had decided to declare the Executive Directorate operational on 15 December 2005 and agreed with the Secretary-General and with the Committee that there was a need

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<sup>122</sup> Resolution 1624 (2005), paras. 1 and 6.

<sup>123</sup> S/PRST/2006/56.

<sup>124</sup> S/2006/737.

<sup>125</sup> Resolution 1535 (2004), para. 2.

<sup>126</sup> *Ibid.*, para. 3; and S/2004/124, para. 15.

<sup>127</sup> Resolution 1535 (2004), paras. 3 and 4.

<sup>128</sup> S/2004/388 and S/2004/389.

<sup>129</sup> S/PRST/2005/64.

<sup>130</sup> S/2005/800.

<sup>131</sup> *Ibid.*, paras. 43 and 44.

to clarify reporting lines in the Executive Directorate, within the framework of resolution 1535 (2004).

By a statement of the President dated 20 December 2006,<sup>132</sup> the Council endorsed the report prepared by the Committee submitted as part of the Council's comprehensive review of the Executive Directorate<sup>133</sup> and agreed with its recommendations and conclusions. Welcoming the letter from the Secretary-General dated 15 December 2006,<sup>134</sup> it also endorsed the recommendation of the Committee with regard to reporting lines so that the Executive Directorate would henceforth present its draft work programmes and its semi-annual reports directly to the Committee.

By resolution 1787 (2007) of 10 December 2007, the Council decided to extend the mandate of the Counter-Terrorism Committee Executive Directorate until 31 March 2008 and requested the Executive Director to recommend such changes as he deemed appropriate to the organizational plan, and to submit them to the Committee for its consideration and endorsement.<sup>135</sup>

<sup>132</sup> S/PRST/2006/56.

<sup>133</sup> S/2006/989.

<sup>134</sup> S/2006/1002.

<sup>135</sup> Resolution 1787 (2007), paras. 1 and 2.

## **2. Committee established pursuant to resolution 1540 (2004)**

### **Establishment and mandate**

By resolution 1540 (2004) of 28 April 2004, the Council, *inter alia*, decided that all States should adopt laws which prohibited any non-State actor from manufacturing, acquiring or transporting nuclear, chemical or biological weapons and take effective measures to establish domestic controls to prevent the proliferation such weapons.<sup>136</sup> By the same resolution, the Council decided to establish, in accordance with rule 28 of its provisional rules of procedure, a Committee for a period of no longer than two years, which would, calling as appropriate on other expertise, report to the Security Council for its examination, on the implementation of this resolution. The Council called upon all States to present a first report no later than six months from the adoption of the resolution to the Committee on steps they had taken or intended to take to implement the resolution.<sup>137</sup>

### **Mandate implementation**

By resolution 1673 (2006) of 27 April 2006, the Council decided to extend the mandate of the Committee, with the continued assistance of experts, for an additional period of two years, until 27 April 2008. It also decided that the Committee should intensify its efforts to promote the full implementation by all States of resolution 1540 (2004) through a work programme which included the compilation of information on the status of States' implementation of all aspects of resolution 1540 (2004), outreach, dialogue, assistance and cooperation and address in particular all aspects of paragraphs 1 and 2 of that resolution, as well as of paragraph 3 which encompassed (a) accountability; (b) physical protection; (c) border controls and law enforcement efforts; and (d) national export and trans-shipment controls including controls on providing funds and services such as financing to such export and trans-shipment. It encouraged the pursuit of the ongoing dialogue between the Committee and States on the full implementation of resolution 1540 (2004), including on further actions needed from States to that end and on technical assistance needed and offered. It

<sup>136</sup> See chap. XI, sect. A, on part I, decisions relating to Article 39, for more information.

<sup>137</sup> Resolution 1540 (2004), para. 4.

also encouraged the Committee to explore with States and international, regional and subregional organizations experience-sharing and lessons learned in the areas covered by resolution 1540 (2004), and the availability of programmes which might facilitate the implementation of the resolution.<sup>138</sup>

### Reporting

During the period under review, the Committee submitted one report to the Council.<sup>139</sup>

## C. Informal and ad hoc working groups

### Note

During the review period, the Informal Working Group on Documentation and Other

Procedural Questions, the Working Group on International Criminal Tribunals, the Working Group of the Whole on the United Nations Peacekeeping Operations, and the Ad Hoc Working Group on Conflict Prevention and Resolution in Africa continued their work. The Informal Working Group on General Issues of Sanctions was terminated in 2006, having fulfilled its mandate.<sup>140</sup> The Security Council established two new informal working groups: the Working Group established pursuant to resolution 1566 (2004), and the Working Group on Children and Armed Conflict. The working groups were composed of all 15 members of the Council, held their meetings in private, and reached their decisions by consensus. A brief overview of the establishment and mandate of the working groups is provided in the table below.

<sup>140</sup> Resolution 1732 (2006).

<sup>138</sup> Resolution 1673 (2006), paras. 4 and 5.

<sup>139</sup> S/2006/257.

### Informal and ad hoc working groups

<i>Title</i>	<i>Establishment/termination</i>	<i>Mandate</i>
Informal Working Group on Documentation and Other Procedural Questions	June 1993 (no formal decision was taken)	To deal with issues related to documentation and other procedural questions
Informal Working Group on General Issues of Sanctions	Note by the President of the Council of 17 April 2000 (S/2000/319)  Terminated by resolution 1732 (2006) of 21 December 2006	To develop general recommendations on how to improve the effectiveness of United Nations sanctions.  Issues to be examined by the Working Group were:  (a) working methods of sanctions committees and inter-committee coordination;  (b) capacity of the United Nations Secretariat;  (c) coordination within the United Nations system and cooperation with regional and other international organizations;  (d) design of sanctions resolutions including the conditions for the maintaining/lifting of sanctions;  (e) pre- and post-assessment reports and the ongoing evaluation of sanctions regimes;  (f) monitoring and enforcement of sanctions;

- (g) unintended impact of sanctions;
- (h) humanitarian exemptions;
- (i) targeted sanctions;
- (j) assisting Member States in implementing sanctions;
- (k) implementation of the recommendations of the note by the President of 29 January 1999 (S/1999/92).

As from 29 December 2005 (S/2005/841), the Working Group was asked to look at issues such as:

- (a) Improving cooperation between sanctions committees, monitoring bodies and regional organizations, and assessing the possibility of reporting by regional organizations as an alternative to the reporting by individual States;
- (b) Duration and lifting of sanctions;
- (c) Assessment of the unintended impact of sanctions and ways to assist affected untargeted States;
- (d) Improving national implementation of sanctions;
- (e) Enforcement of targeted sanctions, especially such sanctions as asset freezes or travel bans targeting individuals or entities;
- (f) De-listing procedures in relation to the implementation of targeted sanctions and the legal consequences of listing and de-listing;
- (g) Secondary sanctions against States violating sanctions;
- (h) Improving archives and databases in the Secretariat, including the roster of experts.

Working Group on International Criminal Tribunals	June 2000 (no formal decision was taken). It was established pursuant to a proposal by some Council members (Canada, Bangladesh, Tunisia) at the 4161st meeting, held on 20 June 2000	The Working Group on International Criminal Tribunals was convened to deal with a specific issue pertaining to the statute of the International Tribunal for the Former Yugoslavia and subsequently mandated to deal with other (legal) issues pertaining to the Tribunals.
Working Group of the Whole on the United Nations Peacekeeping Operations	Presidential statement of 31 January 2001 (S/PRST/2001/3)	To address both generic peacekeeping issues relevant to the responsibilities of the Council, and technical aspects of individual peacekeeping operations, without prejudice to the competence of the Special Committee on Peacekeeping Operations.

Where appropriate, to seek the views of the troop-contributing

		countries, including through meetings of the Working Group with the troop-contributing countries, with a view to their views being taken into account by the Council.
Ad Hoc Working Group on Conflict Prevention and Resolution in Africa	Note by the President of the Council dated 1 March 2002 (S/2002/207)	<p>To monitor the implementation of recommendations contained in the presidential statement (S/PRST/2002/2) and previous presidential statements and resolutions regarding conflict prevention and resolution in Africa.</p> <p>To propose recommendations on the enhancement of cooperation between the Security Council and the Economic and Social Council as well as with other United Nations agencies dealing with Africa.</p> <p>To examine, in particular, regional and cross-conflict issues that affect the Council's work on African conflict prevention and resolution.</p> <p>To propose recommendations to the Security Council to enhance cooperation in conflict prevention and resolution, between the United Nations and regional and subregional organizations.</p>
Working Group established pursuant to resolution 1566 (2004)	Resolution 1566 (2004) of 8 October 2004	<p>To consider and submit recommendations to the Council on practical measures to be imposed upon individuals, groups or entities involved in or associated with terrorist activities, other than those designated by the Al-Qaida and Taliban sanctions Committee, including more effective procedures considered to be appropriate for bringing them to justice through prosecution or extradition, freezing of their financial assets, preventing their movement through the territories of Member States, and preventing supply to them of all types of arms and related materiel, and on the procedures for implementing these measures.</p> <p>To consider the possibility of establishing an international fund to compensate victims of terrorist acts and their families, which might be financed through voluntary contributions, which could consist in part of assets seized from terrorist organizations, their members and sponsors, and submit its recommendations to the Council.</p>
Ad Hoc Working Group on Children and Armed Conflict	Resolution 1612 (2005) of 26 July 2005	<p>To review the reports of a monitoring and reporting mechanism on children and armed conflict.</p> <p>To review progress in the development and implementation of the action plans called for in resolution 1539 (2004).</p> <p>To consider other relevant information presented to it.</p>

To make recommendations to the Council on possible measures to promote the protection of children affected by armed conflict, including through recommendations on appropriate mandates for peacekeeping missions and recommendations with respect to the parties to the conflict.

To address requests, as appropriate, to other bodies within the United Nations system for action to support implementation of the resolution in accordance with their respective mandates.

## D. Investigative bodies and tribunals

### Note

During the period under review, the Security Council established two investigative bodies — the International Commission of Inquiry for Darfur and the International Independent Investigation Commission for Lebanon. The Council also established one tribunal, the Special Tribunal for Lebanon, and continued to oversee the work of the International Tribunals for the Former Yugoslavia and for Rwanda, as detailed below.

#### 1. International Commission of Inquiry for Darfur

##### Establishment

By resolution 1564 (2004) of 18 September 2004, the Council requested that the Secretary-General rapidly establish an international commission of inquiry in order immediately to investigate reports of violations of international humanitarian and human rights law in Darfur by all parties, to determine also whether or not acts of genocide had occurred, and to identify the perpetrators of such violations with a view to ensuring that those responsible were held accountable, and called upon all parties to cooperate fully with such a commission.<sup>141</sup> The Council subsequently, by resolution 1574 (2004) of 19 November 2004, called upon all parties to cooperate fully with the International Commission of Inquiry established by the Secretary-General, as described in his letter dated 4 October 2004 to the President of the Security Council,<sup>142</sup> the outcome of which would be communicated to the Council.<sup>143</sup>

<sup>141</sup> Resolution 1564 (2004), para. 12.

<sup>142</sup> S/2004/812.

<sup>143</sup> Resolution 1574 (2004), para. 15.

### Mandate and composition

The mandate of the International Commission of Inquiry for Darfur was to (a) investigate reports of serious violations of international humanitarian law and human rights law committed in Darfur by all parties in the conflict; (b) qualify crimes and determine whether or not acts of genocide had occurred or were still occurring; (c) determine responsibility and identify the individual perpetrators responsible for the commission of such violations, and recommend accountability mechanisms before which those allegedly responsible would be brought to account. The Commission had five members, as well as an Executive Director and a technical and administrative team.<sup>144</sup> The Commission was requested to carry out its task in three months and submit a report to the Secretary-General.<sup>145</sup>

### Mandate implementation

On 31 January 2005, the Secretary-General transmitted the report of the Commission to the President of the Security Council.<sup>146</sup> The Commission stated that some individuals had responsibility for serious violations of international human rights law and international humanitarian law, including crimes against humanity or war crimes, in Darfur, but concluded that the Government of the Sudan had not pursued a policy of genocide. On 31 March 2005, the Council, by resolution 1593 (2005), took note of the report of the International Commission of Inquiry for Darfur on violations of international humanitarian law and human rights law in Darfur, and, on the recommendation of the Commission,<sup>147</sup> decided to

<sup>144</sup> Ibid.

<sup>145</sup> See S/2005/60 for the report of the Commission.

<sup>146</sup> See S/2005/60.

<sup>147</sup> Ibid., p. 5.

refer the situation in Darfur since 1 July 2002 to the Prosecutor of the International Criminal Court.<sup>148</sup>

## **2. International Independent Investigation Commission**

### **Establishment and mandate**

Following the assassination on 14 February 2005 of the former Prime Minister of Lebanon, Rafiq Hariri, along with 22 others, the Council, in a statement by the President of 15 February 2005, requested the Secretary-General to report on the circumstances, causes and consequences of the act.<sup>149</sup> Having examined the report of the Secretary-General's fact-finding mission to Lebanon,<sup>150</sup> as well as the approval of the Government of Lebanon,<sup>151</sup> the Council, by resolution 1595 (2005) of 7 April 2005, decided to establish an international independent investigation commission based in Lebanon. The Commission was mandated to assist the Lebanese authorities in their investigation of all aspects of the terrorist bombing in Beirut that killed the former Prime Minister of Lebanon and others, including to help identify its perpetrators, sponsors, organizers and accomplices. The Council also decided that to ensure the effectiveness of the Commission in the discharge of its duties, the Commission would (a) enjoy the full cooperation of the Lebanese authorities, including full access to all documentary, testimonial and physical information and evidence in their possession that the Commission deemed relevant to the inquiry; (b) have the authority to collect any additional information and evidence, both documentary and physical, pertaining to the terrorist act, as well as to interview all officials and other persons in Lebanon that the Commission deemed relevant to the inquiry; (c) enjoy freedom of movement throughout the Lebanese territory, including access to all sites and facilities that the Commission deemed relevant to the inquiry; and (d) be provided with the facilities necessary to perform its functions, and be granted, with its premises, staff and equipment, the privileges and immunities to which they were entitled under the Convention on the Privileges and Immunities of the United Nations. The Commission was also directed to determine procedures for carrying out its

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<sup>148</sup> Resolution 1593 (2005).

<sup>149</sup> S/PRST/2005/4.

<sup>150</sup> S/2005/203.

<sup>151</sup> S/2005/208.

investigation, taking into account Lebanese law and judicial procedures.<sup>152</sup>

The Council requested the Commission to complete its work within three months of the date on which it commenced its full operations, as notified by the Secretary-General, and authorized the Secretary-General to extend the operation of the Commission for a further period not exceeding three months, if he deemed it necessary to enable the Commission to complete its investigation, and requested that he inform the Council accordingly.<sup>153</sup> In a letter to the President of the Security Council,<sup>154</sup> the Secretary-General subsequently reported that the Commission had become fully operational on 16 June 2005.

### **Composition**

Pursuant to resolution 1595 (2005),<sup>155</sup> 30 investigators from 17 countries as well as external experts were recruited by the Commission.<sup>156</sup> The Commissioner was appointed through an exchange of letters between the Secretary-General and the President of the Security Council.<sup>157</sup>

### **Mandate implementation**

Pursuant to resolution 1595 (2005), the mandate of the International Independent Investigation Commission was initially extended, by an exchange of letters between the Secretary-General and the President of the Security Council, for 40 days until 25 October 2005;<sup>158</sup> and then, following a request by the Government of Lebanon,<sup>159</sup> was extended to 15 December 2005.<sup>160</sup> Subsequently, the Council, on the basis of the requests of the Government of Lebanon,<sup>161</sup> by a series of resolutions, extended the

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<sup>152</sup> Resolution 1595 (2005), para. 6.

<sup>153</sup> *Ibid.*, para. 8.

<sup>154</sup> S/2005/393.

<sup>155</sup> Resolution 1595 (2005), para. 5, by which the Council gave the Secretary-General the authority to recruit impartial and experienced staff with relevant skills and expertise.

<sup>156</sup> S/2005/662, paras. 87 and 88.

<sup>157</sup> S/2005/317 and S/2005/318.

<sup>158</sup> S/2005/587 and S/2005/588.

<sup>159</sup> S/2005/651.

<sup>160</sup> S/2005/662 and resolution 1636 (2005), para. 8.

<sup>161</sup> S/2005/762, S/2006/278 and S/2007/159.

mandate of the Commission several times, for periods of up to one year, the last until 15 June 2008.<sup>162</sup>

By resolution 1636 (2005), the Council decided that any individuals that the Commission or the Government of Lebanon designated as suspected of involvement in the planning, sponsoring, organizing or perpetrating of the terrorist bombing in Beirut that killed the former Prime Minister of Lebanon and others would be subject to a travel ban and asset freeze.<sup>163</sup> It also decided that the Commission would have vis-à-vis the Syrian Arab Republic the same rights and authorities, relating to collection of evidence, access to information and witnesses, and facilities to perform its functions, as mentioned in resolution 1595 (2005) in relation to Lebanon; that the Commission should have the authority to determine the location and modalities for interview of Syrian officials and individuals it deemed relevant to the inquiry; and that the Syrian Arab Republic must detain those Syrian officials or individuals whom the Commission considered as suspected of involvement in the planning, sponsoring, organizing or perpetrating of the terrorist act, and make them fully available to the Commission.<sup>164</sup>

By resolution 1644 (2005) of 15 December 2005, following the request of the Government of Lebanon,<sup>165</sup> the Council authorized the Commission to extend its technical assistance, as appropriate, to the Lebanese authorities with regard to their investigations of the terrorist attacks perpetrated in Lebanon since 1 October 2004, and requested the Secretary-General, in consultation with the Commission and the Government of Lebanon, to present recommendations to expand the mandate of the Commission to include investigations of those other attacks.<sup>166</sup> By resolution 1686 (2006) of 15 June 2006, the Council supported the intention of the Commission to extend, as it deemed appropriate, its technical assistance to the Lebanese authorities with regard to their investigations into the other terrorist attacks perpetrated in Lebanon since 1 October 2004, and requested the Secretary-General to provide the Commission with the support

and resources needed in this regard.<sup>167</sup> Subsequently, through exchanges of letters between the Secretary-General and the President of the Security Council, following requests by the Government of Lebanon, the Council invited the Commission to extend appropriate technical assistance to the Lebanese authorities in the investigation of the murder of Minister for Industry, Pierre Gemayel, on 21 November 2006, the bombing near the town of Bikfaya on 13 February 2007, which killed 3 people and injured 22, as well as the murders of two Members of Parliament, Walid Eido on 13 June 2007 and Antoine Ghanem on 19 September 2007, and Brigadier General François el Hajj on 12 December 2007.<sup>168</sup>

### Reporting

During the period under review, the Commission submitted nine reports on the progress of the investigation.<sup>169</sup>

## 3. Special Tribunal for Lebanon

### Establishment

Pursuant to a request from the Government of Lebanon for the Council to set up a tribunal of an international character to try individuals who were found responsible for the assassination on 14 February 2005 of the former Prime Minister of Lebanon, Rafiq Hariri, along with 22 others,<sup>170</sup> the Council, by resolution 1644 (2005) of 15 December 2005, requested the Secretary-General to help the Government of Lebanon to identify the nature and scope of the international assistance needed in that regard.<sup>171</sup> On the basis of the recommendations in the report of the Secretary-General,<sup>172</sup> on 29 March 2006, by resolution 1664 (2006), the Council requested the Secretary-General to negotiate an agreement with the Government of Lebanon aimed at establishing a tribunal of an international character based on the highest international standards of criminal justice; and

<sup>162</sup> Resolutions 1644 (2005), para. 2; 1686 (2006), para. 2; and 1748 (2007), para. 2.

<sup>163</sup> Resolution 1636 (2005), para. 3. For more information see the section on the Committee established pursuant to resolution 1636 (2005) in part I.B of the present chapter.

<sup>164</sup> Resolution 1636 (2005), para. 11.

<sup>165</sup> S/2005/783, annex.

<sup>166</sup> Resolution 1644 (2005), para. 7.

<sup>167</sup> Resolution 1686 (2006), para. 3.

<sup>168</sup> S/2006/914, S/2006/915, S/2007/90, S/2007/91, S/2007/356, S/2007/357, S/2007/556, S/2007/557, S/2007/735 and S/2007/736.

<sup>169</sup> S/2005/662, S/2005/775, S/2006/161, S/2006/375, S/2006/760, S/2006/962, S/2007/150, S/2007/424 and S/2007/684.

<sup>170</sup> Letter dated 13 December 2005 from the Prime Minister of Lebanon to the Secretary-General (S/2005/783).

<sup>171</sup> Resolution 1644 (2005), para. 6.

<sup>172</sup> S/2006/176.

acknowledged that the adoption of the legal basis of, and framework for the tribunal, would not prejudice the gradual phasing-in of its various components and would not predetermine the timing of the commencement of its operations, which would depend on the progress of the investigation.<sup>173</sup>

By a letter dated 21 November 2006 from the President of the Security Council to the Secretary-General,<sup>174</sup> the Council approved the report of the Secretary-General on the establishment of a special tribunal for Lebanon and the agreement annexed to the report, including the statute of the Special Tribunal.<sup>175</sup>

In resolution 1757 (2007) of 30 May 2007, the Council referred to the letter from the Prime Minister of Lebanon to the Secretary-General,<sup>176</sup> in which it was recalled that the parliamentary majority had expressed its support for the Tribunal and asked that the Special Tribunal be put into effect; and to the briefing by the Legal Counsel on 2 May 2007, in which he had noted that all parties concerned had reaffirmed their agreement in principle to the establishment of the Tribunal.<sup>177</sup> By that resolution, the Council decided that the provisions of the Agreement between the United Nations and the Lebanese Republic on the establishment of a Special Tribunal for Lebanon would enter into force on 10 June 2007, unless the Government of Lebanon had provided notification under article 19 (1) of the Agreement before that date. It noted that, pursuant to article 19 (2) of the Agreement, the Special Tribunal would commence functioning on a date to be determined by the Secretary-General in consultation with the Government of Lebanon, taking into account the progress of the work of the International Independent Investigation Commission.<sup>178</sup>

### **Mandate**

The Special Tribunal had jurisdiction over persons responsible for the attack of 14 February 2005 resulting in the death of former Lebanese Prime Minister, Rafiq Hariri, and in the death or injury of other persons. If the Tribunal found that other attacks

that occurred in Lebanon between 1 October 2004 and 12 December 2005, or any later date decided by the parties and with the consent of the Security Council, were connected to the attack of 14 February 2005, it also had jurisdiction over persons responsible for such attacks.<sup>179</sup>

### **Composition**

The Special Tribunal consisted of the following organs: the Chambers, the Prosecutor, the Registry and the Defence Office. The Chambers were composed of an international pretrial judge, a Trial Chamber consisting of three judges, two international and one Lebanese, and an Appeals Chamber, consisting of five judges, of whom two were Lebanese and three international. There were also two alternate judges, one Lebanese and one international.<sup>180</sup> The investigation that had already been conducted by the International Independent Investigation Commission was accepted to constitute the core of the Prosecutor's office for the Tribunal.<sup>181</sup> The Registry consisted of a Registrar and such other staff as was required and the Registrar for the Tribunal was appointed by the Secretary-General and was a staff member of the United Nations. The Defence Office, which consisted of a head of office and one or more public defenders, was headed by an appointee of the Secretary-General, although it was independent in functioning.<sup>182</sup> The Special Tribunal was seated in the Netherlands.<sup>183</sup>

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<sup>179</sup> Ibid., attachment, statute of the Special Tribunal for Lebanon, article 1.

<sup>180</sup> Ibid., articles 7-8.

<sup>181</sup> S/2006/893, para. 8.

<sup>182</sup> Resolution 1757 (2007), attachment, statute of the Special Tribunal for Lebanon, articles 12 and 13.

<sup>183</sup> Resolution 1757 (2007), para. 1 (b), and S/2007/737.

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<sup>173</sup> Resolution 1664 (2006), paras. 1-3.

<sup>174</sup> S/2006/911.

<sup>175</sup> S/2006/893.

<sup>176</sup> S/2007/281.

<sup>177</sup> Resolution 1757 (2007), eighth and tenth preambular paragraphs.

<sup>178</sup> Ibid., paras. 1 and 2.

**4. International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991; and International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994**

The Council, by resolution 1534 (2004) of 26 March 2004,<sup>184</sup> requested that the Tribunals for the Former Yugoslavia and Rwanda provide to the Council, by 31 May 2004 and every six months thereafter, assessments by their Presidents and Prosecutors, setting out in detail the progress made towards implementation of the completion strategy of the Tribunals, explaining what measures had been taken to implement the completion strategy and what measures remained to be taken, including the transfer of cases involving intermediate- and lower-rank accused to competent national jurisdictions.<sup>185</sup>

**5. International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991**

The International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991 established pursuant to Security Council resolution 827 (1993) of 25 May 1993 continued its work during the period under review.

<sup>184</sup> Resolution 1534 (2004), para. 6.

<sup>185</sup> The assessments submitted pursuant to that resolution were, for the International Tribunal for the Former Yugoslavia: S/2004/420, S/2004/897, S/2005/343, S/2005/781, S/2006/353, S/2006/898, S/2007/283 and S/2007/633; and for the International Criminal Tribunal for Rwanda: S/2004/341, S/2004/921, S/2005/336, S/2005/782, S/2006/358, S/2006/951, S/2007/323 and S/2007/676.

**Annexes to the statute**

On 20 April 2005, on the recommendation of the Secretary-General,<sup>186</sup> the Council, acting under Chapter VII of the Charter, adopted resolution 1597 (2005), by which it decided to amend article 13 ter of the statute of the International Tribunal for the Former Yugoslavia and allow ad litem judges to be eligible for re-election.<sup>187</sup>

On 28 February 2006, by resolution 1660 (2006), the Council, acting under Chapter VII of the Charter, decided to amend articles 12 and 13 quater of the statute of the Tribunal to authorize the Secretary-General, at the request of the President of the Tribunal, to appoint reserve judges from among the elected ad litem judges, to be present at each stage of a trial to which they have been appointed and to replace a judge if that judge was unable to continue sitting.<sup>188</sup>

**Election of judges**

In consideration of the nominations for permanent judges of the International Tribunal for the Former Yugoslavia received by the Secretary-General<sup>189</sup> and in accordance with article 13 bis, 1 (d), of the statute of the Tribunal, the Council adopted resolution 1567 (2004) of 14 October 2004, by which it established a list of 22 candidates from which the General Assembly could elect 14 permanent judges of the Tribunal.

By resolution 1581 (2005) of 18 January 2005, the Council, upon the recommendations contained in a letter from the Secretary-General dated 6 January 2005,<sup>190</sup> decided to extend the terms of office of nine ad litem judges until the conclusion of cases that they had begun before expiry of their term of office.<sup>191</sup>

Through two exchanges of letters between the Secretary-General and the President of the Security Council and a resolution, the Council extended the deadline for nominations of ad litem judges to the

<sup>186</sup> S/2005/236.

<sup>187</sup> Resolution 1597 (2005), para. 1.

<sup>188</sup> Resolution 1660 (2006), second preambular paragraph, and paras. 1 and 2.

<sup>189</sup> S/2004/754.

<sup>190</sup> S/2005/9.

<sup>191</sup> Resolution 1581 (2005), para. 1.

Tribunal three times, the last extension until 7 July 2005.<sup>192</sup>

In consideration of the nominations for ad litem judges of the Tribunal received by the Secretary-General<sup>193</sup> and in accordance with article 13 ter, 1 (d), of the statute of the Tribunal, the Council adopted resolution 1613 (2005) of 26 July 2005, by which it established a list of 34 candidates, from which the General Assembly could elect 28 ad litem judges of the Tribunal.

Upon the recommendation of the Secretary-General,<sup>194</sup> by resolution 1629 (2005) of 30 September 2005, the Council decided to assign Judge Christine Van Den Wyngaert as a permanent judge to the *Mrkšić et al.* case, due to commence on 3 October 2005, notwithstanding that her elected term as permanent judge of the Tribunal, in accordance with article 13 bis of the statute, was to begin only on 17 November 2005.

By resolution 1668 (2006) of 10 April 2006, the Council, in response to the request from the Secretary-General in his identical letters to the President of the Council and the President of the General Assembly dated 27 March 2006,<sup>195</sup> decided to authorize Judge Joaquín Canivell to continue to sit on the *Krajišnik* case beyond April 2006 and see the case through its completion, notwithstanding the fact that the cumulative period of his service in the Tribunal would then exceed three years.

#### **Appointment of the Prosecutor**

On 14 September 2007, in accordance with article 16 (4) of the statute of the Tribunal and having considered a letter from the Secretary-General addressed to the President of the Security Council,<sup>196</sup> the Council adopted resolution 1775 (2007), by which it extended for a final period the appointment of Ms. Carla Del Ponte as Prosecutor of the International Tribunal for the Former Yugoslavia with effect from 15 September to 31 December 2007.

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<sup>192</sup> S/2005/127 and S/2005/159; resolution 1597 (2005), para. 2; and S/2005/346 and S/2005/371.

<sup>193</sup> The list of candidates was circulated only to members of the Security Council.

<sup>194</sup> S/2005/593.

<sup>195</sup> S/2006/199.

<sup>196</sup> S/2007/538.

On 28 November 2007, in accordance with article 16 (4) of the statute of the Tribunal, the Council adopted resolution 1786 (2007), by which it appointed the Secretary-General's nominee,<sup>197</sup> Mr. Serge Brammertz, as Prosecutor of the International Tribunal for the Former Yugoslavia with effect from 1 January 2008 for a four-year term, which was subject to an earlier termination by the Security Council upon completion of the work of the Tribunal.

#### **Reporting**

During the period under review, in accordance with article 34 of the statute of the Tribunal, the President of the Tribunal submitted through the Secretary-General four annual reports of the Tribunal to the Security Council and the General Assembly.<sup>198</sup>

#### **6. International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994**

The International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994, established pursuant to Security Council resolution 955 (1994), of 8 November 1994, continued its work during the period under review.

#### **Election of judges**

The Council, in response to a request by the Secretary-General,<sup>199</sup> adopted resolution 1684 (2006) on 13 June 2006, by which it extended the term of office of 11 permanent judges of the Tribunal until 31 December 2008.

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<sup>197</sup> S/2007/678.

<sup>198</sup> S/2004/627, S/2005/532 and Corr.1, S/2006/666 and S/2007/469.

<sup>199</sup> S/2006/349.

By resolution 1705 (2006) of 29 August 2006, pursuant to a letter from the Secretary-General addressed to the President of the Council,<sup>200</sup> the Council, notwithstanding the fact that, in accordance with article 12 ter of the statute, her elected term as ad litem judge of the Tribunal was ending on 24 June 2007, authorized Judge Solomy Balungi to continue serving as judge in the *Butare* case until its completion.

By resolution 1717 (2006) of 13 October 2006, the Council, recalling resolution 1684 (2006), by which it extended the terms of the 11 permanent judges serving at the Tribunal, and taking note of the letter dated 2 October 2006 from the Secretary-General to the President of the Council,<sup>201</sup> decided to extend until 31 December 2008 the term of office of the 18 ad litem judges of the Tribunal, thereby allowing several of these to serve beyond the cumulative period of service provided for under article 12 ter of the statute.

#### **Appointment of the Prosecutor**

On 14 September 2007, in accordance with article 15 (4) of the statute of the Tribunal, the Council adopted resolution 1774 (2007), by which it reappointed the Secretary-General's nominee,<sup>202</sup> Mr. Hassan Bubacar Jallow, as Prosecutor of the Tribunal with effect from 15 September 2007 for a four-year term, subject to an earlier termination by the Council upon completion of the work of the Tribunal.

#### **Reporting**

During the period under review, in accordance with article 34 of the statute of the Tribunal, the President of the Tribunal submitted through the Secretary-General four annual reports of the Tribunal to the Security Council and General Assembly.<sup>203</sup>

### **E. Ad hoc commissions**

During the period under review, the Security Council continued to oversee one ad hoc commission, the United Nations Compensation Commission established pursuant to resolutions 687 (1991) and 692 (1991), and terminated the mandate of another, the United Nations Monitoring, Verification and Inspection

Commission established pursuant to resolution 1284 (1999) in 2000. It also established a Commission of Experts to Review the Prosecution of Serious Violations of Human Rights in Timor-Leste (then East Timor) in 1999.

#### **1. United Nations Compensation Commission established pursuant to resolutions 687 (1991) and 692 (1991)**

During the period under review, the United Nations Compensation Commission, established by resolution 687 (1991) under Chapter VII of the Charter, continued to verify and value the claims of loss, damage and injury to foreign Governments, nationals and corporations resulting from Iraq's unlawful invasion and occupation of Kuwait, and to administer the payment of compensation.

#### **Mandate implementation**

By resolution 1546 (2004) of 8 June 2004, the Council decided that, upon dissolution of the Coalition Provisional Authority, appropriate arrangements should be made for the continuation of deposits to the Compensation Fund of the proceeds referred to in paragraph 21 of resolution 1483 (2003).<sup>204</sup>

#### **2. United Nations Monitoring, Verification and Inspection Commission**

During the period under review, the United Nations Monitoring, Verification and Inspection Commission (UNMOVIC), established by resolution 1284 (1999) under Chapter VII of the Charter, continued to verify the compliance of Iraq with its obligations under paragraphs 8, 9 and 10 of resolution 687 (1991) to be rid of its weapons of mass destruction and to operate a system of ongoing monitoring and verification to ascertain that Iraq did not reacquire the same weapons prohibited to it by the Security Council.

<sup>204</sup> Resolution 1546 (2004), para. 24.

<sup>200</sup> S/2006/688.

<sup>201</sup> S/2006/799.

<sup>202</sup> S/2007/539.

<sup>203</sup> S/2004/601, S/2005/534, S/2006/658 and S/2007/502.

### **Mandate implementation**

By resolution 1762 (2007) of 29 June 2007, the Council decided to terminate immediately the mandate of UNMOVIC. It requested the Secretary-General to take all necessary measures to provide for the appropriate disposition of the archives of UNMOVIC and other property under arrangements ensuring, in particular, that sensitive proliferation information or information provided in confidence by Member States was kept under strict control, and further requested that the Secretary-General inform the Security Council within three months on steps taken in this regard.

By a letter dated 21 November 2007 from the President of the Security Council to the Secretary-General,<sup>205</sup> the Council approved of the overall archiving procedure as set out in the report of the Secretary-General of 27 September 2007.<sup>206</sup> The members of the Council also requested monthly updates on closing down UNMOVIC in a manner consistent with resolution 1762 (2007).

### **3. Commission of Experts to Review the Prosecution of Serious Violations of Human Rights in Timor-Leste (then East Timor) in 1999**

#### **Establishment and mandate**

By resolution 1573 (2004) of 16 November 2004, the Council reaffirmed the need to fight against impunity, and in that regard took note of the Secretary-General's intention to continue to explore possible ways to address this issue with a view to making proposals as appropriate.<sup>207</sup>

Through an exchange of letters between the Secretary-General and the President of the Security Council dated 11 and 26 January 2005,<sup>208</sup> the Council took note of the intention of the Secretary-General to establish an independent commission of three experts to conduct an assessment on the prosecution of serious crimes committed in East Timor in 1999 and provide recommendations in that regard. The Commission would conduct a thorough assessment of the progress made by the Indonesian judicial process involving the ad hoc Human Rights Tribunal in Jakarta, and the

serious crimes process, involving the Serious Crimes Unit and the Special Panels for Serious Crimes in Dili. The Commission of Experts was tasked, *inter alia*, with assessing the effective functioning of the two judicial processes, identifying obstacles and difficulties encountered and evaluating the extent to which they have been able to achieve justice and accountability for the crimes committed in East Timor. It would undertake to recommend further measures and/or mechanisms as appropriate so that the perpetrators were held accountable, justice was secured for the victims and the people of Timor-Leste, and reconciliation was promoted. The Commission of Experts was requested to consider ways in which its analysis could be of assistance to the Truth and Friendship Commission, which Indonesia and Timor-Leste had agreed to establish. The Secretary-General informed the Council of his appointments to the Commission in a letter dated 17 February 2005.<sup>209</sup>

#### **Mandate implementation**

By resolution 1599 (2005) of 28 April 2005, the Council called on all parties to cooperate fully with the work of the Secretary-General's Commission of Experts, and looked forward to the Commission's upcoming report exploring possible ways to address this issue, including ways of assisting the Truth and Friendship Commission which Indonesia and Timor-Leste had agreed to establish.<sup>210</sup> By an exchange of letters dated 24 June and 28 September 2005 between the Secretary-General and the President of the Security Council,<sup>211</sup> the Council took note of the full report of the Commission of Experts<sup>212</sup> and requested the Secretary-General, in close consultation with his Special Representative for Timor-Leste, to submit a report on justice and reconciliation for Timor-Leste with a practically feasible approach, taking into account the report of the Commission of Experts, as well as the views expressed by Indonesia and Timor-Leste. By resolution 1704 (2006) of 25 August 2006, the Council took note of the findings contained in the report of the Commission of Experts and welcomed the efforts so far by Indonesia and Timor-Leste in pursuance of truth and friendship, encouraged the two Governments and the Commissioners to make every

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<sup>205</sup> S/2007/680.

<sup>206</sup> S/2007/568.

<sup>207</sup> Resolution 1573 (2004), para. 6.

<sup>208</sup> S/2005/96 and S/2005/97.

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<sup>209</sup> S/2005/104.

<sup>210</sup> Resolution 1599 (2005), para. 9.

<sup>211</sup> S/2005/458 and S/2005/613.

<sup>212</sup> S/2005/458, annex II.

effort to strengthen the efficiency and credibility of the Truth and Friendship Commission in order to ensure further conformity with human rights principles, with a view to ensuring credible accountability.<sup>213</sup>

## F. Peacekeeping operations, political missions and regional offices

As stated by the Secretary-General in his report on the work of the Organization of 2007,<sup>214</sup> the period under review saw a surge in the complexity of peacekeeping activity. By 2007, the number of deployed personnel in peace operations and other field missions and offices had grown to over 100,000. A number of new approaches and types of missions were introduced, including the first joint African Union-United Nations mission and integrated offices, such as the United Nations Integrated Offices in Burundi and Sierra Leone, which brought together the work of different United Nations agencies and functions. In addition to the deployment of peacekeeping missions to support the transition from conflict, monitor ceasefires and other tasks, the Security Council continued, between 2004 and 2007, with its peacebuilding efforts to provide support to countries recovering from conflict. The record for the period examined below displays a number of successfully completed mandates of missions such as the United Nations Operation in Burundi and the United Nations Tajikistan Office of Peacebuilding, as well as the establishment of new, or the reinforcement of existing, missions.

From 2004 to 2007, the Council established, often acting under Chapter VII of the Charter for the entire mandate or part of it, seven new peacekeeping operations — in Burundi,<sup>215</sup> the Central African Republic and Chad,<sup>216</sup> Côte d'Ivoire,<sup>217</sup> Darfur,<sup>218</sup> the Sudan,<sup>219</sup> Haiti<sup>220</sup> and Timor-Leste.<sup>221</sup> During the

same period, the Council further authorized the establishment of six political missions — in Burundi,<sup>222</sup> Sierra Leone,<sup>223</sup> the Sudan,<sup>224</sup> Bougainville,<sup>225</sup> Nepal<sup>226</sup> and Timor-Leste.<sup>227</sup> The Council also authorized nine operations to be terminated or transitioned to new peacekeeping or political missions.<sup>228</sup> In some cases, the Council authorized significant changes and expansions in the mandates of peacekeeping operations, including a number of those established during an earlier period.

Twenty peacekeeping operations and 14 political missions are considered below, by geographic region, as well as two regional offices in a separate section. The studies of these operations and missions in each region are generally in the order of their establishment, while interlinked operations are dealt with consecutively. As a more detailed account of Council proceedings, including deliberations by the Council on the specific agenda item and the content of related reports of the Secretary-General, is set out in chapter VIII of this volume, this section focuses on procedures of the Council concerning the establishment, mandate, composition, implementation of mandate, and termination or transition of peacekeeping operations and political missions during the period under review. In accordance with the general principles set out in General Assembly resolutions 874 (S-IV) of 27 June 1963 and 3101 (XXVIII) of 11 December 1973, peacekeeping operations during the period under review were financed through assessed contributions by Member States, except for the United Nations Truce Supervision Organization and the United Nations Military Observer Group in India and Pakistan which

<sup>213</sup> Resolution 1704 (2006), para. 11.

<sup>214</sup> A/62/1.

<sup>215</sup> United Nations Operation in Burundi (ONUB).

<sup>216</sup> United Nations Mission in the Central African Republic and Chad (MINURCAT).

<sup>217</sup> United Nations Operation in Côte d'Ivoire (UNOCI).

<sup>218</sup> African Union-United Nations Hybrid Operation in Darfur (UNAMID).

<sup>219</sup> United Nations Mission in the Sudan (UNMIS).

<sup>220</sup> United Nations Stabilization Mission in Haiti (MINUSTAH).

<sup>221</sup> United Nations Integrated Mission in Timor-Leste (UNMIT).

<sup>222</sup> United Nations Integrated Office in Burundi (BINUB).

<sup>223</sup> United Nations Integrated Office in Sierra Leone (UNIOSIL).

<sup>224</sup> United Nations Advance Mission in the Sudan (UNAMIS).

<sup>225</sup> United Nations Observer Mission in Bougainville (UNOMB).

<sup>226</sup> United Nations Mission in Nepal (UNMIN).

<sup>227</sup> United Nations Office in Timor-Leste (UNOTIL).

<sup>228</sup> United Nations Office in Burundi (UNOB), United Nations Operation in Burundi (ONUB), United Nations Mission in Côte d'Ivoire (MINUCI), United Nations Mission in Sierra Leone (UNAMSIL), United Nations Advance Mission in the Sudan (UNAMIS), United Nations Observer Mission in Bougainville (UNOMB), United Nations Tajikistan Office of Peacebuilding (UNTOP), United Nations Mission of Support in East Timor (UNMISSET), and United Nations Office in Timor-Leste (UNOTIL).

were funded from the regular budget of the Organization.

## **Peacekeeping operations and political missions**

### **Africa**

#### **1. United Nations Mission for the Referendum in Western Sahara**

At the beginning of the period under review, the United Nations Mission for the Referendum in Western Sahara (MINURSO) established pursuant to resolution 690 (1991), continued its efforts in support of the implementation of the Settlement Plan and agreements adopted by the Government of Morocco and the Frente Polisario to hold a free, fair and impartial referendum for self-determination that would allow the people of Western Sahara to decide the future status of the territory.

#### **Mandate implementation**

By a series of resolutions,<sup>229</sup> adopted on the basis of the Secretary-General's reports,<sup>230</sup> the Security Council successively extended the mandate of MINURSO for additional periods of three months to six months, the last until 30 April 2008.

By resolution 1541 (2004) of 29 April 2004, the Council requested the Secretary-General to provide an evaluation of the Mission's size necessary to carry out its mandated tasks with a view to its possible reduction.<sup>231</sup> The Secretary-General, in his report of 20 October 2004, responded by providing a review of the Mission's strength with two options and concluded that the Mission's military component as then structured and staffed provided an essential element of confidence-building and conflict management on the ground and that no reduction should come at the

expense of the capacity and credibility of the United Nations operational and political role.<sup>232</sup>

By resolution 1570 (2004) of 28 October 2004, the Council requested the Secretary-General to report on the Mission's size and concept of operations, with further detail on the options discussed in his above-mentioned report on the possible reduction of MINURSO staff, including civilian and administrative personnel.<sup>233</sup> In response, the Secretary-General in his report of 19 April 2005 recommended that the size of the Mission not be reduced at that time, given that MINURSO should be in a position to provide an adequate response and ensure effective ceasefire monitoring.<sup>234</sup>

By resolution 1598 (2005) of 28 April 2005, the Council looked forward to receiving the results of the comprehensive review of the structure of the administrative and other civilian components of the Mission, as outlined in the report of the Secretary-General of 19 April 2005. In his report of 13 October 2005, the Secretary-General informed the Council that the outcome of the review included recommendations aimed at reconfiguring the civilian structure to better support the current mandated activities, ensure greater integration between the military and civilian components and enhance the management of MINURSO by reducing the civilian component by 57 posts (47 international and 10 local), to be offset by an increase of 18 international posts and creation of 24 United Nations Volunteer posts. The recommendations would be implemented in a phased manner and were expected to be completed by mid-2006.<sup>235</sup> In his subsequent reports, the Secretary-General reported the implementation of the restructuring of the civilian and administrative components.<sup>236</sup>

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<sup>232</sup> S/2004/827.

<sup>233</sup> Resolution 1570 (2004), para. 2.

<sup>234</sup> S/2005/254, para. 26.

<sup>235</sup> S/2005/648, para. 21.

<sup>236</sup> S/2006/249, para. 28; S/2006/817, para. 48; and S/2007/619, para. 57.

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<sup>229</sup> Resolutions 1523 (2004), para. 1; 1541 (2004), para. 4; 1570 (2004), para. 1; 1598 (2005) para. 1; 1634 (2005), para. 3; 1675 (2006), para. 5; 1720 (2006), para. 5; 1754 (2007), para. 8; and 1783 (2007), para. 8.

<sup>230</sup> S/2004/39, S/2004/325, S/2004/827, S/2005/254, S/2005/648, S/2006/249, S/2006/817, S/2007/202 and S/2007/619.

<sup>231</sup> Resolution 1541 (2004), para. 5.

## 2. United Nations Office in Burundi

At the beginning of the period under review, the United Nations Office in Burundi (UNOB), established in November 1993, continued to support initiatives aimed at promoting peace and reconciliation in that country, including the implementation of the Arusha Agreement on Peace and Reconciliation in Burundi of 28 April 2000.<sup>237</sup>

### Termination/transition into a new mission

In his report of 16 March 2004, the Secretary-General recommended that, building on the capacities of the civilian component of UNOB, the Council establish a multidimensional United Nations peacekeeping operation to support the peace process in Burundi.<sup>238</sup> By resolution 1545 (2004) of 21 May 2004, the Council welcomed the recommendations in that report and authorized the deployment of a new peacekeeping operation in Burundi, the United Nations Operation in Burundi (ONUB), effective 1 June 2004.<sup>239</sup> As from that date, UNOB was integrated into the new mission.

## 3. United Nations Operation in Burundi

### Establishment, mandate and composition

In letters addressed to the President of the Security Council dated 15 and 17 March 2004, the Government of Burundi and the Chairperson of the Commission of the African Union, respectively, proposed the deployment of a United Nations peacekeeping mission in Burundi to continue to support the consolidation of the peace process.<sup>240</sup> In his report dated 16 March 2004, the Secretary-General recommended the authorization for the deployment of a multidimensional United Nations peacekeeping operation, which would comprise a military component, based on the reassignment of the African Mission in Burundi<sup>241</sup> with a total troop strength of 5,650, as well as a civilian component which would

build on the capacities of UNOB and consist of various elements.<sup>242</sup>

On 21 May 2004, by resolution 1545 (2004), taking note of the above-mentioned letters, the Council welcomed the recommendations contained in the report of the Secretary-General and decided to authorize, acting under Chapter VII of the Charter, for an initial period of six months from 1 June 2004, the deployment of the United Nations Operation in Burundi (ONUB).<sup>243</sup>

By resolution 1545 (2004), the Council authorized ONUB to use all necessary means to carry out the following mandate: (a) to ensure the respect of ceasefire agreements, through monitoring their implementation and investigating their violations; (b) to promote the re-establishment of confidence between the Burundian forces present, monitor and provide security at their pre-disarmament assembly sites, collect and secure weapons and military materiel to dispose of it as appropriate, and contribute to the dismantling of militias as called for in the ceasefire agreements; (c) to carry out the disarmament and demobilization portions of the national programme of disarmament, demobilization and reintegration of combatants; (d) to monitor the quartering of the armed forces of Burundi and their heavy weapons, as well as the disarmament and demobilization of the elements that needed to be disarmed and demobilized; (e) to monitor, to the extent possible, the illegal flow of arms across the national borders, including Lake Tanganyika, in cooperation with the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC) and, as appropriate, with the group of experts referred to in resolution 1533 (2004); (f) to contribute to the creation of the necessary security conditions for the provision of humanitarian assistance, and facilitate the voluntary return of refugees and internally displaced persons; (g) to contribute to the successful completion of the electoral process stipulated in the Arusha Agreement, by ensuring a secure environment for free, transparent and peaceful elections; (h) without prejudice to the responsibility of the Transitional Government of Burundi, to protect civilians under imminent threat of physical violence; and (i) to ensure the protection of United Nations personnel, facilities, installations and

<sup>237</sup> S/2001/1207.

<sup>238</sup> S/2004/210, paras. 63-66.

<sup>239</sup> Resolution 1545 (2004), para. 1.

<sup>240</sup> S/2004/208 and S/2004/270, annex.

<sup>241</sup> The African Mission in Burundi was established by the African Union on 2 April 2003 (see S/2004/210, para. 58). For more information on the Mission, see chap. XII, part III, sect. B.

<sup>242</sup> S/2004/210, paras. 63-96.

<sup>243</sup> Resolution 1545 (2004), para. 1.

equipment, as well as the security and freedom of movement of ONUB personnel, and to coordinate and conduct, as appropriate, mine action activities in support of its mandate.<sup>244</sup>

ONUB was also mandated to provide advice and assistance to the Transitional Government and authorities to contribute to their efforts (a) to monitor the borders of Burundi, with special attention to refugees, as well as to movements of combatants, especially in Cibitoké Province; (b) to carry out institutional reforms as well as the constitution of the integrated national defence and internal security forces and, in particular, the training and monitoring of the police, while ensuring that they were democratic and fully respected human rights and fundamental freedoms; (c) to proceed with electoral activities; (d) to complete implementation of the reform of the judiciary and correction system, in accordance with the Arusha Agreement; and (e) to ensure, in close liaison with the Office of the United Nations High Commissioner for Human Rights, the promotion and protection of human rights, with particular attention to women, children and vulnerable persons, and investigate human rights violations to put an end to impunity.<sup>245</sup>

In addition, the Council decided that ONUB should cooperate with the Government and authorities of Burundi, as well as their international partners, to ensure the coherence of their work, in assisting the Government and authorities of Burundi in (a) extending State authority and utilities throughout the territory, including civilian police and judicial institutions; and (b) carrying out the national programme of disarmament, demobilization and reintegration of combatants and members of their families, including those coming from the territory of the Democratic Republic of the Congo, in liaison with the Government of that country and MONUC, and with particular attention to the specific needs of women and children.<sup>246</sup> Furthermore, the Council decided that ONUB should carry out its mandate in close cooperation with MONUC in particular concerning monitoring and prevention of movements of combatants across the border between Burundi and the Democratic Republic of the Congo, as well as the

implementation of the disarmament and demobilization programmes.<sup>247</sup>

Also by resolution 1545 (2004) the Council decided that ONUB should consist of a maximum of 5,650 military personnel, including 200 observers and 125 staff officers, and up to 120 civilian police personnel, and would be headed by the Special Representative of the Secretary-General.<sup>248</sup> The appointments of the Special Representative of the Secretary-General for Burundi and Head of ONUB as well as the Force Commander were confirmed through exchanges of letters between the Secretary-General and the President of the Security Council.<sup>249</sup>

### Mandate implementation

During the period under review, the mandate of ONUB was extended by a series of resolutions adopted under Chapter VII of the Charter for periods of up to six months until its termination on 31 December 2006,<sup>250</sup> in accordance with the recommendations of the Secretary-General.<sup>251</sup>

Following the massacre of refugees from the Democratic Republic of the Congo which had occurred in Gatumba, Burundi, on 13 August 2004, in a statement by the President of 15 August 2004, the Council requested ONUB and MONUC to offer their assistance to the Burundian and Congolese authorities with a view to facilitating the investigation and to strengthening the security of vulnerable populations.<sup>252</sup>

By resolution 1650 (2005) of 21 December 2005, the Council authorized the temporary redeployment of military and civilian police personnel among ONUB and MONUC, subject to the conditions that (a) the Secretary-General should receive the prior agreement of the countries contributing military and civilian police personnel and of the Governments concerned, (b) the Secretary-General should inform the Council in advance of his intention to proceed with such a redeployment, and in particular of its proposed scope and duration and

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<sup>244</sup> Ibid., para. 5.

<sup>245</sup> Ibid., para. 6.

<sup>246</sup> Ibid., para. 7.

<sup>247</sup> Ibid., para. 21.

<sup>248</sup> Ibid., paras. 3 and 4.

<sup>249</sup> S/2004/433 and S/2004/434; S/2004/583 and S/2004/584.

<sup>250</sup> Resolutions 1577 (2004), para. 1; 1602 (2005), para. 1; 1641 (2005), para. 1; 1650 (2005), para. 2; and 1692 (2006), para. 1.

<sup>251</sup> S/2004/902, S/2005/328, S/2005/728 and S/2006/429.

<sup>252</sup> S/PRST/2004/30.

(c) any such redeployment should require a corresponding prior decision of the Council, while underlining that any such transfer should not have the effect of extending the deployment of personnel after the expiration of the mandate of their original mission, unless the Council decided otherwise.<sup>253</sup>

By resolution 1669 (2006) of 10 April 2006, adopted under Chapter VII of the Charter, the Council decided to authorize the Secretary-General to redeploy temporarily a maximum of one infantry battalion, a military hospital and up to 50 military observers from ONUB to MONUC, until 1 July 2006, in accordance with resolution 1650 (2005).<sup>254</sup> This authorization was extended until 30 September 2006 by resolution 1692 (2006) of 30 June 2006.<sup>255</sup>

Following the successful completion of the transitional process, in a report dated 21 November 2005, the Secretary-General proposed, in response to a request from the Government of Burundi, that the military component of ONUB could begin its drawdown in December with the withdrawal of one national contingent. The phased withdrawal would result in a reduction of approximately 2,000 personnel, or 40 per cent of the authorized strength of ONUB. He also proposed that the number of military observers deployed throughout the country would be reduced from the authorized strength of 200 to 120 by the end of April 2006.<sup>256</sup>

By a letter dated 23 November 2005 to the President of the Council, the representative of Burundi, *inter alia*, agreed with the drawdown of ONUB from December 2005 to April 2006 and outlined what his Government wished for the remainder of the ONUB mandate.<sup>257</sup>

By resolution 1650 (2005), the Council took note of the position of the Government of Burundi on the evolution of the mandate of ONUB, as recorded in its letter mentioned above, and of the above-mentioned recommendations of the Secretary-General.<sup>258</sup> The

<sup>253</sup> Resolution 1650 (2005), paras. 5-6.

<sup>254</sup> Resolution 1669 (2006), para. 1.

<sup>255</sup> Resolution 1692 (2006), para. 2. For subsequent extensions of the authorization, see the study on the United Nations Operation in the Congo in the present chapter.

<sup>256</sup> S/2005/728, paras. 57-60.

<sup>257</sup> S/2005/736.

<sup>258</sup> Resolution 1650 (2005), eleventh preambular paragraph and para. 1.

Council also welcomed the readiness expressed by the Secretary-General to continue to consult closely with the Government of Burundi, with a view to determining, on the basis of the recommendations referred to in the letter of 23 November 2005 from the representative of Burundi, the modalities for implementing a gradual disengagement of the United Nations peacekeeping presence and of an adjustment to its mandate, taking into account all the circumstances, as well as the merits of a United Nations contribution and support to the consolidation of peace in Burundi.<sup>259</sup>

In his report of 21 March 2006, the Secretary-General noted that, subsequent to consultations with the Government of Burundi as requested in resolution 1650 (2005), it was decided that the disengagement of ONUB would be completed by 31 December 2006, and the liquidation of assets and the repatriation of all support staff completed by mid-2007. During this period, ONUB would continue to carry out its mandated tasks concerning the monitoring of Burundi's borders with the Democratic Republic of the Congo and the illicit cross-border movement of arms and personnel as well as perform other tasks related to training for the Burundi National Police; disarmament, demobilization and reintegration; security sector reform; human rights and transitional justice; and mine action, as it progressively transferred responsibilities to the Government.<sup>260</sup> The Council approved those recommendations in a statement by the President on 23 March 2006.<sup>261</sup>

#### **Termination/transition to a new mission**

By resolution 1692 (2006), the Council, in extending the mandate of ONUB for a final period until 31 December 2006, welcomed the Secretary-General's intention to establish an integrated office of the United Nations in Burundi, following the conclusion of the mandate of ONUB.<sup>262</sup>

By resolution 1719 (2006) of 25 October 2006, the Council expressed its gratitude to ONUB for its contribution to the successful completion of the transitional process in Burundi and peace in the region.<sup>263</sup>

<sup>259</sup> *Ibid.*, para. 3.

<sup>260</sup> S/2006/163, paras. 62-74.

<sup>261</sup> S/PRST/2006/12.

<sup>262</sup> Resolution 1692 (2006), para. 3.

<sup>263</sup> Resolution 1719 (2006), eleventh preambular paragraph.

In November 2006, through an exchange of letters between the Secretary-General and the President of the Council, in accordance with the requests of the Government of Burundi and the South African Facilitation of the Burundi peace process, the Council concurred with the Secretary-General's intention to extend the deployment of the remaining two infantry battalions and supporting military units of ONUB, which had been expected to depart in November and December, until 31 December 2006. This slight adjustment was aimed to help assure the early and uninterrupted implementation of the comprehensive ceasefire agreement signed on 7 September 2006 and would not affect the expiration of the overall mandate of ONUB.<sup>264</sup> The mandate of ONUB was successfully concluded on 31 December 2006.

#### 4. United Nations Integrated Office in Burundi

##### Establishment, mandate and composition

In his report of 14 August 2006 and the addendum thereto, as requested in resolution 1692 (2006), the Secretary-General outlined the proposed structure, mandate and requisite resources for a small United Nations integrated office in Burundi following the withdrawal of ONUB.<sup>265</sup>

On 25 October 2006, by resolution 1719 (2006), the Council welcomed the recommendation of the Secretary-General on the establishment of the United Nations Integrated Office in Burundi (BINUB). The Council decided to establish BINUB for an initial period of 12 months commencing on 1 January 2007 to support the Government of Burundi in its effort towards long-term peace and stability throughout the peace consolidation phase in Burundi, including by ensuring coherence and coordination of the United Nations agencies in Burundi.<sup>266</sup>

As to its mandate, the Council requested<sup>267</sup> that BINUB focus on and support the Government of Burundi, in coordination with donors and taking account of the agreement concluded on 24 May 2006 by the Government of Burundi and the Secretary-General and of the role of the Peacebuilding Commission, in the areas of (a) peace consolidation

and democratic governance;<sup>268</sup> (b) disarmament, demobilization and reintegration and reform of the security sector;<sup>269</sup> (c) promotion and protection of human rights and measures to end impunity;<sup>270</sup> and (d) donor and United Nations agency coordination.<sup>271</sup> The Council also stressed the need for cooperation, within the limits of their respective capacities and current mandates, between BINUB and MONUC.<sup>272</sup>

Pursuant to resolution 1719 (2006), BINUB was headed by an Executive Representative of the Secretary-General, who also served as the United Nations Resident Coordinator and Humanitarian Coordinator, and as the Resident Representative of the

<sup>268</sup> The specific tasks in this area were (i) strengthening the capacity of national institutions and civil society to address the root causes of conflict and to prevent, manage and resolve internal conflicts; (ii) strengthening good governance and the transparency and accountability of public institutions; (iii) promotion of freedom of the press and strengthening the legal and regulatory framework for the media and communications, and enhancing the professionalization of the media; and (iv) consolidation of the rule of law.

<sup>269</sup> The specific tasks in this area were (i) support for the implementation of the Comprehensive Ceasefire Agreement signed at Dar es Salaam on 7 September 2006; (ii) support for the development of a national plan for reform of the security sector and the provision of technical assistance for its implementation and enhancement of the professionalization of the National Defence Force of Burundi; (iii) support for the completion of the national programme for the demobilization and reintegration of former combatants; and (iv) support for efforts to combat the proliferation of small arms and light weapons.

<sup>270</sup> The specific tasks in this area were (i) promotion and protection of human rights; and (ii) support for efforts to combat impunity, particularly through the establishment of transitional justice mechanisms, including a truth and reconciliation commission and a special tribunal.

<sup>271</sup> The specific tasks in this area were (i) strengthening the partnership between the Government and donors for the implementation of priority, emergency and longer-term activities, within the framework of the Government's emergency programme and the poverty reduction strategy paper; (ii) strengthening the Government's capacity for donor coordination, effective communication with donors and mobilization of resources in line with the poverty reduction strategy paper; and (iii) ensuring effective coordination among the strategies and programmes of the various United Nations agencies, funds and programmes in Burundi.

<sup>272</sup> Resolution 1719 (2006), para. 4.

<sup>264</sup> S/2006/866 and S/2006/867.

<sup>265</sup> S/2006/429 and Add.1.

<sup>266</sup> Resolution 1719 (2006), thirteenth and fourteenth preambular paragraphs and para. 1.

<sup>267</sup> *Ibid.*, para. 2.

United Nations Development Programme (UNDP).<sup>273</sup> In addition to the Executive Representative's office, BINUB comprised four integrated sections covering the key areas of its mandate, namely, (a) peace and governance; (b) security sector reform and small arms; (c) human rights and justice, comprising up to 20 international personnel; and (d) public information and communications. Those substantive sections of BINUB were complemented by national officers and United Nations Volunteers as well as administrative personnel.<sup>274</sup> The appointment of the Executive Representative for Burundi was confirmed through an exchange of letters between the Secretary-General and the President of the Council.<sup>275</sup>

#### **Mandate implementation**

By resolution 1791 (2007) of 19 December 2007, having considered the report of the Secretary-General,<sup>276</sup> the Council decided to extend until 31 December 2008 the mandate of BINUB as set out in resolution 1719 (2006).<sup>277</sup>

#### **5. United Nations Political Office for Somalia**

At the beginning of the period under review, the United Nations Political Office for Somalia (UNPOS), established on 15 April 1995, continued to help to advance the cause of peace and reconciliation through contacts with Somali leaders, civic organizations and the States and organizations concerned; monitor the situation in Somalia; and keep the Council informed in particular about developments.

#### **Mandate implementation**

During the period under review, the mandate of UNPOS was extended twice, through exchanges of letters between the Secretary-General and the President of the Council, for periods of two years, the last of which was for the biennium 2008-2009.<sup>278</sup>

In his report of 8 October 2004, the Secretary-General observed that, at the stage of progress in the

Somali peace process, there was likely to be a call for an expanded peacebuilding role and presence for the United Nations, in order that it might assist the Somali parties in implementing their agreement. At the same time, he stated that it was clear that any enhanced role for the Organization in Somalia needed to be incremental and should be based on the outcome of discussions with the new government. Therefore, he proposed that the resources available to UNPOS for 2004-2005 be maintained at the current level.<sup>279</sup> In its presidential statement of 26 October 2004, the Council agreed with that assessment of the Secretary-General and looked forward to his recommendations in that regard.<sup>280</sup>

In his report of 18 February 2005, the Secretary-General recommended that, as requested by the Transitional Federal Government, the regional countries and the international donor community, UNPOS take the lead in coordinating support to the Government to implement the agreements reached at the Somali National Reconciliation Conference and establish peace and stability in Somalia. He stated that such a role would include (a) assisting in the continuous dialogue among Somali parties for reconciliation; (b) assisting in the effort to address the issue of "Somaliland"; (c) coordinating support for the peace process with the neighbours of Somalia and other international partners; and (d) chairing the Coordination and Monitoring Committee, as well as playing a leading political role in peacebuilding activities in Somalia. The staff of UNPOS would need to be augmented in the key areas of political and military liaison, information, civil police, disarmament, demobilization and reintegration and human rights and UNPOS would also have to provide secretariat services to the Committee. Considering those new tasks and the need to co-chair the Committee with the Prime Minister of the Transitional Federal Government, the Secretary-General recommended appointing a Special Representative, at the Assistant Secretary-General level, to lead the expanded United Nations role, who would be assisted by an augmented staff at UNPOS, including a senior deputy.<sup>281</sup> In a statement by the President of 7 March 2005,<sup>282</sup> the Council welcomed the efforts of UNPOS and its leading role in

<sup>273</sup> *Ibid.*, paras. 1 and 5.

<sup>274</sup> See S/2006/429/Add.1.

<sup>275</sup> S/2006/1020 and S/2006/1021.

<sup>276</sup> S/2007/682.

<sup>277</sup> Resolution 1792 (2007), eleventh preambular paragraph and para. 1.

<sup>278</sup> S/2005/729 and S/2005/730; S/2007/762 and S/2007/763.

<sup>279</sup> S/2004/804, para. 57.

<sup>280</sup> S/PRST/2004/38, para. 9.

<sup>281</sup> S/2005/89, paras. 81 and 82.

<sup>282</sup> S/PRST/2005/11, para. 9.

coordinating support for the Transitional Federal Government mentioned above and took note of the need to expand the United Nations presence as proposed by the Secretary-General. Subsequently, the appointment of the Special Representative for Somalia and Head of UNPOS was confirmed through an exchange of letters between the Secretary-General and the President of the Council.<sup>283</sup>

In his report of 16 June 2005, the Secretary-General noted that, as part of the expansion of UNPOS, a military adviser would join the Office's staff, one of whose tasks would be to liaise with military counterparts in the African Union and the Intergovernmental Authority on Development, which were planning a peace support mission for Somalia, and other relevant institutions.<sup>284</sup> In a statement by the President of 14 July 2005, the Council welcomed the steps being taken to strengthen the capacity of UNPOS.<sup>285</sup>

In a letter dated 16 November 2005 to the President of the Council, the Secretary-General held that during 2006 the main objectives of UNPOS would be to continue efforts to foster inclusive dialogue and reconciliation among the transitional federal institutions of Somalia, support the establishment of governance structures and institutions and develop plans of action for them in close coordination with the Transitional Federal Government, the United Nations country team and the international community. UNPOS would also coordinate the political and financial support of the international community to the nascent Somali institutions. Given the essential role of UNPOS at that critical juncture of the Somali peace process, the Secretary-General added that it was his intention to continue those activities for the biennium 2006-2007; the Council took note of that intention.<sup>286</sup>

By resolution 1772 (2007) of 20 August 2007 adopted under Chapter VII of the Charter, the Council requested the Secretary-General to continue and intensify his efforts to strengthen the National Reconciliation Congress and, more widely, promote an ongoing all-inclusive political process. In this context, the Council requested him to provide an assessment of further measures that might be required to strengthen

the ability of UNPOS to fulfil the enhanced role as envisaged, including the possibility of relocation from Nairobi to Mogadishu and any security measures that might be necessary for such a move.<sup>287</sup> In response to that request, in August 2007, the level of the post of Head of UNPOS was upgraded to that of Under-Secretary-General through an exchange of letters between the Secretary-General and the President of the Council.<sup>288</sup>

Furthermore, in a letter dated 20 September 2007 to the President of the Council, the Secretary-General recommended that during 2008 UNPOS be provided with the necessary resources to implement an integrated United Nations approach for Somalia leading to a common United Nations peacebuilding strategy, which would include (a) the facilitation of mediation with all Somali parties; (b) the coordination of United Nations political, security, electoral, humanitarian and development support to the Somali transitional federal institutions; and (c) collaboration with external partners engaged in facilitation efforts.<sup>289</sup>

In the letter dated 24 December 2007 to the President of the Council, the Secretary-General reiterated those objectives and indicated that UNPOS would also support the development of a road map for the Somali peace process in concert with the Transitional Federal Government, the United Nations country team and the international community and work closely with United Nations Headquarters on contingency planning for a possible United Nations peacekeeping mission.<sup>290</sup> In a letter dated 27 December 2007 from its President, the Council took note of the intention expressed by the Secretary-General.<sup>291</sup>

## **6. United Nations Peacebuilding Support Office in Guinea-Bissau**

At the beginning of the period under review, the United Nations Peacebuilding Support Office in Guinea-Bissau (UNOGBIS), established in March 1999 following consultations between the Secretary-General and Security Council, continued its activities in support of the country's efforts to ensure the full restoration of constitutional rule in accordance with the provisions of

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<sup>283</sup> S/2005/279 and S/2005/280.

<sup>284</sup> S/2005/392, para. 77.

<sup>285</sup> S/PRST/2005/32, para. 10.

<sup>286</sup> See S/2005/729 and S/2005/730.

<sup>287</sup> Resolution 1772 (2007), paras. 6 and 7.

<sup>288</sup> S/2007/522 and S/2007/523.

<sup>289</sup> S/2007/566.

<sup>290</sup> S/2007/762.

<sup>291</sup> S/2007/763.

the Political Transition Charter of 28 September 2003, as well as its post-transitional efforts towards national reconciliation and stabilization.

### Mandate implementation

During the period under review, the Council extended the mandate of UNOGBIS on four occasions on the basis of the recommendations of the Secretary-General,<sup>292</sup> by either a resolution or exchanges of letters between the Secretary-General and the President of the Council, for periods of 12 months, the last until 31 December 2008.<sup>293</sup>

By resolution 1580 (2004) of 22 December 2004, the Council, welcoming the recommendations made by the Secretary-General in his report of 15 December 2004,<sup>294</sup> decided to revise the mandate of UNOGBIS to encompass the following tasks: (a) to support all efforts to enhance political dialogue, to promote national reconciliation and respect for the rule of law and human rights; (b) to support the efforts of all national stakeholders to ensure the full restoration of constitutional normalcy in accordance with the provisions of the Political Transition Charter of 28 September 2003, including through the holding of free and transparent presidential elections; (c) to assist with those elections in close cooperation with the United Nations country team and other international partners; (d) to assist in strengthening the national mechanisms for conflict prevention during the remainder of the transitional period and beyond; (e) to encourage and support national efforts to reform the security sector and to attract international support for those efforts; (f) to encourage the Government to fully implement the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects;<sup>295</sup> (g) to work closely with the Resident Coordinator and the United Nations country team to mobilize international financial assistance to enable the Government to meet its immediate financial and logistical needs and

implement its national reconstruction and social and economic development strategy; and (h) within the framework of a comprehensive peacebuilding strategy, to actively support efforts of the United Nations system and Guinea-Bissau's other partners towards strengthening State institutions and structures to enable them to uphold the rule of law, respect of human rights and the unimpeded and independent functioning of the executive, legislative and judicial branches of government.<sup>296</sup>

By resolution 1580 (2004), the Council also requested the Secretary-General to conduct a review of UNOGBIS with a view to adjusting its capacities to meet the requirements of its revised mandate.<sup>297</sup> In response to this request, in his report of 16 March 2005, the Secretary-General recommended that, within the framework of its revised mandate as outlined in resolution 1580 (2004), UNOGBIS focus on the following activities: (a) to promote political dialogue with a view to generating a self-sustainable process of consensus-building on critical national issues; (b) to develop, as a first priority, stable civil-military relations through a profound reform of the armed forces as an institution subordinate to civilian authority; (c) to promote implementation of the Programme of Action on Small Arms as an urgent priority; (d) to advance a comprehensive and integrated United Nations peacebuilding strategy, under UNOGBIS coordination and with the support of the United Nations country team as a whole; and (e) to adjust the use of its available human and financial resources as well as to seek supplementary resources in order to respond more effectively to the requirements of the revised mandate, including the creation of new posts.<sup>298</sup>

Following the successful holding of the presidential elections in Guinea-Bissau, in a statement by the President of 19 August 2005, the Council invited the Secretary-General to present recommendations regarding updating of the UNOGBIS mandate and its role in the consolidation of peace and stability in Guinea-Bissau in the post-transition period.<sup>299</sup> In his report of 12 September 2005, the Secretary-General recommended that the mandate of

<sup>292</sup> S/2004/969, S/2005/752, S/2006/946 and S/2007/715.

<sup>293</sup> Resolution 1580 (2004), para. 1; S/2005/795 and S/2005/796; S/2006/974 and S/2006/975; S/2007/700 and S/2007/701.

<sup>294</sup> S/2004/969.

<sup>295</sup> *Report of the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, New York, 9-20 July 2001 (A/CONF.192/15)*, chap. IV, para. 24.

<sup>296</sup> Resolution 1580 (2004), sixth preambular paragraph and para. 2.

<sup>297</sup> *Ibid.*, para. 10.

<sup>298</sup> S/2005/174, para. 30.

<sup>299</sup> S/PRST/2005/39.

UNOGBIS be revised: (a) to support efforts to consolidate constitutional rule, to enhance political dialogue and to promote national reconciliation and respect for the rule of law and human rights; (b) to assist in strengthening the capacity of national institutions to maintain constitutional order, to prevent and manage conflict and to consolidate peace and democracy; (c) to encourage and support national efforts to reform the security sector, including the development of stable civil-military relations; (d) to encourage the Government to fully implement the Programme of Action on Small Arms; (e) within the framework of a comprehensive peacebuilding strategy, to work closely with the Resident Coordinator and the United Nations country team to mobilize international financial assistance to enable the Government to meet its immediate financial and logistical needs and to implement its national reconstruction and social and economic development strategy; and (f) to enhance cooperation and coordination with the African Union, the Economic Community of West African States (ECOWAS), the Community of Portuguese-speaking Countries, and other international partners, as well as inter-mission cooperation. The emphasis of the revised mandate would be on initiatives that met the requirements of self-sustainability and national ownership; the developments of synergies with United Nations agencies and other international actors, political dialogue, governance, human rights, security sector reform and resource mobilization.<sup>300</sup> In addition, he recommended that the Office's resource base be adjusted, as outlined in his report of 16 March 2005.<sup>301</sup> In December 2005, the recommendations of the Secretary-General on the revision of the mandate were approved through an exchange of letters between the Secretary-General and the President of the Council.<sup>302</sup>

In his letter dated 8 December 2006 to the President of the Council, the Secretary-General, reiterating recommendations to extend the mandate of UNOGBIS in his earlier reports, stated that the proposed extension would allow UNOGBIS to operate under a streamlined mandate highlighting mediation and good offices functions aimed at promoting dialogue and reconciliation in order to reduce current divisive and polarizing pressures hampering the restoration of normalcy. The revised mandate of

UNOGBIS would focus on (a) supporting national reconciliation and dialogue; (b) assisting with security sector reform; (c) promoting respect for the rule of law and human rights; (d) mainstreaming a gender perspective into peacebuilding, in line with resolution 1325 (2000); (e) promoting the peaceful settlement of disputes; (f) helping to mobilize international assistance reconstruction efforts; (g) facilitating efforts to curb proliferation of small arms and light weapons; and (h) enhancing cooperation with the African Union, ECOWAS, the Community of Portuguese-speaking Countries, the European Union and other international partners.<sup>303</sup> In a letter from its President, the Council took note of the proposal.<sup>304</sup>

In his report dated 20 March 2007, the Secretary-General informed the Council that, on 5 December 2006, the President of Guinea-Bissau had requested that UNOGBIS and the United Nations country team be transformed into an integrated office.<sup>305</sup> In a statement of the President dated 19 October 2007, the Council requested the Secretary-General to present proposals on how best the United Nations could provide effective assistance in an integrated and holistic manner to national efforts in order to contribute to the sustainable stabilization.<sup>306</sup> In a letter to the President dated 28 November 2007,<sup>307</sup> the Secretary-General proposed a slight revision of the mandate of UNOGBIS, which was subsequently approved by the Council in a letter from its President.<sup>308</sup> UNOGBIS was given the additional mandate to facilitate efforts to combat drug and human trafficking and organized crime and assist with the holding of credible and transparent legislative elections in 2008, in close cooperation with the United Nations country team and other international partners. The Secretary-General also indicated his intention, following the holding of credible and transparent legislative elections in 2008, to explore the possibility of transforming UNOGBIS into an integrated mission in Guinea-Bissau to provide a holistic approach to addressing the complex and multidimensional situation facing Guinea-Bissau, and to make recommendations thereon to the Council.<sup>307</sup>

<sup>300</sup> S/2005/575, paras. 35-37.

<sup>301</sup> S/2005/174.

<sup>302</sup> S/2005/795 and S/2005/796.

<sup>303</sup> S/2006/974.

<sup>304</sup> S/2006/975.

<sup>305</sup> S/2007/158, para. 27.

<sup>306</sup> S/PRST/2007/38, para. 9.

<sup>307</sup> S/2007/700.

<sup>308</sup> S/2007/701.

## 7. United Nations Mission in Sierra Leone

At the beginning of the period under review, the United Nations Mission in Sierra Leone (UNAMSIL), established pursuant to resolution 1270 (1999), continued, with a mandate under Chapter VII of the Charter, to use all necessary means to assist the Government of Sierra Leone to extend its authority, restore law and order, stabilize the situation progressively throughout the entire country, and to assist in the promotion of a political process, which should lead to a renewed disarmament, demobilization and reintegration programme and the holding of free and fair elections. The Council had by resolution 1492 (2003) approved a plan for the phased drawdown of the Mission.

### Mandate implementation

During the period under review, on the recommendations of the Secretary-General,<sup>309</sup> the Council extended the mandate of UNAMSIL by a series of resolutions,<sup>310</sup> for periods of six to nine months, until its termination on 31 December 2005.

By resolution 1537 (2004) of 30 March 2004, the Council welcomed the Secretary-General's intention to adjust the timetable for the drawdown of UNAMSIL during 2004,<sup>311</sup> in order to ensure a more gradual reduction in its military strength and decided that a residual UNAMSIL presence would remain in Sierra Leone, for an initial period of six months from 1 January 2005, reduced from the December 2004 level of 5,000 troops, to a new ceiling of 3,250 troops, 141 military observers and 80 United Nations civilian police personnel by 28 February 2005. The Council also requested UNAMSIL to share its experience with the United Nations Mission in Liberia (UNMIL) and the United Nations Operation in Côte d'Ivoire (UNOCI) and to carry out its mandate in close liaison with them, especially in the prevention of movements of arms and combatants across borders and in the implementation of disarmament, demobilization and reintegration programmes.<sup>312</sup>

By resolution 1562 (2004) of 17 September 2004, the Council, acting under Chapter VII of the Charter,

<sup>309</sup> S/2004/228, S/2004/724 and S/2005/273.

<sup>310</sup> Resolutions 1537 (2004), para. 1; 1562 (2004), para. 1; and 1610 (2005), para. 1.

<sup>311</sup> S/2004/228, para. 72.

<sup>312</sup> Resolution 1537 (2004), paras. 2, 5 and 11.

decided that the residual UNAMSIL presence which should remain in Sierra Leone from 1 January 2005 should carry out military and civilian police tasks to (a) monitor the overall security situation, support the Sierra Leone armed forces and police in patrolling the border and diamond-mining areas and monitor the growing capacity of the Sierra Leone security sector; (b) support the Sierra Leone police in maintaining internal security, including for the Special Court for Sierra Leone while the Mission remained deployed in Sierra Leone; (c) assist the Sierra Leone police with its programme of recruitment, training and mentoring designed to strengthen further the capacity and resources of the police; and (d) protect United Nations personnel, installations and equipment and ensure the security and freedom of movement of United Nations personnel, within its capabilities and its areas of deployment. Its civilian tasks were to (a) monitor the repatriation, reception, resettlement and reintegration of Sierra Leonean ex-combatants from abroad; (b) monitor, investigate, report and promote the observance of human rights; (c) disseminate information on the mandate and purpose of the mission and publicize the Government's primary responsibility for national security, including through United Nations radio; and (d) monitor progress towards consolidation of State authority throughout the country. The Council also authorized the residual Mission presence to use all necessary means to carry out its mandate, within its capabilities and its areas of deployment.<sup>313</sup> The Council further expressed its intention to review regularly the residual Mission presence against the following benchmarks: (a) strengthening the capacity of the Sierra Leone armed forces and police to maintain security and stability effectively throughout the country; (b) consolidating State authority throughout the country; and (c) consolidating the deployment of the United Nations Mission in Liberia throughout Liberia.

### Termination/transition into a new mission

By resolution 1609 (2005) of 24 June 2005, the Council, having taken note of the Secretary-General's report of 2 March 2005 on inter-mission cooperation and possible cross-border operations between UNAMSIL, UNMIL and UNOCI,<sup>314</sup> and acting under Chapter VII of the Charter, authorized the temporary

<sup>313</sup> Resolution 1562 (2004), paras. 2 and 3.

<sup>314</sup> S/2005/135.

redeployment of military and civilian police personnel among those three missions to deal with challenges which could not be handled within the authorized personnel ceiling of a given mission.<sup>315</sup>

In his report dated 26 April 2005, the Secretary-General held that an adjustment in the strategy of the United Nations involvement in Sierra Leone was warranted and therefore recommended the Council to extend the mandate of UNAMSIL for a final period of six months, until the end of 2005, and that the drawdown commence in mid-August 2005 and be essentially completed by 31 December 2005.<sup>316</sup> By resolution 1610 (2005) of 30 June 2005, adopted under Chapter VII of the Charter, the Council extended the mandate of UNAMSIL for a final period of six months until 31 December 2005 and requested the Secretary-General to finalize the necessary planning for an appropriate integrated United Nations system presence in Sierra Leone after the mission had withdrawn.<sup>317</sup>

By resolution 1620 (2005) of 31 August 2005 and similarly by a presidential statement of 20 December 2005, the Council commended the valuable contribution of UNAMSIL had made to the recovery of Sierra Leone from conflict and to the country's peace, security and development; by the same statement, the Council noted with satisfaction the innovations in the Mission's methods of operation that might prove useful best practice in making other United Nations peacekeeping operations more effective and efficient, including an exit strategy based on specific benchmarks for drawdown; an integrated mission with a Deputy Special Representative managing governance, development and humanitarian elements; and substantial, regular cooperation and coordination with other United Nations peacekeeping operations and offices in the region.<sup>318</sup> The mandate of UNAMSIL ended on 31 December 2005.

## **8. United Nations Integrated Office in Sierra Leone Establishment, mandate and composition**

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<sup>315</sup> Resolution 1609 (2005), fifth preambular paragraph and paras. 5 and 6. See also the sections on the United Nations Mission in Liberia and the United Nations Operation in Côte d'Ivoire in the present chapter.

<sup>316</sup> S/2005/273, para. 78.

<sup>317</sup> Resolution 1610 (2005), para. 2.

<sup>318</sup> Resolution 1620 (2005), second preambular paragraph, and S/PRST/2005/63, paras. 1 and 2.

In a letter dated 21 June 2005 to the Secretary-General, the President of Sierra Leone requested a continued United Nations integrated presence in Sierra Leone to assist the Government in promoting good governance, development, human rights and security, in building its national capacity and in preparing for the 2007 general elections.<sup>319</sup> On the basis of the recommendations of the Secretary-General that an integrated office be established in Sierra Leone following the withdrawal of UNAMSIL in order to continue to assist the Government of Sierra Leone to consolidate peace by enhancing political and economic governance, building the national capacity for conflict prevention, and preparing for elections in 2007,<sup>320</sup> the Council, by resolution 1620 (2005) of 31 August 2005, established the United Nations Integrated Office in Sierra Leone (UNIOSIL) for an initial period of 12 months, beginning on 1 January 2006, with the following key tasks: (a) to assist the Government of Sierra Leone in: (i) building the capacity of State institutions to address further the root causes of the conflict, provide basic services and accelerate progress towards the Millennium Development Goals through poverty reduction and sustainable economic growth, including through the creation of an enabling framework for private investment and systematic efforts to address HIV/AIDS; (ii) developing a national action plan for human rights and establishing the national human rights commission; (iii) building the capacity of the National Electoral Commission to conduct a free, fair and credible electoral process in 2007; (iv) enhancing good governance, transparency and accountability of public institutions; (v) strengthening the rule of law, including by developing the independence and capacity of the justice system and the capacity of the police and corrections system; (vi) strengthening the Sierra Leonean security sector, in cooperation with the International Military Advisory and Training Team and other partners; (vii) promoting a culture of peace, dialogue and participation in critical national issues through a strategic approach to public information and communication; and (viii) developing initiatives for the protection and well-being of youth, women and children; (b) to liaise with the Sierra Leonean security sector and other partners, to report on the security situation and to make recommendations concerning external and internal security threats; (c) to coordinate

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<sup>319</sup> S/2005/419, annex.

<sup>320</sup> S/2005/273 and Add.2.

with United Nations missions and offices and regional organizations in West Africa in dealing with cross-border challenges such as the illicit movement of small arms, human trafficking and smuggling and illegal trade in natural resources; and (d) to coordinate with the Special Court for Sierra Leone.<sup>321</sup>

By that resolution, the Council also decided that UNIOSIL would be headed by an Executive Representative of the Secretary-General, who would also serve as the Resident Representative of UNDP and United Nations Resident Coordinator.<sup>322</sup> UNIOSIL comprised a small office to support the Executive Representative and five sections focusing on the key areas of its mandate, namely, good governance and peace consolidation, human rights and rule of law, civilian police and military assistance, development, and public information. The five sections comprised 46 officers, including 20 police advisers and 10 military liaison officers, in addition to the United Nations country team, the Office of the Resident and Humanitarian Coordinator, and additional national officers, United Nations Volunteers and other support staff.<sup>323</sup>

### **Mandate implementation**

During the period under review, on the basis of the reports of the Secretary-General,<sup>324</sup> and the requests of the Government of Sierra Leone,<sup>325</sup> the mandate of UNIOSIL as outlined in resolution 1620 (2005) was extended twice by resolutions for periods of 12 months and 9 months, respectively, the last until 30 September 2008.<sup>326</sup>

By resolution 1734 (2006) of 22 December 2006, the Council endorsed an increase of the strength of the Military Liaison Team by 5 additional officers and that of the Police Section by 10 additional police officers for the period from 1 January to 31 October 2007 in order to enhance the support provided by the Office for the elections and its ability to carry out its functions

elsewhere in Sierra Leone,<sup>327</sup> as recommended by the Secretary-General.<sup>328</sup> Subsequently, by an exchange of letters between the Secretary-General and the President of the Council, the Council approved a request for UNIOSIL to retain those additional officers for a further period of two months, until 31 December 2007, to enable the Office to continue to provide effective technical and operational planning support to the security sector of Sierra Leone.<sup>329</sup>

By resolution 1793 (2007) of 21 December 2007, the Council requested the Secretary-General to submit by 31 January 2008, and for consideration by the Council, a completion strategy for UNIOSIL, including at least a 20 per cent reduction in staff numbers by 31 March 2008; a continued mission at 80 per cent of the current strength until 30 June 2008; and the termination of the mandate of the Office by 30 September 2008. The Council also expressed its intention that, on the expiration of its mandate, UNIOSIL should be replaced by a United Nations integrated political office to focus on carrying forward the peacebuilding process, mobilizing international donor support, supporting the work of the Peacebuilding Commission and the Peacebuilding Fund and completing any residual tasks left over from the mandate of the Office, in particular promoting national reconciliation and supporting the constitutional reform process.<sup>330</sup>

### **9. United Nations Organization Mission in the Democratic Republic of the Congo**

At the beginning of the period under review, the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC), established pursuant to resolution 1279 (1999), continued to, *inter alia*, maintain contact with the parties in the ceasefire agreement; liaise with Joint Military Commission; monitor the implementation of the Lusaka Ceasefire Agreement; and provide humanitarian assistance and public information. MONUC was authorized under Chapter VII of the Charter to take the necessary action to protect United Nations and co-located Joint Military Commission personnel, facilities, installations and equipment, ensure the security and freedom of movement of its

<sup>321</sup> Resolution 1620 (2005), third preambular paragraph and para. 1.

<sup>322</sup> *Ibid.*, para. 4.

<sup>323</sup> See S/2005/273/Add.2, paras. 9-13, and S/2006/269, paras. 2-8.

<sup>324</sup> S/2006/922 and S/2007/704.

<sup>325</sup> See resolution 1734 (2006), fourth preambular paragraph, and S/2007/659, annex.

<sup>326</sup> Resolutions 1734 (2006), para. 1, and 1793 (2007), para. 1.

<sup>327</sup> Resolution 1734 (2006), para. 2.

<sup>328</sup> S/2006/922, para. 70.

<sup>329</sup> S/2007/613 and S/2007/614.

<sup>330</sup> Resolution 1793 (2007), paras. 2 and 4.

personnel, and protect civilians under imminent threat of physical violence.

### **Mandate implementation**

During the period under review, the Council continuously extended the mandate of MONUC, generally on the basis of the recommendations of the Secretary-General,<sup>331</sup> by a series of resolutions, for periods of varying lengths, the last until 31 December 2008.<sup>332</sup>

By resolution 1533 (2004) of 12 March 2004, the Council, acting under Chapter VII of the Charter, authorized MONUC to seize or collect, as appropriate, the arms and any related materiel whose presence in the territory of the Democratic Republic of the Congo violated the measures imposed by paragraph 20 of resolution 1493 (2003), and to dispose of such arms and related materiel as appropriate.<sup>333</sup> The Council also requested MONUC to continue to use all means, within its capabilities, to carry out the tasks outlined in paragraph 19 of resolution 1493 (2003), and in particular to inspect, without notice as it deemed it necessary, the cargo of aircraft and of any transport vehicle using the ports, airports, airfields, military bases and border crossings in North and South Kivu and in Ituri.<sup>334</sup>

By resolution 1565 (2004) of 1 October 2004, adopted under Chapter VII of the Charter, in response to the request of the Secretary-General to deploy emergency reinforcements to MONUC to provide it with the necessary capability to address immediate

security concerns,<sup>335</sup> the Council requested the Secretary-General to arrange the rapid deployment of additional military capabilities for MONUC and to deploy as soon as possible in the provinces of North and South Kivu all the brigades and appropriate force enablers. In addition, on the basis of the recommendation by the Secretary-General,<sup>336</sup> the Council also authorized an increase of the strength of MONUC by 5,900 personnel, including up to 341 civilian police personnel, as well as the deployment of appropriate civilian personnel, air mobility assets and other force enablers.<sup>337</sup>

By the same resolution, the Council decided that MONUC would have the following mandate: (a) to deploy and maintain a presence in the key areas of potential volatility in order to promote the re-establishment of confidence, to discourage violence, in particular by deterring the use of force to threaten the political process, and to allow United Nations personnel to operate freely, particularly in the eastern part of the Democratic Republic of the Congo; (b) to ensure the protection of civilians, including humanitarian personnel under imminent threat of physical violence; (c) to ensure the protection of United Nations personnel, facilities, installations and equipment; (d) to ensure the security and freedom of movement of its personnel; (e) to establish the necessary operational links with ONUB and with the Governments of the Democratic Republic of the Congo and Burundi, in order to coordinate efforts towards monitoring and discouraging cross-border movements of combatants between the two countries; (f) to monitor the implementation of the measures imposed by paragraph 20 of resolution 1493 (2003), including on the lakes; (g) to seize or collect, as appropriate, arms and any related materiel whose presence in the territory of the Democratic Republic of the Congo violated the measures imposed by paragraph 20 of resolution 1493 (2003) and to dispose them as appropriate; and (h) to observe and report in a timely manner, on the position of armed movements and groups, and the presence of foreign military forces in the key areas of volatility.<sup>338</sup> In addition, the Mission was given the following mandate, in support of the Government of National Unity and Transition: (a) to

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<sup>331</sup> S/2004/650, S/2004/715, S/2005/167, S/2005/603, S/2006/759, S/2007/17, S/2007/156 and S/2007/671.

<sup>332</sup> Resolutions 1555 (2004), para. 1; 1565 (2004), para. 1; 1592 (2005), para. 1; 1628 (2005), para. 1; 1635 (2005), para. 1; 1711 (2006), para. 1; 1742 (2007), para. 1; 1751 (2007), para. 1; 1756 (2007), para. 1; and 1794 (2007), para. 1.

<sup>333</sup> Resolution 1533 (2004), para. 4.

<sup>334</sup> *Ibid.*, para. 3. By paragraph 19 of resolution 1493 (2003), the Council demanded that all parties provide full access to military observers from MONUC, including in ports, airports, airfields, military bases and border crossings, and requested the Secretary-General to deploy military observers from the Mission in North and South Kivu and in Ituri and to report to the Council regularly on the position of the movements and armed groups and on information concerning arms supply and the presence of foreign military, especially by monitoring the use of landing strips in that region.

<sup>335</sup> See S/2004/715.

<sup>336</sup> S/2004/650.

<sup>337</sup> Resolution 1565 (2004), paras. 2-3.

<sup>338</sup> *Ibid.*, para. 4.

contribute to arrangements made for the security of the institutions and the protection of officials of the transition in Kinshasa until the integrated police unit in Kinshasa was ready to take on that responsibility, and to assist the Congolese authorities in the maintenance of order in other strategic areas; (b) to contribute to the improvement of the security conditions in which humanitarian assistance was provided, and to assist in the voluntary return of refugees and internally displaced persons; (c) to support operations to disarm foreign combatants led by the armed forces of the Democratic Republic of the Congo; (d) to facilitate the demobilization and voluntary repatriation of disarmed foreign combatants and their dependants; (e) to contribute to the disarmament portion of the national programme of disarmament, demobilization and reintegration of Congolese combatants and their dependants, in monitoring the process and providing, as appropriate, security in some sensitive locations; (f) to contribute to the successful completion of the electoral process stipulated in the Global and All-Inclusive Agreement on the Transition in the Democratic Republic of the Congo, by assisting in the establishment of a secure environment for free, transparent and peaceful elections to take place; and (g) to assist in the promotion and protection of human rights, with particular attention to women, children and vulnerable persons, to investigate human rights violations to put an end to impunity, and to continue to cooperate with efforts to ensure that those responsible for serious violations of human rights and international humanitarian law were brought to justice.<sup>339</sup> MONUC was authorized under Chapter VII of the Charter to use all necessary means, within its capacity and in the areas where its armed units were deployed, to carry out the tasks as listed above.<sup>340</sup>

By resolution 1565 (2004), the Council, finally, decided that the Mission would also have the mandate, within its capacity and without prejudice to carrying out the tasks above, to provide advice and assistance to the Transitional Government and authorities, in accordance with the commitments of the Global and All-Inclusive Agreement, including by supporting the three joint commissions<sup>341</sup> in order to contribute to their efforts, with a view to taking forward (a) essential

legislation, including the future constitution; (b) security sector reform, including the integration of national defence and internal security forces together with disarmament, demobilization and reintegration and, in particular, the training and monitoring of the police, while ensuring that they were democratic and fully respected human rights and fundamental freedoms; and (c) the electoral process.<sup>342</sup>

By resolution 1592 (2005) of 30 March 2005, adopted under Chapter VII of the Charter, the Council, emphasizing that MONUC was authorized to use all necessary means, within its capabilities and in the areas where its armed units were deployed, to deter any attempt at the use of force to threaten the political process and to ensure the protection of civilians under imminent threat of physical violence, from any armed group, foreign or Congolese, in particular the *ex-Forges armées rwandaises* and *Interahamwe*, encouraged MONUC in this regard to continue to make full use of its mandate in the eastern part of the Democratic Republic of the Congo, and stressed that, in accordance with its mandate under resolution 1565 (2004), MONUC might use cordon and search tactics to prevent attacks on civilians and disrupt the military capability of illegal armed groups that continued to use violence in those areas.<sup>343</sup>

By resolution 1596 (2005) of 18 April 2005, adopted under Chapter VII of the Charter, by which, *inter alia*, it extended the scope of the arms embargo to the entire territory of the Democratic Republic of the Congo, the Council requested MONUC, within its existing capabilities and without prejudice to the performance of its current mandate, to focus its monitoring activities in North and South Kivu and in Ituri; and, in airports and airfields where it had a permanent presence, to cooperate within its existing capability with the competent Congolese authorities, with a view to enhancing the capability of those authorities to monitor and control the use of airports.<sup>344</sup> The Council also requested MONUC and ONUB, in accordance with their respective mandates, to provide assistance, where they had a permanent presence, to the competent Customs authorities of the Democratic Republic of the Congo and Burundi.<sup>345</sup>

<sup>339</sup> *Ibid.*, para. 5.

<sup>340</sup> *Ibid.*, para. 6.

<sup>341</sup> For more information on the three joint commissions, see S/2004/650, para. 62.

<sup>342</sup> Resolution 1565 (2004), para. 7.

<sup>343</sup> Resolution 1592 (2005), para. 7.

<sup>344</sup> Resolution 1596 (2005), paras. 3 and 8.

<sup>345</sup> *Ibid.*, para. 10.

Following the massacre on 9 July 2005 in Ntulu-Mamba, in a statement by the President on 13 July 2005, the Council, in calling upon the authorities of the Democratic Republic of the Congo to prosecute and bring to justice expeditiously the perpetrators and those responsible for these crimes, requested MONUC to provide all necessary support.<sup>346</sup>

On 6 September 2005, by resolution 1621 (2005) adopted under Chapter VII of the Charter, the Council, underlining the importance of elections, authorized a temporary increase until 1 July 2006 in the strength of MONUC of 841 personnel, including up to five formed police units of 125 officers each and additional police personnel, and approved the concept of operations as recommended by the Secretary-General,<sup>347</sup> which included the co-location of MONUC senior police officers at general and provincial inspector level to advise on operations planning and management; capacity-building of the police from the bottom up; training and briefing programmes; and immediate support for the development of crowd-management capacity of the national police which would address the immediate needs related to enhancing the role of national police in the electoral process while contributing to its long-term institutional and capacity development. The Council also authorized MONUC to provide additional support to the Independent Electoral Commission for the transport of electoral materials and approved the recommendation of the Secretary-General<sup>348</sup> on additional logistic support for elections.<sup>349</sup> By resolution 1635 (2005) of 28 October 2005, adopted under Chapter VII of the Charter, the Council, on the basis of the recommendation of the Secretary-General,<sup>350</sup> further authorized a temporary increase of 300 personnel in the military strength of MONUC, until 1 July 2006, to allow for the deployment of an infantry battalion in Katanga, with enabling assets, including its own air mobility and appropriate medical support, to provide additional security within its area of operations during the electoral period.<sup>351</sup> The increase in the military and civilian police strength of MONUC authorized by resolutions 1621 (2005) and 1635 (2005) continued to

be extended by subsequent resolutions renewing the mandate of MONUC.<sup>352</sup>

Responding to the request of the Secretary-General,<sup>353</sup> the Council, by resolution 1669 (2006) of 10 April 2006, adopted under Chapter VII of the Charter, authorized the temporary redeployment of a maximum of one infantry battalion, a military hospital and up to 50 military observers from ONUB to MONUC, until 1 July 2006, in accordance with resolution 1650 (2005).<sup>354</sup> Following the extension of this temporary redeployment by resolution 1711 (2006),<sup>355</sup> and taking note of the letter from the Secretary-General dated 15 November 2006,<sup>356</sup> the Council, by resolution 1736 (2006) of 22 December 2006, adopted under Chapter VII of the Charter, authorized an increase in the military strength of MONUC of up to 916 military personnel to allow for the continued deployment to MONUC of the infantry battalion and the military hospital previously authorized under the ONUB mandate.<sup>357</sup>

By resolution 1671 (2006) of 25 April 2006, the Council authorized MONUC to provide all necessary logistical support to an European Union force on a cost reimbursement basis, whose deployment was authorized under Chapter VII of the Charter by that resolution to support MONUC during the period encompassing the election in the Democratic Republic of the Congo.<sup>358</sup>

Following the successful conduct of the 2006 elections and the installation of the new Government in the Democratic Republic of the Congo, the Secretary-General made proposals in his report of 20 March 2007 for the post-transition mandate of MONUC.<sup>359</sup> By resolution 1756 (2007) of 15 May 2007, adopted under Chapter VII of the Charter, the Council took note of the

<sup>346</sup> S/PRST/2005/31.

<sup>347</sup> S/2005/320, paras. 50-57.

<sup>348</sup> *Ibid.*, paras. 58-59.

<sup>349</sup> Resolution 1621 (2005), paras. 1-3.

<sup>350</sup> S/2005/603, paras. 27-29.

<sup>351</sup> Resolution 1635 (2005), paras. 2-3.

<sup>352</sup> Resolutions 1693 (2006), para. 1; 1711 (2006), para. 2; 1742 (2007), para. 1; 1751 (2007), para. 1; 1756 (2007), para. 1; and 1794 (2007), para. 1.

<sup>353</sup> See S/2006/206.

<sup>354</sup> Resolution 1669 (2006), para. 1. See also the section on ONUB in the present chapter.

<sup>355</sup> Resolution 1711 (2006), para. 2. See also the section on ONUB in the present chapter.

<sup>356</sup> S/2006/892.

<sup>357</sup> Resolution 1736 (2006), para. 1.

<sup>358</sup> Resolution 1671 (2006), paras. 2 and 14. For more details on the European Union force, see chap. XII, part III, sect. C, under the situation concerning the Democratic Republic of the Congo.

<sup>359</sup> S/2007/156, paras. 43-71 and 87.

Secretary-General's recommendations in his report, and authorized the continuation of up to 17,030 military personnel, 760 military observers, 391 police trainers and 750 personnel of formed police units.<sup>360</sup> The Council also decided that MONUC would assist the Government of the Democratic Republic of the Congo in establishing a stable security environment and MONUC would have the following broad mandates, with a series of specific tasks:<sup>361</sup> (a) protection of civilians, humanitarian personnel and United Nations personnel and facilities;<sup>362</sup> (b) territorial security of the Democratic Republic of the Congo;<sup>363</sup> (c) disarmament and demobilization of foreign and Congolese armed groups;<sup>364</sup> and (d)

security sector reform.<sup>365</sup> By the same resolution,<sup>366</sup> the Council further decided that MONUC would have the mandate to support the strengthening of democratic institutions and the rule of law in the Democratic Republic of the Congo.<sup>367</sup> The Council authorized the Mission to use all necessary means, within the limits of its capacity and in the areas where its units were

<sup>360</sup> Resolution 1756 (2007), para. 1.

<sup>361</sup> *Ibid.*, para. 2.

<sup>362</sup> The specific tasks were (i) to ensure the protection of civilians, including humanitarian personnel, under imminent threat of physical violence; (ii) to contribute to the improvement of the security conditions in which humanitarian assistance was provided, and assist in the voluntary return of refugees and internally displaced persons; (iii) to ensure the protection of United Nations personnel, facilities, installations and equipment; (iv) to ensure the security and freedom of movement of United Nations and associated personnel; and (v) to carry out joint patrols with the riot-control units of the national police to improve security in the event of civil disturbance.

<sup>363</sup> The specific tasks were (i) to observe and report in a timely manner on the position of armed movements and groups and the presence of foreign military forces in the key areas of volatility, especially by monitoring the use of landing strips and the borders, including on the lakes; (ii) to monitor the implementation of the relevant measures imposed by resolution 1493 (2003) and expanded by resolution 1596 (2005); (iii) to seize or collect, as appropriate, the arms and any related materiel whose presence in the territory of the Democratic Republic of the Congo violated the relevant measures imposed by resolution 1493 (2003) and expanded by resolution 1596 (2005), and to dispose of such arms and related materiel as appropriate; (iv) to provide assistance to the competent Customs authorities of the Democratic Republic of the Congo in implementing the relevant provisions of resolution 1596 (2005); and (v) to assist the Government in enhancing its demining capacity.

<sup>364</sup> The specific tasks were (i) to deter any attempt at the use of force to threaten the political process; (ii) to support operations led by the integrated brigades of the armed forces of the Democratic Republic of the Congo, deployed in the eastern part of the Democratic Republic of the Congo, with a view to disarming the recalcitrant local and foreign armed groups in order to ensure their participation in the disarmament, demobilization and

reintegration process and the release of children associated with those armed groups, as well as preventing the provision of support to them, including support derived from illicit economic activities; (iii) to facilitate the voluntary demobilization and repatriation of disarmed foreign combatants and their dependants; and (iv) to contribute to the implementation of the national programme of disarmament, demobilization and reintegration of Congolese combatants and their dependants, by monitoring the disarmament process and providing security in some sensitive locations.

<sup>365</sup> The specific tasks were (i) to provide, in the short term, basic training to various members and units of the integrated brigades of the armed forces of the Democratic Republic of the Congo deployed in the eastern part of the country with a view to enhancing their capacity to carry out the missions related to disarmament and demobilization; (ii) to continue to develop the capacities of the Congolese National Police and related law enforcement agencies by providing technical assistance, training and mentoring support; (iii) to advise the Government on strengthening the capacity of the judicial and correctional systems, including the military justice system; and (iv) to contribute to the efforts of the international community to assist the Government in the initial planning process of the reform of the security sector.

<sup>366</sup> Resolution 1756 (2007), para. 3.

<sup>367</sup> To that end, the specific tasks were (i) to provide advice to strengthen democratic institutions and processes at the national, provincial, regional and local levels; (ii) to promote national reconciliation and internal political dialogue; (iii) to assist in the promotion and protection of human rights, investigate human rights violations, assist in the development and implementation of a transitional justice strategy, and cooperate in national and international efforts to bring to justice perpetrators of grave violations of human rights and international humanitarian law; and (iv) to provide preliminary assistance to the Congolese authorities, including the National Independent Electoral Commission, in the organization, preparation and conduct of local elections; (v) to assist in the establishment of a secure and peaceful environment for the holding of free and transparent elections; and (vi) to contribute to the promotion of good governance and respect for the principle of accountability.

deployed, to carry out the specific tasks listed in the resolution.<sup>368</sup>

Taking note of the Secretary-General's report of 14 November 2007 which provided broad benchmarks and recommendations regarding future direction of MONUC,<sup>369</sup> by resolution 1794 (2007) of 21 December 2007, adopted under Chapter VII of the Charter to extend the mandate and capacity of MONUC, the Council requested MONUC to attach the highest priority to addressing the crisis in the Kivus in all its dimensions, in particular through the protection of civilians and support for the implementation of the Nairobi joint communiqué. It also requested MONUC, in view of the scale and severity of sexual violence committed especially by armed elements in the Democratic Republic of the Congo, to undertake a thorough review of its efforts to prevent and respond to sexual violence, and to pursue a comprehensive mission-wide strategy to strengthen prevention, protection, and response to sexual violence.<sup>370</sup>

#### **10. United Nations Peacebuilding Support Office in the Central African Republic**

At the beginning of the period under review, the United Nations Peacebuilding Support Office in the Central African Republic (BONUCA), established on 15 February 2000, continued to encourage national dialogue and reconciliation and to help the Central African Republic enact military reforms, implement human rights policies, train civilian police, and disarm, demobilize and reintegrate ex-combatants.

##### **Mandate implementation**

During the period under review, by exchanges of letters between the Secretary-General and the President of the Security Council,<sup>371</sup> or through a statement by the President,<sup>372</sup> the Council extended the mandate of BONUCA four times for periods of one year, the last until 31 December 2008.

In a statement by the President of 28 October 2004, the Council expressed its concern at the possible

consequences to the Central African Republic of the crises in the subregion and, accordingly, welcomed with satisfaction the Secretary-General's initiative in asking BONUCA to assess the implications of developments in neighbouring countries on the situation in the Central African Republic and vice versa.<sup>373</sup> In view of those additional subregional responsibilities, and the encouraging developments on the ground, by an exchange of letters between the Secretary-General and the President of the Council, the rank of the Secretary-General's Representative in the Central African Republic was raised to that of Special Representative, at the Assistant Secretary-General level.<sup>374</sup>

In a statement by the President of 22 November 2006, by which the Council renewed the mandate of BONUCA for one year, the Secretary-General was invited to submit the new modalities of the mission of the Office for the new period.<sup>375</sup> In a letter dated 30 November 2006, the Secretary-General indicated that the activities of BONUCA in 2007 would focus principally on (a) supporting national reconciliation and dialogue, (b) assisting efforts to strengthen democratic institutions, (c) facilitating the mobilization of resources for national reconstruction, economic recovery, poverty alleviation and good governance, (d) mainstreaming a gender perspective into peacebuilding, in line with resolution 1325 (2000), and (e) reinforcing cooperation between the United Nations and States members of the Central African Economic and Monetary Community and other regional entities with a view to facilitating and strengthening initiatives aimed at addressing transborder insecurity in the subregion.<sup>376</sup>

By an exchange of letters between the Secretary-General and the President of the Council, it was decided that, on the basis of the requests of the Government of the Central African Republic, BONUCA for the year 2008 would (a) promote national reconciliation efforts, particularly by assisting the national stakeholders to organize an inclusive political dialogue; (b) promote the respect for human rights and democratic norms; (c) support the rule of law and accountable and transparent governance; (d) facilitate the mobilization of resources for national

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<sup>368</sup> See resolution 1756 (2007), para. 2 (a) to (e), (g), (h), (k), (l) and (n), and para. 3 (e).

<sup>369</sup> S/2007/671.

<sup>370</sup> Resolution 1794 (2007), paras. 2, 12 and 18.

<sup>371</sup> S/2004/874 and S/2004/875; S/2005/758 and S/2005/759; S/2007/702 and S/2007/703.

<sup>372</sup> S/PRST/2006/47, para. 7.

<sup>373</sup> S/PRST/2004/39, para. 9.

<sup>374</sup> S/2005/758 and S/2005/759.

<sup>375</sup> S/PRST/2006/47, para. 7.

<sup>376</sup> S/2006/934.

reconstruction and development; (e) reinforce cooperation between the United Nations and regional entities with a view to strengthening initiatives aimed at addressing transborder insecurity in the subregion; (f) assist the United Nations multidimensional mission in Chad and the Central African Republic in the fulfilment of its mandate in the territory of the Central Africa Republic; and (g) mainstream a gender perspective into peacebuilding, in line with resolution 1325 (2000).<sup>377</sup>

### 11. United Nations Mission in Ethiopia and Eritrea

At the beginning of the period under review, the United Nations Mission in Ethiopia and Eritrea (UNMEE), established pursuant to resolution 1312 (2000), continued to perform its mandate towards monitoring the cessation of hostilities, the position of troops and the Temporary Security Zone, Chair the Military Coordination Commission provided for in the Agreement on Cessation of Hostilities of 18 June 2000;<sup>378</sup> coordinate humanitarian assistance in the Temporary Security Zone and adjacent areas and assist the Eritrea-Ethiopia Boundary Commission<sup>379</sup> in the expeditious and orderly implementation of its delimitation decision.

#### Mandate implementation

The Council, generally on the basis of the reports of the Secretary-General,<sup>380</sup> extended the mandate of UNMEE for periods of up to six months, the last until 31 January 2008.<sup>381</sup>

In his report of 2 September 2004, the Secretary-General, in accordance with resolution 1531 (2004) of 12 March 2004, recommended an adjustment of the

Mission's presence in two phases: first, replacing one military demining contingent with a modest commercial capacity, and reducing the force headquarters staff of UNMEE by up to 30 per cent. In the second phase, by repatriating one infantry battalion and support elements to consolidate the existing three sectors into two sectors, the military structure would comprise a force headquarters, two infantry battalions, two demining units, other existing support elements and up to 220 military observers, which would be accompanied by commensurate reductions in the number of civilian staff.<sup>382</sup> By resolution 1560 (2004) of 14 September 2004, the Council approved the adjustments to UNMEE as recommended by the Secretary-General.<sup>383</sup>

By resolution 1622 (2005) of 13 September 2005, the Council approved a reconfiguration of the military component of UNMEE, including an increase in the number of military observers by 10, to a total of 230, within the existing overall mandate strength of 3,404 military personnel as recommended in the Secretary-General's report of 30 August 2005.<sup>384</sup> The Council also approved an expansion of the mandate regarding assistance to the parties in the mine action sector so that UNMEE could assist the parties in continuing cooperation with other international partners in that sector, by providing humanitarian demining assistance in and around the Temporary Security Zone, technical advice and coordination.<sup>385</sup>

Having considered the reports of the Secretary-General of 3 January 2006 and 6 March 2006<sup>386</sup> and the options for the future of UNMEE contained therein, by resolution 1681 (2006) of 31 May 2006, the Council authorized the reconfiguration of the UNMEE military component and approved the deployment within UNMEE of up to 2,300 troops, including up to 230 military observers, with the mandate pursuant to resolutions 1320 (2000) and 1430 (2002).<sup>387</sup>

On 15 December 2007, the Secretary-General, in his special report,<sup>388</sup> proposed four options for possible changes to the mandate of UNMEE, as requested in resolution 1710 (2006).

<sup>377</sup> S/2007/702 and S/2007/703.

<sup>378</sup> S/2000/601.

<sup>379</sup> The Eritrea-Ethiopia Boundary Commission was established pursuant to the Agreement of 12 December 2000 between Eritrea and Ethiopia (S/2000/1183) with a mandate to delimit and demarcate the colonial treaty border based on pertinent colonial treaties (1900, 1902 and 1908) and applicable international law.

<sup>380</sup> S/2004/180, S/2004/708, S/2005/142, S/2005/553, S/2006/1, S/2006/140, S/2006/749, S/2006/992, S/2007/33 and S/2007/440.

<sup>381</sup> Resolutions 1531 (2004), para. 1; 1560 (2004), para. 1; 1586 (2005), para. 1; 1622 (2005), para. 1; 1661 (2006), para. 1; 1670 (2006), para. 1; 1678 (2006), para. 1; 1681 (2006), para. 1; 1710 (2006), para. 1; 1741 (2007), para. 1; and 1767 (2007), para. 1.

<sup>382</sup> S/2004/708, paras. 13-18.

<sup>383</sup> Resolution 1560 (2004), para. 2.

<sup>384</sup> S/2005/553, paras. 11 and 42.

<sup>385</sup> Resolution 1622 (2005), para. 2.

<sup>386</sup> S/2006/1 and S/2006/140, respectively.

<sup>387</sup> Resolution 1681 (2006), para. 2.

<sup>388</sup> S/2006/992.

By resolution 1741 (2007) of 30 January 2007, the Council approved a reduction of the military component of UNMEE from 2,300 to 1,700 military personnel, including 230 military observers, in accordance with the first option in the above-mentioned Secretary-General's report,<sup>389</sup> while deciding to maintain the mandate and maximum authorized force levels.<sup>390</sup>

## 12. United Nations Mission in Liberia

At the beginning of the period under review, the United Nations Mission in Liberia (UNMIL), established pursuant to resolution 1509 (2003), continued to (a) support the implementation of the Ceasefire Agreement;<sup>391</sup> (b) protect United Nations staff, facilities and civilians; (c) facilitate support for humanitarian and human rights assistance; (d) provide support for security reform, including national police training and the formation of a new, restructured military; and (e) support the implementation of the peace process.

### Mandate implementation

During the period under review, by a series of resolutions,<sup>392</sup> the Council successively extended the mandate of UNMIL on the basis of the Secretary-General's recommendations,<sup>393</sup> for periods of up to one year, the last until 30 September 2008.

By resolution 1609 (2005) of 24 June 2005, adopted under Chapter VII of the Charter, the Council, having taken note of the Secretary-General's report of 2 March 2005 on inter-mission cooperation and possible cross-border operations between the United Nations Mission in Sierra Leone (UNAMSIL), UNMIL and the United Nations Operation in Côte d'Ivoire (UNOCI),<sup>394</sup> authorized the temporary redeployment of military and civilian police personnel among those three missions to

deal with challenges which could not be handled within the authorized personnel ceiling of a given mission.<sup>395</sup>

By resolution 1626 (2006) of 19 September 2005, adopted under Chapter VII of the Charter, noting that UNAMSIL was scheduled to end its operations on 31 December 2005, the Council authorized UNMIL to deploy from November 2005 up to 250 United Nations military personnel to Sierra Leone to provide security for the Special Court for Sierra Leone, as recommended in the report of the Secretary-General of 1 September 2005.<sup>396</sup> It also authorized a temporary increase in the personnel ceiling of the Mission, to a total of 15,250 United Nations military personnel, for the period from 15 November 2005 to 31 March 2006 in order to ensure that the support provided to the Court did not reduce the capabilities of the Mission in Liberia during its political transition period. Finally, it also authorized UNMIL to deploy an adequate number of military personnel to Sierra Leone, if and when needed, to evacuate military personnel of UNMIL deployed to Sierra Leone and officials of the Court in the event of a serious security crisis affecting those personnel and the Court.<sup>397</sup> This temporary increase was extended until 30 September 2006.<sup>398</sup>

On 11 November 2005, the Council, by resolution 1638 (2005), acting under Chapter VII of the Charter, decided that the mandate of UNMIL should include the following additional element: to apprehend and detain former President Charles Taylor in the event of a return to Liberia and to transfer him or facilitate his transfer to Sierra Leone for prosecution before the Special Court for Sierra Leone and to keep the Government of Liberia, the Government of Sierra Leone and the Council fully informed.<sup>399</sup>

In response to the request by the Secretary-General pursuant to resolution 1609 (2006),<sup>400</sup> the Council, by resolution 1657 (2006) of 6 February 2006, adopted under Chapter VII of the Charter, authorized the redeployment of a maximum of one infantry company from UNMIL to UNOCI, until 31 March

<sup>389</sup> Ibid., paras. 24 and 25.

<sup>390</sup> Resolution 1741 (2007), para. 2.

<sup>391</sup> S/2003/657, annex.

<sup>392</sup> Resolutions 1561 (2004), para. 1; 1626 (2005), para. 1; 1667 (2006), para. 1; 1712 (2006), para. 1; 1750 (2007), para. 1; and 1777 (2007), para. 1.

<sup>393</sup> S/2004/725, S/2005/560, S/2006/159, S/2006/743, S/2007/151 and S/2007/479.

<sup>394</sup> S/2005/135.

<sup>395</sup> Resolution 1609 (2005), fifth preambular paragraph and paras. 5 and 6. See also the sections on the United Nations Mission in Sierra Leone and the United Nations Operation in Côte d'Ivoire in the present chapter.

<sup>396</sup> S/2005/560, paras. 90-94.

<sup>397</sup> Resolution 1626 (2005), paras. 5-7.

<sup>398</sup> Resolution 1667 (2006), para. 2.

<sup>399</sup> Resolution 1638 (2005), para. 1.

<sup>400</sup> See S/2006/71.

2006, in order to provide extra security coverage for United Nations personnel and property, and to perform other tasks mandated to UNOCI, without prejudice to any future decision by the Security Council concerning the renewal of the mandate and level of troops of UNMIL and a further extension of the redeployment.<sup>401</sup>

In modifying the arms embargo on Liberia imposed by resolution 1521 (2003) to incorporate additional exemptions to the Liberian Special Security Service and for members of the Liberian police and security forces who had been vetted and trained since the inception of UNMIL in October 2003, by resolution 1683 (2006) of 13 June 2006, adopted under Chapter VII of the Charter, the Council requested UNMIL to inspect inventories of weapons and ammunition obtained in accordance with the exemptions to ensure all such weapons and ammunition were accounted for, and to make periodic reports to the Committee established by paragraph 21 of resolution 1521 (2003) on its findings.<sup>402</sup>

In his report of 14 March 2006,<sup>403</sup> the Secretary-General recommended, *inter alia*, changes to the configuration of UNMIL, in view of the completion by the Mission of a number of tasks and in the context of a review of the appropriate mandates for the composition of the Mission. In his report of 9 June 2006,<sup>404</sup> he reiterated his recommendation for the addition of a formed police unit. By resolution 1694 (2006) of 13 July 2006, adopted under Chapter VII of the Charter, the Council decided to increase the authorized size of the civilian police component of UNMIL by 125 and to decrease the authorized size of the military component by 125, from the authorized levels.<sup>405</sup>

By resolution 1750 (2007) of 30 March 2007, adopted under Chapter VII of the Charter, the Council noted the intention of the Special Court for Sierra Leone to reach agreement with the Government of Liberia on carrying out a programme of activities in Liberia, and decided that the mandate of UNMIL should include the following additional element: to

provide, within its capabilities and areas of deployment and without prejudice to the performance of its other mandated tasks, administrative and related support and security, on a cost-reimbursable basis, for activities conducted in Liberia by the Special Court for Sierra Leone with the consent of the Government of Liberia.<sup>406</sup>

Following the consideration of the benchmarks proposed by the Secretary-General<sup>407</sup> pursuant to resolution 1667 (2006), the Council, by resolution 1712 (2006) of 29 September 2006, adopted under Chapter VII of the Charter, endorsed the recommendations of the Secretary-General in his report of 12 September 2006,<sup>408</sup> for a phased, gradual consolidation, drawdown and withdrawal of the UNMIL troop contingent, as the situation permitted and without compromising the security of Liberia.<sup>409</sup> On the basis of the Secretary-General's report of 8 August 2007,<sup>410</sup> which provided a detailed drawdown plan, including benchmarks, as requested in resolution 1750 (2007), the Council by resolution 1777 (2007) of 20 September 2007, adopted under Chapter VII of the Charter, endorsed the Secretary-General's recommendation<sup>411</sup> for a reduction of 2,450 in the number of personnel deployed as part of the UNMIL military component during the period from October 2007 to September 2008 and for a reduction of 498 in the number of officers deployed as part of the police component of the Mission during the period from April 2008 to December 2010.<sup>412</sup>

### 13. United Nations Mission in Côte d'Ivoire

At the beginning of the period under review, the United Nations Mission in Côte d'Ivoire (MINUCI), established pursuant to resolution 1479 (2003), as a political mission continued to facilitate the implementation by the Ivorian parties of the Linas-Marcoussis Agreement.<sup>413</sup>

#### Termination/transition to a new mission

<sup>401</sup> Resolution 1657 (2006), para. 1. For more information, see the section on the United Nations Operation in Côte d'Ivoire in the present chapter.

<sup>402</sup> Resolution 1683 (2006), paras. 1, 2 and 4.

<sup>403</sup> S/2006/159.

<sup>404</sup> S/2006/376.

<sup>405</sup> Resolution 1694 (2006), para. 1.

<sup>406</sup> Resolution 1750 (2007), para. 5.

<sup>407</sup> See S/2006/376 and S/2006/743.

<sup>408</sup> S/2006/743.

<sup>409</sup> Resolution 1712 (2006), para. 3.

<sup>410</sup> S/2007/479.

<sup>411</sup> *Ibid.*, paras. 73 and 75.

<sup>412</sup> Resolution 1777 (2007), paras. 3-4.

<sup>413</sup> S/2003/99, annex I.

Following the extension of the mandate of MINUCI until 27 February 2004 by resolution 1527 (2004),<sup>414</sup> the Council, by resolution 1528 (2004) of that date, decided, on the basis of the recommendations of the Secretary-General,<sup>415</sup> and the message of 10 November 2003 from the President of Côte d'Ivoire,<sup>416</sup> to continue the mandate of MINUCI for a final period until 4 April 2004, while establishing the United Nations Operation in Côte d'Ivoire as from that date. The Council requested the Secretary-General to transfer authority from MINUCI and the forces of ECOWAS to the United Nations Operation in Côte d'Ivoire on that date.<sup>417</sup>

#### 14. United Nations Operation in Côte d'Ivoire

##### Establishment, mandate and composition

The Council, by resolution 1528 (2004) of 27 February 2004, acting under Chapter VII of the Charter, decided to establish the United Nations Operation in Côte d'Ivoire (UNOCI), on the basis of the request of the President of Côte d'Ivoire and the recommendations of the Secretary-General.<sup>418</sup> The Council established UNOCI for an initial period of 12 months from 4 April 2004.<sup>419</sup>

As set out in resolution 1528 (2004), the mandate of UNOCI,<sup>420</sup> in coordination with the French forces authorized by the same resolution,<sup>421</sup> consisted of the following areas, namely (a) monitoring of the ceasefire and movements of armed groups;<sup>422</sup> (b) disarmament, demobilization, reintegration, repatriation and

resettlement;<sup>423</sup> (c) protection of United Nations personnel, institutions and civilians;<sup>424</sup> (d) support for humanitarian assistance;<sup>425</sup> (e) support for the implementation of the peace process;<sup>426</sup> (f) assistance in the field of human rights;<sup>427</sup> (g) public information;<sup>428</sup> and (h) law and order.<sup>429</sup> UNOCI was

<sup>423</sup> The specific tasks were (i) to assist the Government of National Reconciliation in undertaking the regrouping of all the Ivorian forces involved and to ensure the security of their cantonment sites; (ii) to help the Government of National Reconciliation to implement the national programme for the disarmament, demobilization and reintegration of the combatants; (iii) to coordinate closely with the United Nations missions in Sierra Leone and in Liberia in the implementation of a voluntary repatriation and resettlement programme for foreign ex-combatants; (iv) to ensure that the programmes mentioned in subparagraphs (ii) and (iii) above take into account the need for a regional approach; and (v) to guard weapons, ammunition and other materiel handed over by the former combatants and to secure, neutralize or destroy such materiel.

<sup>424</sup> The specific tasks were (i) to protect United Nations personnel, installations and equipment, provide the security and freedom of movement of United Nations personnel and, to protect civilians under imminent threat of physical violence, within its capabilities and its areas of deployment; and (ii) to support the provision of security for the ministers of the Government of National Reconciliation.

<sup>425</sup> The specific task was to facilitate the free flow of people, goods and humanitarian assistance, inter alia, by helping to establish the necessary security conditions.

<sup>426</sup> The specific tasks were (i) to facilitate the re-establishment by the Government of National Reconciliation of the authority of the State throughout Côte d'Ivoire; and (ii) to provide oversight, guidance and technical assistance to the Government of National Reconciliation to prepare for and assist in the conduct of free, fair and transparent electoral processes linked to the implementation of the Linas-Marcoussis Agreement, in particular the presidential election.

<sup>427</sup> The specific task was to contribute to the promotion and protection of human rights in Côte d'Ivoire and to help to investigate human rights violations with a view to helping to end impunity.

<sup>428</sup> The specific task was to promote understanding of the peace process and the role of UNOCI among local communities and the parties through an effective public information capacity.

<sup>429</sup> The specific tasks were (i) to assist the Government of National Reconciliation in restoring a civilian policing presence throughout Côte d'Ivoire, and to advise the Government of National Reconciliation on the restructuring of the internal security services; (ii) to

<sup>414</sup> Resolution 1527 (2004), para. 1.

<sup>415</sup> S/2004/3.

<sup>416</sup> S/2003/1081, annex.

<sup>417</sup> Resolution 1528 (2004), para. 1.

<sup>418</sup> S/2003/1081, annex, and S/2004/3, respectively.

<sup>419</sup> Resolution 1528 (2004), para. 1.

<sup>420</sup> *Ibid.*, para. 6.

<sup>421</sup> *Ibid.*, para. 16. For more information on the French forces, see chap. XI, part IV, sect. A.

<sup>422</sup> The specific tasks were (i) to observe and monitor the implementation of the comprehensive ceasefire agreement of 3 May 2003, and to investigate violations of the ceasefire; (ii) to liaise with the national armed forces of Côte d'Ivoire and the military elements of the Forces nouvelles in order to promote, in coordination with the French forces, the re-establishment of trust between all the Ivorian forces involved; and (iii) to assist the Government of National Reconciliation in monitoring the borders.

authorized to use all necessary means to carry out its mandate within its capability and its areas of deployment.<sup>430</sup>

By resolution 1528 (2004), the Council decided that UNOCI should comprise, in addition to the appropriate civilian, judiciary and corrections components, a military strength of a maximum of 6,240, including 200 military observers and 120 staff officers, and up to 350 civilian police officers. The Force Commander of UNOCI and the Special Representative of the Secretary-General and Head of UNOCI were appointed through exchanges of letters between the Secretary-General and the President of the Council.<sup>431</sup>

### Mandate implementation

During the period under review, the Council extended the mandate of UNOCI by a series of resolutions adopted under Chapter VII of the Charter,<sup>432</sup> in accordance with the recommendations of the Secretary-General,<sup>433</sup> for periods of varying lengths, the last until 15 January 2008.

By resolution 1572 (2004) of 15 November 2004, adopted under Chapter VII of the Charter, the Council, in demanding that the Ivorian authorities stop all radio and television broadcasting inciting hatred, intolerance and violence, requested UNOCI to strengthen its monitoring role in this regard.<sup>434</sup>

By resolution 1584 (2005) of 1 February 2005, acting under Chapter VII of the Charter, the Council authorized UNOCI and the French forces which supported it (a) to monitor the implementation of the arms embargo imposed by resolution 1572 (2004), in cooperation with the group of experts established by the resolution, and, as appropriate, with UNMIL, UNAMSIL and Governments concerned, including by

assist the Government of National Reconciliation in re-establishing the authority of the judiciary and the rule of law throughout Côte d'Ivoire.

<sup>430</sup> Resolution 1528 (2004), para. 8.

<sup>431</sup> S/2004/267 and S/2004/268; S/2005/133 and S/2005/134.

<sup>432</sup> Resolutions 1594 (2005), para. 1; 1600 (2005), para. 5; 1603 (2005), para. 11; 1609 (2005), para. 1; 1652 (2006), para. 1; 1726 (2006), para. 1; 1739 (2007), para. 1; 1763 (2007), para. 1; and 1765 (2007), para. 1.

<sup>433</sup> S/2005/186, S/2005/398 and Add.1, S/2005/135, S/2006/2, S/2006/939 and S/2007/275.

<sup>434</sup> Resolution 1572 (2004), para. 6.

inspecting, without notice, the cargo of aircraft and of any transport vehicle using the ports, airports, airfields, military bases and border crossings of Côte d'Ivoire; and (b) to collect arms and any related materiel brought into Côte d'Ivoire in violation of the arms embargo, and to dispose of such arms and related materiel as appropriate.<sup>435</sup>

On 24 June 2005, the Council adopted resolution 1609 (2005) under Chapter VII of the Charter, deciding that UNOCI would have the following mandate:<sup>436</sup> (a) monitoring of the cessation of hostilities and movements of armed groups;<sup>437</sup> (b) disarmament, demobilization, reintegration, repatriation and resettlement or;<sup>438</sup> (c) disarmament and dismantling of militias;<sup>439</sup> (d) protection of United Nations personnel,

<sup>435</sup> Resolution 1584 (2005), para. 2.

<sup>436</sup> Resolution 1609 (2005), para. 2.

<sup>437</sup> The specific tasks were (i) to observe and monitor the implementation of the joint declaration of the end of the war of 6 April 2005 and of the comprehensive ceasefire agreement of 3 May 2003, to prevent any hostile action, and to investigate violations of the ceasefire; (ii) to liaise with the national armed forces of Côte d'Ivoire and the military elements of the Forces nouvelles in order to promote, in coordination with the French forces, the re-establishment of trust among all the Ivorian forces involved; and (iii) to assist the Government of National Reconciliation in monitoring the borders.

<sup>438</sup> The specific tasks were (i) to assist the Government of National Reconciliation in undertaking the regrouping of all the Ivorian forces involved and to assist in ensuring the security of their disarmament, cantonment and demobilization sites; (ii) to support the Government of National Reconciliation in the implementation of the national programme for the disarmament, demobilization and reintegration of combatants; (iii) to coordinate closely with the United Nations missions in Sierra Leone and in Liberia in the implementation of a voluntary repatriation and resettlement programme for foreign ex-combatants; (iv) to ensure that the programmes mentioned in subparagraphs (ii) and (iii) above took into account the need for a coordinated regional approach; (v) to secure, neutralize or destroy any weapons, ammunition or any other materiel surrendered by the former combatants.

<sup>439</sup> The specific tasks were (i) to assist the Prime Minister of the Government of National Reconciliation in formulating and monitoring the implementation of the joint operation plan for the disarmament and dismantling of militias envisaged in paragraph 4 of the Pretoria Agreement (S/2005/270, annex I); (ii) to secure, neutralize or destroy all weapons, ammunition and other materiel surrendered by militias.

institutions and civilians;<sup>440</sup> (e) monitoring of the arms embargo;<sup>441</sup> (f) support for humanitarian assistance;<sup>442</sup> (g) support for the redeployment of State administration;<sup>443</sup> (h) support for the organization of open, free, fair and transparent elections;<sup>444</sup> (i) assistance in the field of human rights;<sup>445</sup> (j) public information;<sup>446</sup> and (k) law and order.<sup>447</sup> The Council

<sup>440</sup> The specific tasks were (i) to protect United Nations personnel, installations and equipment, ensure the security and freedom of movement of United Nations personnel and to protect civilians under imminent threat of physical violence, within its capabilities and its areas of deployment; and (ii) to support, in coordination with the Ivorian and South African authorities, the provision of security for members of the Government of National Reconciliation.

<sup>441</sup> The specific tasks were (i) to monitor the implementation of the arms embargo imposed by resolution 1572 (2004); and (ii) to collect arms and any related materiel brought into Côte d'Ivoire in violation of the arms embargo, and to dispose of such arms and related materiel as appropriate.

<sup>442</sup> The specific task was to facilitate the free flow of people, goods and humanitarian assistance.

<sup>443</sup> The specific task was to facilitate the re-establishment by the Government of National Reconciliation of the authority of the State throughout Côte d'Ivoire.

<sup>444</sup> The specific tasks were (i) to provide all necessary technical assistance to the Government of National Reconciliation, the Independent Electoral Commission and other relevant agencies or institutions for the organization of open, free, fair and transparent presidential and legislative elections within the time frames envisaged in the Constitution of the Republic of Côte d'Ivoire; (ii) to provide technical information, advice and assistance to the High Representative referred to in resolution 1603 (2005); and (iii) to contribute to the security of the areas where voting was to take place.

<sup>445</sup> The specific tasks were to contribute to the promotion and protection of human rights in Côte d'Ivoire, to monitor and help to investigate human rights violations with a view to ending impunity, and to keep the Security Council Committee established pursuant to resolution 1572 (2004) regularly informed of developments in this regard.

<sup>446</sup> The specific tasks were (i) to promote understanding of the peace process and the role of UNOCI among local communities and the parties, through the mission's public information capacity; and (ii) to monitor the Ivorian mass media, in particular with regard to any incidents of incitement by the media to hatred, intolerance and violence, and to keep the Committee established pursuant to resolution 1572 (2004) regularly informed of the situation in this regard.

authorized UNOCI to use all necessary means to carry out its mandate, within its capabilities and its areas of deployment.<sup>448</sup> It also authorized an increase in the military component of UNOCI of up to 850 additional personnel, as well as an increase in the civilian police component of up to a ceiling of 725 civilian police personnel, including three formed police units, and the necessary additional civilian personnel until 24 January 2006.<sup>449</sup> This increase was reauthorized by resolution 1739 (2007) until 30 June 2007.<sup>450</sup>

By resolution 1609 (2005), adopted under Chapter VII of the Charter, the Council also authorized the temporary redeployment of military and civilian police personnel among UNMIL, UNAMSIL and UNOCI to deal with challenges which could not be handled within the authorized personnel ceiling of a given mission, subject to the following conditions: (a) the Secretary-General should inform the Security Council in advance of his intention to proceed with such a redeployment, including its scope and duration, with the understanding that the implementation of the above-mentioned reinforcement would require a corresponding decision of the Council; (b) any forces redeployed should continue to be counted against the authorized ceiling on military and civilian personnel of the mission from which they were being transferred and should not count against the ceiling of the mission to which they were being transferred; (c) any such transfer should not result in any increase in the total combined ceilings on military and civilian personnel deployed in UNOCI, UNAMSIL and UNMIL determined by the Council in the respective mandates of the three missions; and (d) any such transfer should not have the effect of extending the deployment period of personnel deployed under the mandate of their original mission, unless the Council decided

<sup>447</sup> The specific tasks were (i) to assist the Government of National Reconciliation in restoring a civilian policing presence throughout Côte d'Ivoire, to advise the Government on the restructuring of the internal security services, and to assist the Ivorian parties in the implementation of temporary and interim security measures in the northern part of the country; and (ii) to assist the Government in re-establishing the authority of the judiciary and the rule of law throughout Côte d'Ivoire.

<sup>448</sup> Resolution 1609 (2005), para. 8.

<sup>449</sup> *Ibid.*, para. 3.

<sup>450</sup> Resolution 1739 (2007), para. 3.

otherwise.<sup>451</sup> The Council also requested UNOCI to carry out its mandate in close liaison with UNAMSIL and UNMIL, including especially in the prevention of movements of arms and combatants across shared borders and the implementation of disarmament and demobilization programmes.<sup>452</sup>

In accordance with the Secretary-General's recommendation,<sup>453</sup> the Council decided by resolution 1657 (2006), adopted under Chapter VII of the Charter, to authorize the redeployment of a maximum of one infantry company from UNMIL to UNOCI until 31 March 2006 in order to provide extra security coverage for United Nations personnel and property, and to perform other tasks mandated to UNOCI.<sup>454</sup>

On 2 June 2006, the Council further authorized, by resolution 1682 (2006), an increase in the strength of UNOCI up to 1,500 additional personnel, including a maximum of 1,025 military personnel and 475 civilian police personnel, taking note of the recommendations of the Secretary-General.<sup>455</sup> This authorization was renewed by resolution 1739 (2007) until 30 June 2007.<sup>456</sup>

By resolution 1721 (2006) of 1 November 2006, adopted under Chapter VII of the Charter, the Council requested UNOCI, consistent with its mandate in resolution 1609 (2005) to protect United Nations personnel, to provide security to the High Representative for the Elections, within its capabilities and its areas of deployment.<sup>457</sup>

The Council revised the mandate of UNOCI by resolution 1739 (2007), adopted under Chapter VII of the Charter, adding the following two elements to the mandate set out in resolution 1609 (2005):<sup>458</sup> (a) operations of identification of the population and

registration of voters;<sup>459</sup> and (b) reform

<sup>459</sup> The specific task was to contribute, in close liaison with the working group mentioned in paragraph 17 of resolution 1721 (2006), to the security of the operations of identification of the population and registration of voters, within its capabilities and its areas of deployment.

<sup>451</sup> Resolution 1609 (2005), para. 6.

<sup>452</sup> *Ibid.*, para. 9.

<sup>453</sup> See S/2006/71.

<sup>454</sup> Resolution 1657 (2006), para. 1. For more information see the section on the United Nations Mission in Liberia in the present chapter.

<sup>455</sup> S/2006/2, S/2006/71, S/2006/184, S/2006/222 and S/2006/334.

<sup>456</sup> Resolution 1739 (2007), para. 3.

<sup>457</sup> Resolution 1721 (2006), para. 23.

<sup>458</sup> Resolution 1739 (2007), para. 2. The other aspects of the mandate were updated to reflect the establishment of the new Government of Côte d'Ivoire, but were otherwise unchanged.

of the security sector;<sup>460</sup> as well as adding an additional task relating to support for the organization of open, free, fair and transparent elections<sup>461</sup> and changing the tasks relating to law and order.<sup>462</sup> UNOCI was authorized to use all necessary means to carry out its mandate within its capabilities and its areas of deployment.<sup>463</sup>

By resolution 1765 (2007) of 16 July 2007, adopted under Chapter VII of the Charter, the Council, in renewing the mandate of UNOCI to support the organization of elections in Côte d'Ivoire, endorsed the recommendations by the Secretary-General,<sup>464</sup> by which the role of UNOCI would be adapted to the new phase of the peace process in Côte d'Ivoire as set out in the Ouagadougou Political Agreement,<sup>465</sup> and, accordingly, requested UNOCI, within its existing resources, to support the full implementation of the Ouagadougou Political Agreement, including by supporting the integrated command centre, the restoration of State administration throughout the country, the identification and voter registration processes, the electoral process, persons affected by the conflict, efforts to create a positive political environment, protection and promotion of human rights, and the economic recovery process of Côte d'Ivoire.<sup>466</sup> The Council also requested UNOCI to

assist the Facilitator of the inter-Ivorian dialogue in the conduct of the facilitation.<sup>467</sup>

## 15. United Nations Advance Mission in the Sudan

### Establishment, mandate and composition

To build on the momentum of the progress made in the peace process under the Intergovernmental Authority on Development between the Government of the Sudan and the Sudan People's Liberation Movement/Army, the Council, by resolution 1547 (2004) of 11 June 2004, welcomed the Secretary-General's proposal<sup>468</sup> to establish a special political mission, the United Nations Advance Mission in the Sudan (UNAMIS), for an initial period of three months.<sup>469</sup>

Pursuant to resolution 1547 (2004), UNAMIS, dedicated to the preparation of the international monitoring foreseen in the Framework Agreement on Security Arrangements during the Interim Period, signed in Naivasha, Kenya, on 25 September 2003,<sup>470</sup> was mandated to facilitate contacts with the parties concerned and to prepare for the introduction of an envisaged peace support operation following the signing of a comprehensive peace agreement.<sup>471</sup>

As proposed by the Secretary-General and endorsed by the Council in resolution 1547 (2004), UNAMIS, at its establishment, under the authority of a Special Representative of the Secretary-General, included up to 25 military liaison officers, security staff and a strong mission support element comprising international personnel, including political and civil affairs staff, public information officers and experts in logistics and administration, as well as in other requisite areas of expertise.<sup>472</sup> Through an exchange of letters with the Secretary-General, the Council confirmed the appointment of a Special Representative of the Secretary-General for the Sudan and head of the peace support operation to be authorized by the Council at the conclusion of the comprehensive peace agreement.<sup>473</sup>

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<sup>460</sup> The specific task was to assist, in close liaison with the working group mentioned in paragraph 15 of resolution 1721 (2006), in formulating a plan on the restructuring of the defence and security forces and in preparing possible seminars on security sector reform to be organized by the African Union and the Economic Community of West African States.

<sup>461</sup> The additional task was to provide as necessary, within its capabilities and its areas of deployment, logistical support for the Independent Electoral Commission, in particular for the transportation of electoral material.

<sup>462</sup> In the area of law and order, UNOCI was mandated to perform the additional task of supporting the Government of Côte d'Ivoire in ensuring the neutrality and impartiality of public media by providing, as necessary, security for the premises of Radio Télévision Ivoirienne, while eliminating the task of assisting the Ivorian parties in the implementation of temporary and interim security measures in the northern part of the country, as provided in paragraph 6 of the Pretoria Agreement.

<sup>463</sup> Resolution 1739 (2007), para. 5.

<sup>464</sup> S/2007/275, paras. 42-72 and 75-83.

<sup>465</sup> S/2007/144, annex.

<sup>466</sup> Resolution 1765 (2007), paras. 1-2.

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<sup>467</sup> *Ibid.*, para. 10.

<sup>468</sup> S/2004/453.

<sup>469</sup> Resolution 1547 (2004), para. 1.

<sup>470</sup> S/2003/934, annex.

<sup>471</sup> Resolution 1547 (2004), para. 1.

<sup>472</sup> *Ibid.*, para. 2; S/2004/453, para. 15; and S/2004/763, para. 4.

<sup>473</sup> S/2004/503 and S/2004/504.

### Mandate implementation

During the period under review, by a series of resolutions, the Council extended the mandate of UNAMIS four times, on the recommendations of the Secretary-General,<sup>474</sup> for periods of up to three months, the last until 24 March 2005.<sup>475</sup>

The Council, by resolution 1556 (2004) of 30 July 2004, adopted under Chapter VII of the Charter, requested the Secretary-General to incorporate into the mission contingency planning for the Darfur region.<sup>476</sup> By resolution 1574 (2004) of 19 November 2004, welcoming the preparatory work carried out by UNAMIS, the Council endorsed the proposals in the Secretary-General's reports of 28 September 2004 and 2 November 2004<sup>477</sup> to increase the staffing of UNAMIS, including an additional six military officers and six police officers to provide extra liaison functions with the expanded African Union mission, as well as additional staff in various fields, including civil affairs, humanitarian relief, public information, disarmament, demobilization and reintegration and return and reintegration to facilitate progress towards a comprehensive agreement and prepare for the United Nations to provide rapid support in critical areas once the agreement was concluded.<sup>478</sup>

### Termination/transition to a new mission

On 24 March 2005, by resolution 1590 (2005), by which it established the United Nations Mission in the Sudan, the Council requested that the Secretary-General transfer all functions performed by UNAMIS to the United Nations Mission in the Sudan, together with staff and logistics of the office as appropriate.<sup>479</sup>

<sup>474</sup> S/2004/453, S/2004/763 and S/2004/881.

<sup>475</sup> Resolutions 1556 (2004), para. 15, 1574 (2004), para. 7; 1585 (2005), para. 1; and 1588 (2005), para. 1.

<sup>476</sup> Resolution 1556 (2004), para. 15.

<sup>477</sup> S/2004/763, para. 13, and S/2004/881, para. 59.

<sup>478</sup> Resolution 1574 (2004), para. 7.

<sup>479</sup> Resolution 1590 (2005), para. 10.

## 16. United Nations Mission in the Sudan

### Establishment, mandate and composition

Subsequent to the signing of the Comprehensive Peace Agreement between the Government of the Sudan and the Sudan People's Liberation Movement/Army in Nairobi on 9 January 2005, based on the recommendations of the Secretary-General<sup>480</sup> and the request of the parties to the Comprehensive Peace Agreement for the establishment of a peace support mission,<sup>481</sup> on 24 March 2005, the Security Council, by resolution 1590 (2005), decided to establish the United Nations Mission in the Sudan (UNMIS), for an initial period of six months.<sup>482</sup>

Pursuant to resolution 1590 (2005), the mandate of UNMIS was (a) to support implementation of the Comprehensive Peace Agreement by performing a series of specific tasks;<sup>483</sup> (b) to facilitate and

<sup>480</sup> See S/2005/57, S/2005/68 and S/2005/140.

<sup>481</sup> Resolution 1590 (2005), twenty-first preambular paragraph.

<sup>482</sup> *Ibid.*, para. 1.

<sup>483</sup> The specific tasks were (i) to monitor and verify the implementation of the N'Djamena ceasefire agreement and to investigate violations; (ii) to liaise with bilateral donors on the formation of joint integrated units; (iii) to observe and monitor movement of armed groups and redeployment of forces in the areas of UNMIS deployment in accordance with the ceasefire agreement; (iv) to assist in the establishment of the disarmament, demobilization and reintegration programme as called for in the Comprehensive Peace Agreement, and its implementation through voluntary disarmament and weapons collection and destruction; (v) to assist the parties to the Comprehensive Peace Agreement in promoting understanding of the peace process and the role of UNMIS by means of an effective public information campaign; (vi) to assist the parties to the Comprehensive Peace Agreement in addressing the need for a national inclusive approach, including the role of women, towards reconciliation and peacebuilding; (vii) to assist the parties to the Comprehensive Peace Agreement in restructuring the police service in the Sudan to develop a police training and evaluation programme and to otherwise assist in the training of civilian police; (viii) to assist the parties to the Comprehensive Peace Agreement in promoting the rule of law, including an independent judiciary, and the protection of human rights of all people of the Sudan through a comprehensive and coordinated strategy with the aim of combating impunity and contributing to a long-term peace and stability and to assist the parties to the Agreement to develop and consolidate the national

coordinate, within its capabilities and in its areas of deployment, the voluntary return of refugees and internally displaced persons, and humanitarian assistance, inter alia, by helping to establish the necessary security conditions; (c) to assist the parties to the Comprehensive Peace Agreement by providing humanitarian demining assistance, technical advice and coordination; and (d) to contribute towards international efforts to protect and promote human rights in the Sudan, as well as coordinate international efforts towards the protection of civilians with particular attention to vulnerable groups within the capabilities of UNMIS and in close cooperation with other United Nations agencies, related organizations and non-governmental organizations.<sup>484</sup> The Council also requested that UNMIS closely and continuously liaise and coordinate at all levels with the African Union Mission in the Sudan (AMIS) with a view to expeditiously reinforcing the effort to foster peace in Darfur, especially with regard to the Abuja peace process and AMIS.<sup>485</sup> Acting under Chapter VII of the Charter, the Council also authorized UNMIS to take the necessary action, in the areas of deployment of its forces and as it deemed within its capabilities, to protect United Nations personnel, facilities, installations, and equipment, ensure the security and freedom of movement of United Nations personnel, humanitarian workers, joint assessment mechanism and assessment and evaluation commission personnel, and, without prejudice to the responsibility of the Government of the Sudan, to protect civilians under imminent threat of physical violence.<sup>486</sup>

In accordance with resolution 1590 (2005), UNMIS consisted of up to 10,000 military personnel and an appropriate civilian component including up to 715 civilian police personnel.<sup>487</sup> The Special Representative of the Secretary-General and Head of the Mission had been appointed prior to the

legal framework; (ix) to ensure an adequate human rights presence, capacity, and expertise within UNMIS to carry out human rights promotion, civilian protection and monitoring activities; and (x) to provide guidance and technical assistance to the parties to the Comprehensive Peace Agreement to support the preparations for and conduct of elections and referenda provided for by the Comprehensive Peace Agreement.

<sup>484</sup> Resolution 1590 (2005), para. 4.

<sup>485</sup> *Ibid.*, para. 2.

<sup>486</sup> *Ibid.*, para. 16 (i).

<sup>487</sup> *Ibid.*, para. 1.

establishment of the Mission.<sup>488</sup> The Military Adviser for the United Nations Advance Mission in the Sudan was initially appointed as Force Commander.<sup>489</sup>

### Mandate implementation

During the period under review, in accordance with the recommendations of the Secretary-General,<sup>490</sup> the Council extended the mandate of UNMIS six times, by a series of resolutions, for periods of up to six months, the last until 30 April 2008.<sup>491</sup>

In accordance with the Secretary-General's recommendation,<sup>492</sup> by resolution 1706 (2006) of 31 August 2006, and in order to support the early and effective implementation of the Darfur Peace Agreement signed on 5 May 2006, the Council decided that the mandate of UNMIS, without prejudice to its existing mandate and operations as provided for in resolution 1590 (2005), should be expanded and that the Mission should be deployed to Darfur.<sup>493</sup> The Council decided that the mandate of UNMIS in Darfur should be to support implementation of the Darfur Peace Agreement and the N'Djamena Agreement on Humanitarian Ceasefire on the Conflict in Darfur, including by performing a number of specific tasks.<sup>494</sup>

<sup>488</sup> See S/2004/503 and S/2004/504. See also the section on the United Nations Advance Mission in the Sudan in the present chapter.

<sup>489</sup> See S/2006/8.

<sup>490</sup> See S/2005/579, S/2007/213 and S/2007/624.

<sup>491</sup> Resolutions 1627 (2005), para. 1; 1663 (2006), para. 1; 1709 (2006), para. 1; 1714 (2006), para. 1; 1755 (2007), para. 1; and 1784 (2007), para. 1.

<sup>492</sup> S/2006/591.

<sup>493</sup> Resolution 1706 (2006), para. 1.

<sup>494</sup> *Ibid.*, para. 8. The specific tasks were (i) to monitor and verify the implementation by the parties of chapter 3 ("Comprehensive Ceasefire and Final Security Arrangements") of the Darfur Peace Agreement and the N'Djamena Agreement; (ii) to observe and monitor movement of armed groups and redeployment of forces in areas of UNMIS deployment by ground and aerial means in accordance with the Agreements; (iii) to investigate violations of the Agreements and to report violations to the Ceasefire Commission; as well as to cooperate and coordinate with the Ceasefire Commission, the Joint Commission and the Joint Humanitarian Facilitation and Monitoring Unit established pursuant to the Agreements; (iv) to maintain a presence in key areas, such as buffer zones established pursuant to the Darfur Peace Agreement, areas inside camps for internally displaced persons and demilitarized zones around and inside those camps, in order to

The Council also decided that the mandate of UNMIS should be (a) to facilitate and coordinate in close cooperation with relevant United Nations agencies, within its capabilities and in its areas of deployment, the voluntary return of refugees and internally displaced persons, and humanitarian assistance, inter alia, by helping to establish the necessary security conditions in Darfur; (b) to contribute towards international efforts to protect, promote and monitor human rights in Darfur, as well as to coordinate international efforts towards the protection of civilians with particular attention to vulnerable groups, including internally displaced persons, returning refugees, and women and children; (c) to assist the parties to the Agreements by providing humanitarian demining assistance, technical advice and coordination, as well as mine awareness programmes targeted at all sectors of society; and (d) to assist in addressing

promote the re-establishment of confidence, to discourage violence, in particular by deterring use of force; (v) to monitor transborder activities of armed groups along the Sudanese borders with Chad and the Central African Republic, in particular through regular ground and aerial reconnaissance activities; (vi) to assist with development and implementation of a comprehensive and sustainable programme for disarmament, demobilization and reintegration of former combatants and women and children associated with combatants; (vii) to assist the parties in the preparations for and conduct of referendums provided for in the Darfur Peace Agreement; (viii) to assist the parties to the Agreements in promoting understanding of the peace accord and of the role of UNMIS; (ix) to cooperate closely with the Chairperson of the Darfur-Darfur Dialogue and Consultation, provide support and technical assistance to him, and coordinate the activities of other United Nations agencies to this effect, as well as to assist the parties to the Dialogue and Consultation in addressing the need for an all-inclusive approach, including the role of women, towards reconciliation and peacebuilding; (x) to assist the parties to the Darfur Peace Agreement in restructuring the police service in the Sudan; (xi) to assist the parties to the Darfur Peace Agreement in promoting the rule of law and the protection of human rights of all people of the Sudan through a comprehensive and coordinated strategy with the aim of combating impunity and contributing to long-term peace and stability and to assist the parties to the Agreement to develop and consolidate the national legal framework; and (xii) to ensure an adequate human rights and gender presence, capacity and expertise within UNMIS to carry out human rights promotion, civilian protection and monitoring activities that included particular attention to the needs of women and children.

regional security issues in close liaison with international efforts to improve the security situation in the neighbouring regions along the borders between the Sudan and Chad and between the Sudan and the Central African Republic, including through the establishment of a multidimensional presence consisting of political, humanitarian, military and civilian police liaison officers in key locations in Chad, including in internally displaced and refugee camps, and, if necessary, in the Central African Republic, and to contribute to the implementation of the agreement between the Sudan and Chad<sup>495</sup> signed on 26 July 2006.<sup>496</sup> Finally, acting under Chapter VII of the Charter, the Council also decided that UNMIS was authorized to use all necessary means, in the areas of deployment of its forces and as it deemed within its capabilities (a) to protect United Nations personnel, facilities, installations and equipment, to ensure the security and freedom of movement of United Nations personnel, humanitarian workers, Assessment and Evaluation Commission personnel, to prevent disruption of the implementation of the Darfur Peace Agreement by armed groups, without prejudice to the responsibility of the Government of the Sudan, to protect civilians under threat of physical violence; (b) in order to support early and effective implementation of the Darfur Peace Agreement, to prevent attacks and threats against civilians; (c) to seize or collect, as appropriate, arms or related materiel whose presence in Darfur was in violation of the Agreements and the measures imposed by paragraphs 7 and 8 of resolution 1556 (2004), and to dispose of such arms and related materiel as appropriate.<sup>497</sup>

By the same resolution, the Council decided that upon expiration of the mandate of the African Union Mission in the Sudan, but in any event no later than 30 December 2006, UNMIS should take over its responsibility for supporting the implementation of the Darfur Peace Agreement.<sup>498</sup> The Council also decided to authorize the strength of UNMIS by up to 17,300 military personnel, an appropriate civilian component including up to 3,300 civilian police personnel and 61 formed police units.<sup>499</sup>

<sup>495</sup> S/2006/637, annex II.

<sup>496</sup> Resolution 1706 (2006), para. 9.

<sup>497</sup> *Ibid.*, para. 12.

<sup>498</sup> *Ibid.*, para. 5.

<sup>499</sup> *Ibid.*, para. 3.

By resolution 1769 (2007) of 31 July 2007, the Council, in establishing an African Union-United Nations Hybrid Operation in Darfur, decided that the authorized strength of UNMIS should revert to that specified in resolution 1590 (2005) upon the transfer of authority from the African Union Mission in the Sudan to the African Union-United Nations Hybrid Operation in Darfur.<sup>500</sup>

## 17. African Union-United Nations Hybrid Operation in Darfur

### Establishment, mandate and composition

Pursuant to the joint report, issued on 5 June 2007, of the Secretary-General and the Chairperson of the African Union Commission,<sup>501</sup> the Council, by its resolution 1769 (2007) of 31 July 2007, decided to authorize the establishment of the African Union-United Nations Hybrid Operation in Darfur (UNAMID) for an initial period of 12 months in support of the early and effective implementation of the Darfur Peace Agreement and the outcome of the ongoing negotiations between the Government of the Sudan and other parties.<sup>502</sup>

As set out in the report of the Secretary-General and the Chairperson of the African Union,<sup>503</sup> the Council decided<sup>504</sup> that the mandate of UNAMID would be (a) to contribute to the restoration of necessary security conditions for the safe provision of humanitarian assistance and to facilitate full humanitarian access throughout Darfur; (b) to contribute to the protection of civilian populations under imminent threat of physical violence and prevent attacks against civilians, within its capability and areas of deployment, without prejudice to the responsibility of the Government of the Sudan; (c) to monitor, observe compliance with and verify the implementation of various ceasefire agreements signed since 2004, as well as to assist with the implementation of the Darfur Peace Agreement and any subsequent agreements; (d) to assist the political process in order to ensure that it was inclusive, and to support the African Union-United Nations joint mediation in its efforts to broaden and deepen commitment to the peace process; (e) to

contribute to a secure environment for economic reconstruction and development, as well as the sustainable return of internally displaced persons and refugees to their homes; (f) to contribute to the promotion of respect for and protection of human rights and fundamental freedoms in Darfur; (g) to assist in the promotion of the rule of law in Darfur, including through support for strengthening an independent judiciary and the prison system, and assistance in the development and consolidation of the legal framework, in consultation with relevant Sudanese authorities; and (h) to monitor and report on the security situation at the Sudan's borders with Chad and the Central African Republic. In order to achieve these broad goals, the operation's tasks would include (a) support for the peace process and good offices;<sup>505</sup> (b) security;<sup>506</sup> (c) rule of

<sup>505</sup> The specific tasks were (i) to support the good offices of the African Union-United Nations Joint Special Representative for Darfur and the mediation efforts of the Special Envoys of the African Union and the United Nations; (ii) to support and monitor the implementation of the Darfur Peace Agreement and subsequent agreements; (iii) to participate in and support the major bodies established by the Darfur Peace Agreement and any subsequent agreements in the implementation of their mandate; (iv) to facilitate the preparation and conduct of the Darfur-Darfur Dialogue and Consultation, as stipulated in the Darfur Peace Agreement; (v) to assist in the preparations for the conduct of the referendums provided for in the Darfur Peace Agreement; (vi) to ensure the complementary implementation of all peace agreements in the Sudan, particularly with regard to the national provisions of those agreements, and compliance with the Interim National Constitution; and (vii) to liaise with UNMIS, the African Union Liaison Office for the implementation of the Comprehensive Peace Agreement and other stakeholders to ensure complementary implementation of the mandates of UNMIS, the African Union Liaison Office and the hybrid operation in Darfur.

<sup>506</sup> The specific tasks were (i) to promote the re-establishment of confidence, deter violence and assist in monitoring and verifying the implementation of the redeployment and disengagement provisions of the Darfur Peace Agreement; (ii) to monitor, investigate, report and assist the parties in resolving violations of the Darfur Peace Agreement and subsequent complementary agreements through the Ceasefire Commission and the Joint Commission; (iii) to monitor, verify and promote efforts to disarm the Janjaweed and other militias; (iv) to coordinate non-combat logistical support for the movements; (v) to assist in the establishment of the disarmament, demobilization and reintegration programme; (vi) to contribute to the creation of the necessary security conditions for the provision of humanitarian assistance and

<sup>500</sup> Resolution 1769 (2007), para. 12.

<sup>501</sup> S/2007/307/Rev.1.

<sup>502</sup> Resolution 1769 (2007), para. 1.

<sup>503</sup> S/2007/307/Rev.1, paras. 54 and 55.

<sup>504</sup> Resolution 1769 (2007), para. 1.

law, governance, and human rights;<sup>507</sup> and (d) humanitarian assistance.<sup>508</sup> The Council decided further that UNAMID should monitor whether any arms or related material were present in Darfur in violation of the Agreements and the measures imposed by

to facilitate the voluntary and sustainable return of refugees and internally displaced persons to their homes; (vii) in the areas of deployment of its forces and within its capabilities, to protect the hybrid operation's personnel, facilities, installations and equipment, to ensure the security and freedom of movement of United Nations-African Union personnel, humanitarian workers and Assessment and Evaluation Commission personnel, to prevent disruption of the implementation of the Darfur Peace Agreement by armed groups and protect civilians under imminent threat of physical violence and prevent attacks and threats against civilians; (viii) to monitor through proactive patrolling the parties' policing activities in camps for internally displaced persons, demilitarized and buffer zones and areas of control; (ix) to support the establishment and training of community police in camps for internally displaced persons, to support capacity-building of the Government of the Sudan police in Darfur and to support the institutional development of the police of the movements; (x) to support the efforts of the Government of the Sudan and of the police of the movements to maintain public order and build the capacity of Sudanese law enforcement in this regard through specialized training and joint operations; and (xi) to provide technical mine-action advice and coordination and demining capacity to support the Darfur Peace Agreement.

<sup>507</sup> The specific tasks were (i) to assist in the implementation of the provisions of the Darfur Peace Agreement and any subsequent agreements relating to human rights and the rule of law and to contribute to the creation of an environment conducive to respect for human rights and the rule of law; (ii) to assist all stakeholders and local government authorities, in particular in their efforts to transfer resources in an equitable manner from the federal Government to the Darfur states, and to implement reconstruction plans and existing and subsequent agreements on land use and compensation issues; (iii) to support the parties to the Darfur Peace Agreement in restructuring and building the capacity of the police service in Darfur; (iv) to assist in promoting the rule of law; (v) to ensure an adequate human rights and gender presence capacity, and expertise in Darfur in order to contribute to efforts to protect and promote human rights in Darfur, with particular attention to vulnerable groups; (vi) to assist in harnessing the capacity of women to participate in the peace process; and (vii) to support the implementation of provisions included in the Darfur Peace Agreement and any subsequent agreements relating to upholding the rights of children.

<sup>508</sup> The specific task was to facilitate the effective provision of humanitarian assistance and full access to people in need.

paragraphs 7 and 8 of resolution 1556 (2004).<sup>509</sup> Acting under Chapter VII of the Charter, the Council decided that UNAMID was authorized to take the necessary action, in the areas of deployment of its forces and as it deemed within its capabilities (i) to protect its personnel, facilities, installations and equipment, and to ensure the security and freedom of movement of its own personnel and humanitarian workers; and (ii) to support early and effective implementation of the Darfur Peace Agreement, prevent the disruption of its implementation and armed attacks, and protect civilians, without prejudice to the responsibility of the Government of the Sudan.<sup>510</sup>

Pursuant to resolution 1769 (2007), UNAMID, incorporating personnel of the African Union Mission in the Sudan (AMIS) and the United Nations heavy and light support packages to the Mission, consisted of up to 19,555 military personnel, including 360 military observers and liaison officers, and an appropriate civilian component up to 3,772 police personnel and 19 formed police units comprising up to 140 personnel each.<sup>511</sup> The Council decided that, no later than October 2007, UNAMID should (a) establish an initial operational capability for the headquarters, including the necessary management and command and control structures, through which operational directives would be implemented; (b) as of October 2007, complete preparations to assume operational command authority over the light support package, personnel deployed to AMIS, and such heavy support package and hybrid personnel as might be deployed by that date, in order to perform such tasks under its mandate; and (c) no later than 31 December 2007, would assume authority from AMIS with a view to achieving full operational capability and force strength as soon as possible thereafter. The Council also decided that there would be unity of command and control which, in accordance with basic principles of peacekeeping, meant a single chain of command, and that command and control structures and backstopping would be provided by the United Nations.<sup>512</sup> By the same resolution, the Council further welcomed the appointment of the African Union-United Nations Joint Special Representative for Darfur and a Force Commander.<sup>513</sup>

<sup>509</sup> Resolution 1769 (2007), para. 9.

<sup>510</sup> *Ibid.*, para. 15.

<sup>511</sup> *Ibid.*, para. 2.

<sup>512</sup> *Ibid.*, paras. 5 and 7.

<sup>513</sup> *Ibid.*, para. 3.

## 18. United Nations Mission in the Central African Republic and Chad

### Establishment, mandate and composition

On the basis of the recommendations of the Secretary-General,<sup>514</sup> and in consultation with the authorities of Chad and the Central African Republic,<sup>515</sup> on 25 September 2007, the Council, by resolution 1778 (2007), approved the establishment of a multidimensional presence,<sup>516</sup> intended to help create the security conditions conducive to a voluntary, secure and sustainable return of refugees and displaced persons, inter alia, by contributing to the protection of refugees, displaced persons and civilians in danger, by facilitating the provision of humanitarian assistance in eastern Chad and the north-eastern Central African Republic and by creating favourable conditions for the reconstruction and economic and social development of those areas. The Council decided that the multidimensional presence would include a United Nations Mission in the Central African Republic and Chad (MINURCAT), for a period of one year.<sup>517</sup>

The mandate of MINURCAT was in the following areas with specific tasks: (a) security and protection of civilians;<sup>518</sup> and (b) human rights and the rule of law.<sup>519</sup>

<sup>514</sup> See S/2007/488.

<sup>515</sup> See letters dated 11 September 2007 (S/2007/540 and S/2007/551, respectively).

<sup>516</sup> The multidimensional presence also included a European Union operation, which was authorized, under Chapter VII of the Charter, to take all necessary measures to, inter alia, protect United Nations personnel, facilities, installations and equipment and protect the security and freedom of movement of its staff and United Nations and associated personnel. For more information, see chap. XI, part IV, sect. A and chap. XII, part III.

<sup>517</sup> Resolution 1778 (2007), paras. 1 and 2.

<sup>518</sup> *Ibid.*, para. 2. The specific tasks were (i) to select, train, advise and facilitate support to elements of the Police tchadienne pour la protection humanitaire; (ii) to liaise with the national army, the gendarmerie and police forces, the nomad national guard, the judicial authorities and prison officials in Chad and the Central African Republic to contribute to the creation of a more secure environment; (iii) to liaise with the Government of Chad and the Office of the United Nations High Commissioner for Refugees (UNHCR) in support of their efforts to relocate refugee camps which were in close proximity to the border, and to provide to UNHCR logistical assistance for that purpose; and (iv) to liaise closely with the Government of the

In accordance with resolution 1778 (2007), MINURCAT included a maximum of 300 police and 50 military liaison officers and an appropriate number of civilian personnel.<sup>520</sup>

## Americas

### 19. United Nations Stabilization Mission in Haiti

#### Establishment, mandate and composition

On the basis of the recommendation of the Secretary-General,<sup>521</sup> on 30 April 2004, the Security Council, by resolution 1542 (2004), established the United Nations Stabilization Mission in Haiti (MINUSTAH) for an initial period of six months and requested that authority be transferred from the Multinational Interim Force which had been authorized by resolution 1529 (2004) of 29 February 2004 to MINUSTAH on 1 June 2004.<sup>522</sup>

Pursuant to resolution 1542 (2004), MINUSTAH had a mandate to secure a secure and stable environment under Chapter VII of the Charter.<sup>523</sup> In

Sudan, the African Union, AMIS, UNAMID, BONUCA, the Multinational Force of the Central African Economic and Monetary Community and the Community of Sahelo-Saharan States to exchange information on threats to humanitarian activities in the region.

<sup>519</sup> Resolution 1778 (2007), para. 2. The specific tasks were (i) to contribute to the monitoring and to the promotion and protection of human rights, with particular attention to sexual and gender-based violence, and recommend action to the competent authorities, with a view to fighting impunity; (ii) to support, within its capabilities, efforts aimed at strengthening the capacity of the Governments of Chad and the Central African Republic and civil society through training in international human rights standards, and efforts to put an end to recruitment and use of children by armed groups; and (iii) to assist the Governments of Chad and, notwithstanding the mandate of BONUCA, the Central African Republic in the promotion of the rule of law, including through support for an independent judiciary and a strengthened legal system, in close coordination with United Nations agencies.

<sup>520</sup> Resolution 1778 (2007), para. 3.

<sup>521</sup> S/2004/300.

<sup>522</sup> Resolution 1542 (2004), para. 1.

<sup>523</sup> The specific tasks were (i) in support of the Transitional Government, to ensure a secure and stable environment within which the constitutional and political process in Haiti can take place; (ii) to assist the Transitional Government in monitoring, restructuring and reforming

addition, MINUSTAH had other mandates,<sup>524</sup> not under Chapter VII of the Charter, relating to the political process<sup>525</sup> and human rights.<sup>526</sup>

The Council also decided that MINUSTAH, in collaboration with other partners, should provide advice and assistance within its capacity to the Transitional Government: (a) in the investigation of human rights violations and violations of international humanitarian law to put an end to impunity, as well as (b) in the development of a strategy for reform and institutional strengthening of the judiciary.<sup>527</sup> The Council further decided that the Mission should coordinate and cooperate with the Transitional Government, as well as with their international partners, in order to facilitate the provision and

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the Haitian National Police, advising on its reorganization and training, including gender training, as well as monitoring/mentoring members of the Haitian National Police; (iii) to assist the Transitional Government, particularly the Haitian National Police, with comprehensive and sustainable disarmament, demobilization and reintegration programmes for all armed groups, as well as weapons control and public security measures; (iv) to assist with the restoration and maintenance of the rule of law, public safety and public order in Haiti, as well as their institutional strengthening; (v) to protect United Nations personnel, facilities, installations and equipment and to ensure the security and freedom of movement of its personnel; and (vi) to protect civilians under imminent threat of physical violence, within its capabilities and areas of deployment.

<sup>524</sup> Resolution 1542 (2004), para. 7.

<sup>525</sup> The specific tasks were (i) to support the constitutional and political process under way in Haiti and to foster principles of democratic governance and institutional development; (ii) to assist the Transitional Government in its efforts to bring about a process of national dialogue and reconciliation; (iii) to assist the Transitional Government in its efforts to organize, monitor, and carry out free and fair municipal, parliamentary and presidential elections at the earliest possible date; and (iv) to assist the Transitional Government in extending State authority throughout Haiti and support good governance at local levels.

<sup>526</sup> The specific tasks were (i) to support the Transitional Government, as well as Haitian human rights institutions and groups in their efforts to promote and protect human rights in order to ensure individual accountability for human rights abuses and redress for victims; and (ii) to monitor and report on the human rights situation, in cooperation with the Office of the United Nations High Commissioner for Human Rights.

<sup>527</sup> Resolution 1542 (2004), para. 8.

coordination of humanitarian assistance and access of humanitarian workers to Haitian people in need.<sup>528</sup>

Pursuant to resolution 1542 (2004), MINUSTAH consisted of a civilian and a military component in accordance with the Secretary-General's report,<sup>529</sup> the civilian component included a maximum of 1,622 civilian police, including advisers and formed units and the military component included up to 6,700 troops of all ranks.<sup>530</sup> Through exchanges of letters between the Secretary-General and the President of the Council, the Council appointed a Force Commander and the Special Representative of the Secretary-General and Head of MINUSTAH.<sup>531</sup>

### Mandate implementation

During the period under review, the Council, acting under Chapter VII of the Charter, as described in paragraph 7, section I, of resolution 1542 (2004), extended the mandate of MINUSTAH by a series of resolutions,<sup>532</sup> on the basis of the recommendations of the Secretary-General, for periods of up to a year, the last until 15 October 2008.<sup>533</sup>

By resolution 1576 (2004) of 29 November 2004, the Council endorsed the Secretary-General's recommendations on the structure of MINUSTAH,<sup>534</sup> which included adding, for an interim period, an additional formed police unit of 125 officers in Port-au-Prince, to provide enhanced operational support to the Haitian National Police and to strengthen security arrangements in the capital and adding one engineering company to the military component, both within the authorized strength of 1,622 officers, as well as augmenting the capacity of MINUSTAH to implement disarmament, demobilization and reintegration projects; and a modest strengthening of the humanitarian and development coordination pillar of MINUSTAH.<sup>535</sup>

<sup>528</sup> *Ibid.*, para. 9.

<sup>529</sup> S/2004/300.

<sup>530</sup> Resolution 1542 (2004), para. 4.

<sup>531</sup> S/2004/439 and S/2004/440; S/2004/565 and S/2004/566, respectively.

<sup>532</sup> Resolutions 1576 (2004), para. 1; 1601 (2005), para. 1; 1608 (2005), para. 1; 1658 (2006), para. 1; 1702 (2006), para. 1; 1743 (2007), para. 1; and 1780 (2007), para. 1.

<sup>533</sup> S/2004/908, S/2005/313, S/2006/60, S/2006/592, S/2006/1003 and S/2007/503.

<sup>534</sup> S/2004/908, paras. 52-57.

<sup>535</sup> Resolution 1576 (2004), para. 3.

On 22 June 2005, by resolution 1608 (2005), the Council supported the recommendations of the Secretary-General<sup>536</sup> for (a) a temporary increase, during the electoral period and subsequent political transition, of 750 personnel to the currently authorized military strength in order to create a rapid reaction force in Haiti to provide increased security; (b) an increase of 50 military personnel in order to create a sector headquarters in Port-au-Prince; and (c) a temporary increase of 275 personnel to the strength of the Mission's civilian police component during the electoral period. The Council further decided that, for a temporary period, MINUSTAH would consist of a military component of up to 7,500 troops of all ranks and up to 1,897 civilian police. The Council also requested that MINUSTAH concentrate the use of its resources, including civilian police, towards increasing security and protection during the electoral period including a review, as appropriate, of the rules of engagement of the individual civilian police officers; and that MINUSTAH and the Haitian authorities take all necessary steps to achieve optimal coordination between the Mission's civilian police and the Haitian National Police; and that the Mission strengthen its capacity to implement quick-impact projects.<sup>537</sup>

By resolution 1702 (2006) of 15 August 2007, welcoming the successful and peaceful political transition to an elected Government, as well as the election of a new President and Parliament, the Council decided that MINUSTAH should consist of a military component of 7,200 troops of all ranks and a police component of up to 1,951 officers, and authorized the deployment of 16 correction officers seconded from Member States in support of the Government of Haiti to address the shortcomings of the prison system. It also requested MINUSTAH to reorient its disarmament, demobilization and reintegration efforts, to further that goal, towards a comprehensive community violence reduction programme adapted to local conditions. It further decided that MINUSTAH, consistent with its existing mandate under resolution 1542 (2004) would assist with the restructuring and maintenance of the rule of law, public safety and public order should, provide assistance and advice to the Haitian authorities, in monitoring, restructuring, reforming and strengthening of the justice sector.

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<sup>536</sup> S/2005/313, paras 44-52.

<sup>537</sup> Resolution 1608 (2005), paras. 2, 3, 6, 7 and 14.

By resolution 1780 (2007) of 15 October 2007, the Council endorsed the proposals of the Secretary-General for reconfiguring the Mission,<sup>538</sup> and decided that MINUSTAH would consist of a military component of up to 7,060 troops of all ranks and a police component of a total of 2,091 police. The Council also requested MINUSTAH to provide technical expertise in support of the efforts of the Government of Haiti to pursue a comprehensive border management approach, with emphasis on State capacity-building. The Council also requested MINUSTAH to continue to promote and protect the rights of women and children as set out in Security Council resolutions 1325 (2000) and 1612 (2005).<sup>539</sup>

## Asia

### 20. United Nations Military Observer Group in India and Pakistan

During the period under review, the United Nations Military Observer Group in India and Pakistan (UNMOGIP), established pursuant to resolution 47 (1949), continued to monitor the ceasefire between India and Pakistan in the State of Jammu and Kashmir on the basis of resolution 91 (1951).<sup>540</sup>

### 21. United Nations Tajikistan Office of Peacebuilding

At the beginning of the period under review, the United Nations Tajikistan Office of Peacebuilding (UNTOP), established by the Secretary-General on 1 June 2000, continued to provide the political framework and leadership for the peacebuilding activities of the United Nations system in Tajikistan and to work to create and strengthen the political conditions for the irreversibility of the peace process. Accordingly, UNTOP continued to encourage the continuation of national dialogue and reconciliation, facilitate the strengthening of democratic institutions and conflict-prevention mechanisms, promote the rule

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<sup>538</sup> S/2007/503, paras. 28 and 29.

<sup>539</sup> Resolution 1780 (2007), paras. 2 and 10.

<sup>540</sup> Since 1971, the Council has not formally discussed the United Nations Military Observer Group in India and Pakistan, which is funded from the regular United Nations budget without the requirement of a periodic renewal procedure.

of law and contribute to building national capacity in the area of human rights.

### Termination of mandate

During the period under review, UNTOP was renewed three times for a period of one year, the final period ending on 1 June 2007, through exchanges of letters between the Secretary-General and the President of the Security Council.<sup>541</sup> At the end of its mandate on 1 June 2007, the Office was terminated.<sup>542</sup>

## 22. United Nations Assistance Mission in Afghanistan

At the beginning of the period under review, the United Nations Assistance Mission in Afghanistan (UNAMA), established pursuant to resolution 1401 (2002), continued to promote peace and stability in Afghanistan by leading efforts of the international community in conjunction with the Government of Afghanistan in rebuilding the country and strengthening the foundations of peace and constitutional democracy.

### Mandate implementation

During the period under review, the Council, by a series of resolutions,<sup>543</sup> decided to extend the mandate of UNAMA four times on the basis of the reports of the Secretary-General<sup>544</sup> for further periods of 12 months, the last of which ended on 23 March 2008.

By resolution 1536 (2004) of 26 March 2004, the Council requested UNAMA, with the support of the Office of the United Nations High Commissioner for Human Rights, to continue to assist the Afghan Independent Human Rights Commission in the full implementation of the human rights provisions of the new Afghan Constitution, in particular those regarding the full enjoyment by women of their human rights.<sup>545</sup> It also requested UNAMA to support the establishment

of a fair and transparent judicial system, and work towards the strengthening of the rule of law.<sup>546</sup>

Subsequent to the launching of the Afghanistan Compact<sup>547</sup> on 31 January 2006, by resolution 1662 (2006) of 23 March 2006, the Council endorsed the recommendations of the Secretary-General<sup>548</sup> that the mandate of UNAMA be (a) to provide political and strategic advice for the peace process, including strengthening the emerging democratic institutions of the State; (b) to provide good offices, as appropriate; (c) to assist the Government of Afghanistan in the coordination and monitoring of the implementation of the Afghanistan Compact, and co-chair the Joint Coordination and Monitoring Board; (d) to continue to promote human rights through an independent role in monitoring human rights violations and capacity-building of national institutions, in close collaboration with the Office of the United Nations High Commissioner for Human Rights; (e) to continue to provide technical assistance in sectors where the United Nations had a demonstrated comparative advantage and expertise in Afghanistan, including in the disbandment of illegal armed groups and support to the Independent Electoral Commission; and (f) to continue to manage all United Nations humanitarian relief, recovery, reconstruction and development activities in Afghanistan, under the overall authority of the Special Representative and in coordination with the Government of Afghanistan. Regarding the structure and composition of UNAMA, the Mission would retain its previous structure with a few modifications to scope and size. The Mission would continue to be headed by a Special Representative of the Secretary-General, whose Office would remain to be supported by two pillars of (a) political affairs and (b) relief, recovery and development, but with some increase in international and national officers at UNAMA headquarters. UNAMA would maintain its current presence of eight regional offices and two subregional offices, and extend the reach of the regional offices, security circumstances permitting, by establishing an additional presence in other provincial capitals, according to their strategic importance.<sup>549</sup>

<sup>541</sup> S/2004/331 and S/2004/33; S/2005/323 and S/2005/324; S/2006/355 and S/2006/356.

<sup>542</sup> See also the United Nations Regional Centre for Preventive Diplomacy, under "Regional offices" below.

<sup>543</sup> Resolutions 1536 (2004), para. 1; 1589 (2005), para. 2; 1662 (2006), para. 3; and 1746 (2007), para. 3.

<sup>544</sup> S/2004/230, S/2005/183, S/2006/145 and S/2007/152.

<sup>545</sup> Resolution 1536 (2004), para. 10. Similar requests were made in resolutions 1589 (2005), para. 10; 1662 (2006), para. 12; and 1746 (2007), para. 18.

<sup>546</sup> Resolution 1536 (2004), para. 10. A similar request was made in resolution 1589 (2005), para. 9.

<sup>547</sup> S/2006/90, annex.

<sup>548</sup> S/2006/145, paras. 52-62.

<sup>549</sup> Resolution 1662 (2006), para. 3.

By resolution 1746 (2007) of 23 March 2007, the Council stressed the role of UNAMA to promote a more coherent international engagement in support of Afghanistan, to extend its good offices through outreach in Afghanistan, to support regional cooperation in the context of the Afghanistan Compact, to promote humanitarian coordination and to continue to contribute to human rights protection and promotion, including monitoring of the situation of civilians in armed conflict. It also welcomed the expanded presence of UNAMA in the provinces, through regional and provincial offices, which supported efforts at the central level to coordinate and monitor the implementation of the Afghanistan Compact and assist the efforts of the Government of Afghanistan and its international partners in improving the delivery of services to Afghan citizens throughout the country and encouraged further progress in this regard, including in the southern and eastern provinces, security circumstances permitting.<sup>550</sup>

### **23. United Nations Mission of Support in East Timor**

During the period under review, the United Nations Mission of Support in East Timor (UNMISSET), established pursuant to resolution 1410 (2002), continued (a) to provide assistance to core administrative structures critical to the viability and political stability of East Timor; (b) to provide interim law enforcement and public security and assist in the development of a new law enforcement agency in East Timor, the East Timor Police Service; and (c) to contribute to the maintenance of the external and internal security of East Timor.

#### **Mandate implementation**

At the beginning of the period under review, the Council, welcoming the recommendations of the Secretary-General,<sup>551</sup> extended the mandate of UNMISSET twice, by resolutions 1543 (2004) and 1573 (2004), for periods of six months until 20 May 2005.<sup>552</sup>

By resolution 1543 (2004) of 14 May 2004, the Council decided to reduce the size of UNMISSET and revise its tasks, in accordance with the

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<sup>550</sup> Resolution 1746 (2007), paras. 4 and 5.

<sup>551</sup> S/2004/117, S/2004/333 and S/2004/888.

<sup>552</sup> Resolutions 1543 (2004), para. 1, and 1573 (2004), para. 1.

recommendations of the Secretary-General,<sup>553</sup> and decided accordingly that UNMISSET should have the following mandate: (a) support for the public administration and justice system of Timor-Leste and for justice in the area of serious crimes; (b) support to the development of law enforcement in Timor-Leste; and (c) support for the security and stability of Timor-Leste. The Council also decided that UNMISSET should include up to 58 civilian advisers, 157 civilian police advisers, 42 military liaison officers, 310 formed troops and a 125-person International Response Unit. The Council further decided that internationally accepted human rights principles should continue to form an integral part of training and capacity-building carried out by UNMISSET.<sup>554</sup>

#### **Termination/transition to a new mission**

By resolution 1573 (2004) of 16 November 2004, the Council requested UNMISSET to focus increasingly on implementing its exit strategy, particularly with a view to ensuring increasing involvement and ownership of the Timorese in the mission's three programme areas of the Mission, so that, when it departed from Timor-Leste, its responsibilities could be taken over by the Timorese, with the continued assistance of the United Nations system and bilateral and multilateral partners.<sup>555</sup>

By resolution 1599 (2005) of 28 April 2005, the Council commended UNMISSET and welcomed the continuing progress made towards the completion of key tasks inscribed in its mandate, particularly during its consolidation phase, in accordance with resolutions 1543 (2004) and 1573 (2004), while deciding to establish a follow-on special political mission in Timor-Leste, the United Nations Office in Timor-Leste.<sup>556</sup> The mandate of UNMISSET was terminated on 20 May 2005.

### **24. United Nations Office in Timor-Leste**

#### **Establishment, mandate and composition**

On the basis of the recommendations of the Secretary-General and the Government of Timor-

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<sup>553</sup> S/2004/333, section II.

<sup>554</sup> Resolution 1543 (2004), paras. 2-4.

<sup>555</sup> Resolution 1573 (2004), para. 3.

<sup>556</sup> Resolution 1599 (2005), fourth preambular paragraph and para. 1.

Leste,<sup>557</sup> on 28 April 2005, the Council, by resolution 1599 (2005), established the United Nations Office in Timor-Leste (UNOTIL) as a follow-on special political mission to UNMISSET for a period of one year, until 20 May 2006.

Pursuant to resolution 1599 (2005), UNOTIL was mandated (a) to support the development of critical State institutions through provision of up to 45 civilian advisers; (b) to support further development of the police through provision of up to 40 police advisers, and support the development of the Border Patrol Unit, through provision of up to 35 additional advisers, 15 of whom might be military advisers; (c) to provide training in observance of democratic governance and human rights through provision of up to 10 human rights officers; and (d) to monitor and review progress of the above tasks.<sup>558</sup> The Council also requested that, when implementing its mandate, UNOTIL emphasize proper transfer of skills and knowledge in order to build the capacity of the public institutions of Timor-Leste to deliver their services in accordance with international principles of rule of law, justice, human rights, democratic governance, transparency, accountability and professionalism.<sup>559</sup> UNOTIL was to be led by a Special Representative of the Secretary-General, who would direct the operations of the mission and coordinate all United Nations activities in Timor-Leste through his office, with due attention to the safety of personnel, and facilitated by appropriate levels of logistics support, including transportation assets, such as air transport when necessary.<sup>560</sup> Subsequently the Special Representative was appointed through an exchange of letters between the Secretary-General and the President of the Council.<sup>561</sup>

### **Mandate implementation**

During the period under review, the Council, by a series of resolutions, and on the basis of requests of the Government of Timor-Leste,<sup>562</sup> extended the mandate of UNOTIL for periods of up to two months, the last until 25 August 2006, with a view of planning for the

role of the United Nations following the expiration of the mandate of UNOTIL.<sup>563</sup>

### **Termination/transition to new mission**

At the end of the mandate of UNOTIL on 25 August 2006, the Council, by resolution 1704 (2006) of that date, commended UNOTIL while establishing a follow-on mission, the United Nations Integrated Mission in Timor-Leste.<sup>564</sup>

## **25. United Nations Integrated Mission in Timor-Leste**

### **Establishment, mandate and composition**

On the basis of the recommendations of the Secretary-General<sup>565</sup> and the requests by the Government of Timor-Leste,<sup>566</sup> the Council, by resolution 1704 (2006) of 25 August 2006, decided to establish the United Nations Integrated Mission in Timor-Leste (UNMIT), for an initial period of six months with the intention to renew for further periods.<sup>567</sup>

Pursuant to resolution 1704 (2006), the mandate of UNMIT was (a) to support the Government of Timor-Leste and relevant institutions with a view to consolidating stability, enhancing a culture of democratic governance and facilitating political dialogue among Timorese stakeholders in their efforts to bring about a process of national reconciliation and to foster social cohesion; (b) to support Timor-Leste in all aspects of the 2007 presidential and parliamentary electoral process; (c) to ensure, through the presence of United Nations police, the restoration and maintenance of public security in Timor-Leste through the provision of support to the Timorese national police as outlined in the report of the Secretary-General;<sup>568</sup> (d) to support the Government to liaise on security tasks and to establish a continuous presence in three border districts alongside armed United Nations police officers assigned to district police stations, through the

<sup>557</sup> S/2005/99 and S/2005/103.

<sup>558</sup> Resolution 1599 (2005), para. 2.

<sup>559</sup> *Ibid.*, para. 3.

<sup>560</sup> *Ibid.*, para. 4.

<sup>561</sup> S/2005/356 and S/2005/357.

<sup>562</sup> S/2006/383, annex; S/2006/620, annex; and S/2006/651, annex.

<sup>563</sup> Resolutions 1677 (2006), para. 1; 1690 (2006), para. 1; and 1703 (2006), para. 1.

<sup>564</sup> Resolution 1704 (2006), tenth preambular paragraph and para. 1.

<sup>565</sup> S/2006/251 and S/2006/628.

<sup>566</sup> S/2006/620, annex; S/2006/651, annex; and S/2006/668, annex.

<sup>567</sup> Resolution 1704 (2006), para. 1.

<sup>568</sup> S/2006/628.

impartial presence of United Nations military liaison officers; (e) to assist the Government in conducting a comprehensive review of the future role and needs of the security sector; (f) to assist in further building the capacity of State and Government institutions in areas where specialized expertise was required such as in the justice sector, and promote a “compact” between Timor-Leste and the international community for coordinating Government, United Nations and other multilateral and bilateral contributors to priority programmes; (g) to assist in further strengthening the national institutional and societal capacity and mechanisms for the monitoring, promoting and protecting human rights and for promoting justice and reconciliation and report on the human rights situation; (h) to facilitate the provision of relief and recovery assistance and access to the Timorese people in need; (i) to assist in the implementation of the relevant recommendations in the report of the Secretary-General on justice and reconciliation in Timor-Leste;<sup>569</sup> (j) to cooperate and coordinate with United Nations agencies, funds and programmes as well as all relevant partners in carrying out tasks mentioned above as relevant, with a view to making maximum use of existing and forthcoming bilateral and multilateral assistance to Timor-Leste in post-conflict peacebuilding and capacity-building and support the Government and relevant institutions in designing poverty reduction and economic growth policies and strategies to achieve the development plan of Timor-Leste; (k) to mainstream gender perspectives and those of children and youth throughout the policies, programmes and activities of the Mission, and support the development of a national strategy to promote gender equality and empowerment of women; (l) to provide objective and accurate information to the Timorese people, particularly regarding the forthcoming 2007 elections, while promoting an understanding of the of the mission, and assist in building local media capacity; (m) to ensure, within its capability and areas of deployment, and in coordination with the international security forces, the security and freedom of movement of United Nations and associated personnel, and protect United Nations personnel, facilities, installations and equipment and humanitarian assets associated with the operation; and

<sup>569</sup> S/2006/580.

(n) to monitor and review progress in all of the above tasks.<sup>570</sup>

Pursuant to resolution 1704 (2006), UNMIT consisted of an appropriate civilian component, including up to 1,608 police personnel, and an initial component of up to 34 military liaison and staff officers and was headed by a Special Representative of the Secretary-General, who would direct the operations of the Mission and coordinate all United Nations activities in Timor-Leste.<sup>571</sup> The Special Representative was appointed through an exchange of letters between the Secretary-General and the President of the Council.<sup>572</sup>

### **Mandate implementation**

By resolution 1745 (2007) of 22 February 2007, on the recommendation of the Secretary-General,<sup>573</sup> the Council extended the mandate of UNMIT until 26 February 2008.<sup>574</sup>

On the basis of the request of the Government of Timor-Leste<sup>575</sup> and the recommendations of the Secretary-General, the Council, by resolution 1745 (2007), decided to increase the authorized force strength of UNMIT by up to 140 police personnel in order to permit the deployment of an additional formed police unit to supplement the existing formed police unit, particularly during the pre- and post-electoral period.<sup>576</sup>

## **26. United Nations Observer Mission in Bougainville**

### **Establishment, mandate and composition**

The Secretary-General, by a letter dated 19 December 2003,<sup>577</sup> informed the Council that, in accordance with the request of the Government of Papua New Guinea supported by the Bougainville parties, he intended to establish the United Nations Observer Mission in Bougainville (UNOMB) for six months, as a follow-on from the United Nations Political Office in Bougainville (UNPOB) whose mandate would expire on 31 December 2003. The Observer Mission would finish

<sup>570</sup> Resolution 1704 (2006), para. 4.

<sup>571</sup> *Ibid.*, paras. 1 and 3.

<sup>572</sup> S/2006/923 and S/2006/924.

<sup>573</sup> S/2007/50.

<sup>574</sup> Resolution 1745 (2007), para. 1.

<sup>575</sup> S/2006/1022.

<sup>576</sup> Resolution 1745 (2007), para. 2.

<sup>577</sup> S/2003/1198.

the residual tasks of UNPOB and support the efforts of the parties in the transitional period leading to the elections. By a letter dated 23 December 2003,<sup>578</sup> the Council took note of that intention.

The mandate of UNOMB was (a) to chair the Peace Process Consultative Committee, which consulted with parties on the peace process in general, and make preparations for elections, in particular; (b) to report on the security and the subsequent destruction of the contained weapons; (c) to monitor the constitutional process leading to the adoption of the Bougainville Constitution; (d) to verify and certify substantial compliance by the parties in the handing-in of weapons and whether the level of security was conducive to the holding of elections, in accordance with the amended Constitution of Papua New Guinea, and, if requested by any of the parties, (e) to perform other good offices, as appropriate, or when requested to do so by the parties.<sup>579</sup>

UNOMB comprised a Head of Mission, one political adviser and two support staff.<sup>580</sup>

### **Mandate implementation**

During the period under review, the mandate of UNPOB was extended on two occasions through exchanges of letters between the Secretary-General and the President of the Security Council for further periods of six months, the last of which ended on 30 June 2005.<sup>581</sup>

### **Termination**

In a statement by the President of 15 June 2005, the Council noted with satisfaction that the performance of UNOMB had demonstrated that a small United Nations special political mission with a clearly defined mandate could make a critical contribution to a regional conflict resolution effort in an efficient and effective manner.<sup>582</sup> Upon the expiration of its mandate on 30 June 2005, the Mission was terminated.

## **27. United Nations Mission in Nepal**

<sup>578</sup> S/2003/1199.

<sup>579</sup> See S/2003/1198.

<sup>580</sup> *Ibid.*

<sup>581</sup> S/2004/526 and S/2004/527; S/2004/1015 and S/2004/1016.

<sup>582</sup> S/PRST/2005/23, fifth paragraph.

### **Establishment, mandate and composition**

By a presidential statement dated 1 December 2006,<sup>583</sup> the Council noted the request of the parties for United Nations assistance in implementing key aspects of the Comprehensive Peace Agreement signed on 21 November 2006 by the Government of Nepal and the Communist Party of Nepal (Maoist), in particular monitoring of arrangements relating to the management of arms and armed personnel of both sides and election monitoring, and expressed support for the intention of the Secretary-General to send a technical assessment mission to Nepal,<sup>584</sup> with a view to proposing a fully developed concept of United Nations operations, including a United Nations political mission to deliver the assistance requested, and to dispatch an advance deployment of up to 35 monitors and 25 electoral personnel.

On the basis of the recommendations of the Secretary-General,<sup>585</sup> the Council, by resolution 1740 (2007) of 23 January 2007, authorized the establishment of a United Nations political mission in Nepal, the United Nations Mission in Nepal (UNMIN) for a period of 12 months, until 23 January 2008.<sup>586</sup>

Pursuant to resolution 1740 (2007), the mandate of UNMIN was (a) to monitor the management of arms and armed personnel of both sides, in line with the provisions of the Comprehensive Peace Agreement; (b) to assist the parties, through a Joint Monitoring Coordinating Committee, in implementing their agreement on the management of arms and armed personnel of both sides; (c) to assist in the monitoring of the ceasefire arrangements; (d) to provide technical support for the planning, preparation and conduct of the election of a Constituent Assembly in a free and fair atmosphere; and (e) to provide a small team of electoral monitors to review all technical aspects of the electoral process, and report on the conduct of the election.<sup>587</sup>

In accordance with resolution 1740 (2007), the Mission would operate under the leadership of a Special Representative of the Secretary-General, with a planned staff of 1,073 personnel.<sup>588</sup> The Special

<sup>583</sup> S/PRST/2006/49.

<sup>584</sup> See S/2006/920.

<sup>585</sup> See S/2007/7.

<sup>586</sup> Resolution 1740 (2007), paras. 1 and 2.

<sup>587</sup> *Ibid.*, para. 1.

<sup>588</sup> See S/2007/442, para. 16.

Representative was appointed through an exchange of letters between the Secretary-General and the President of the Security Council.<sup>589</sup>

## Europe

### 28. United Nations Peacekeeping Force in Cyprus

At the beginning of the period under review, the United Nations Peacekeeping Force in Cyprus (UNFICYP), established pursuant to resolution 186 (1964), continued to fulfil its mandate to use its best efforts to prevent a recurrence of fighting and additional functions performed since a *de facto* ceasefire in August 1974 to supervise the ceasefire lines, provide humanitarian assistance and maintain the buffer zone.

#### Mandate implementation

On the basis of reports of the Secretary-General,<sup>590</sup> the Council on eight occasions successively extended the mandate of UNFICYP for further periods of six months, the last until 15 June 2008.<sup>591</sup>

Following the rejection of the proposed Comprehensive Settlement of the Cyprus Problem in the referenda of 24 April 2004,<sup>592</sup> by resolution 1568 (2004) of 22 October 2004, the Council endorsed the recommendations of the Secretary-General<sup>593</sup> for the amendment of the concept of operations and force level of UNFICYP, namely, that the military component should be reduced to 860 all ranks, including up to 40 military observers/liaison officers; and the number of civilian police should be increased, while remaining within the current authorized strength; in addition, the political and civil affairs component of the Mission should be strengthened.<sup>594</sup>

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<sup>589</sup> S/2007/61 and S/2007/62.

<sup>590</sup> S/2004/427, S/2004/756, S/2005/353, S/2005/743 and Corr.1, S/2006/315, S/2006/931, S/2007/328 and S/2007/699 and Corr.1.

<sup>591</sup> Resolutions 1548 (2004), para. 2; 1568 (2004), para. 3; 1604 (2005), para. 2; 1642 (2005), para. 2; 1687 (2006), para. 2; 1728 (2006), para. 3; 1758 (2007), para. 5; and 1789 (2007), para. 5.

<sup>592</sup> See S/2004/437.

<sup>593</sup> S/2004/756.

<sup>594</sup> Resolution 1568 (2004), para. 2.

### 29. United Nations Observer Mission in Georgia

During the period under review, the United Nations Observer Mission in Georgia (UNOMIG), established pursuant to resolution 858 (1993), continued to verify compliance with the Agreement on a Ceasefire and Separation of Forces, signed in Moscow on 14 May 1994,<sup>595</sup> and worked towards bringing the two sides together for meaningful negotiations on a comprehensive political settlement. On the basis of the recommendations of the Secretary-General,<sup>596</sup> the Council adopted nine resolutions extending the mandate of UNOMIG for further periods of up to six and a half months, the last until 15 April 2008.<sup>597</sup>

### 30. United Nations Interim Administration Mission in Kosovo

During the period under review, in accordance with resolution 1244 (1999), the United Nations Interim Administration Mission in Kosovo (UNMIK) continued, among other tasks, to promote the establishment of substantial autonomy and self-government in Kosovo, perform basic civilian administrative functions, organize and oversee the development of provisional institutions, transfer its administrative responsibilities, including the holding of elections, facilitate a political process designed to determine the future status of Kosovo, support the reconstruction of key infrastructure and other economic reconstruction, humanitarian and disaster relief aid and maintain civil law and order.

## Middle East

### 31. United Nations Truce Supervision Organization

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<sup>595</sup> S/1994/583 and Corr.1, annex I.

<sup>596</sup> S/2004/26, S/2004/570, S/2005/32, S/2005/453, S/2006/19, S/2006/173, S/2006/771, S/2007/182 and S/2007/588.

<sup>597</sup> Resolutions 1524 (2004), para. 29; 1554 (2004), para. 28; 1582 (2005), para. 31; 1615 (2005), para. 33; 1656 (2006), para. 1; 1666 (2006), para. 11; 1716 (2006), para. 17; 1752 (2007), para. 13; and 1781 (2007), para. 19.

During the period under review, the United Nations Truce Supervision Organization (UNTSO), established pursuant to resolution 50 (1948), continued to assist and cooperate with the United Nations Disengagement Observer Force in the Golan Heights and the United Nations Interim Force in Lebanon, in accordance with its terms of reference.<sup>598</sup>

### 32. United Nations Disengagement Observer Force

The United Nations Disengagement Observer Force (UNDOF), established pursuant to resolution 350 (1974), continued, during the period under review, to monitor the ceasefire between Israel and the Syrian Arab Republic and to supervise the disengagement of Israeli and Syrian Arab Republic forces and to supervise the areas of separation and limitation, as provided in the agreement on disengagement. On the basis of the Secretary-General's reports,<sup>599</sup> the Council decided, on eight occasions, to extend its mandate for further periods of six months, the last until 30 June 2008.<sup>600</sup>

### 33. United Nations Interim Force in Lebanon

At the beginning of the period under review, the United Nations Interim Force in Lebanon (UNIFIL), established pursuant to resolutions 425 (1978) and 426 (1978), continued to fulfil its mandate to confirm the withdrawal of Israeli forces, to restore international peace and security and assist the Government of Lebanon in restoring its effective authority in the area.

#### Mandate implementation

<sup>598</sup> Since the establishment of the United Nations Truce Supervision Organization, the Council has assigned it different tasks without formally changing its mandate: the supervision of the General Armistice, the supervision of the armistice following the Suez war, the supervision of the ceasefire between Egypt and Israel in the Sinai, and the supervision of the truce between Israel and Lebanon and Israel and the Syrian Arab Republic, in collaboration with the United Nations Interim Force in Lebanon and the United Nations Disengagement Observer Force, respectively.

<sup>599</sup> S/2004/499, S/2004/948, S/2005/379, S/2005/767, S/2006/333, S/2006/938, S/2007/331 and S/2007/698.

<sup>600</sup> Resolutions 1550 (2004), para. 2; 1578 (2004), para. 2; 1605 (2005), para. 3; 1648 (2005), para. 3; 1685 (2006), para. 3; 1729 (2006), para. 3; 1759 (2007), para. 3; and 1788 (2007), para. 3.

By a series of resolutions, on the basis of recommendations of the Secretary-General<sup>601</sup> and the requests of the Government of Lebanon,<sup>602</sup> the Council successively extended the mandate of UNIFIL eight times for additional periods of up to one year, the last until 31 August 2008.<sup>603</sup>

Expressing its utmost concern at the continued escalation of hostilities in Lebanon and in Israel since Hizbullah's attack on Israel on 12 July 2006, the Council, by resolution 1701 (2006) of 11 August 2006, authorized an increase in the force and strength of UNIFIL to a maximum of 15,000 troops, in order to supplement and enhance UNIFIL in numbers, equipment, mandate and scope of operations, and that the Force should, in addition to carrying out its mandate under resolutions 425 (1978) and 426 (1978) (a) monitor the cessation of hostilities; (b) accompany and support the Lebanese armed forces as they deployed throughout the south, including along the Blue Line, as Israel withdrew its armed forces from Lebanon; (c) coordinate its activities related to that mandate with the Governments of Lebanon and Israel; (d) extend its assistance to help ensure humanitarian access to civilian populations and the voluntary and safe return of displaced persons; (e) assist the Lebanese Armed Forces in taking steps towards the establishment between the Blue Line and the Litani river of an area free of any armed personnel, assets and weapons other than those of the Government of Lebanon and of UNIFIL; and (f) assist the Government of Lebanon, at its request, to implement the Council's call on securing its borders and other entry points to prevent the entry in Lebanon without its consent of arms or related materiel. Acting in support of a request from the Government of Lebanon to deploy an international force to assist it to exercise its authority throughout the territory, the Council also authorized UNIFIL to take all necessary action, in areas of deployment of its forces and as it deemed within its capabilities, to ensure that its area of operations was not utilized for hostile activities of any kind, to resist attempts by forceful means to prevent it from

<sup>601</sup> S/2004/50, S/2004/572 and Add.1, S/2005/36, S/2005/460, S/2006/26, S/2006/560 and S/2007/470.

<sup>602</sup> S/2004/35, S/2004/560, S/2005/13, S/2005/444, S/2006/15, S/2006/496 and S/2007/396.

<sup>603</sup> Resolutions 1525 (2004), para. 2; 1553 (2004), para. 2; 1583 (2005), para. 2; 1614 (2005), para. 2; 1655 (2006), para. 2; 1697 (2006), para. 2; 1701 (2006), para. 16; and 1773 (2007), para. 1.

discharging its duties under the mandate of the Council, and to protect United Nations personnel, facilities, installations and equipment, ensure the security and freedom of movement of United Nations personnel, humanitarian workers and, without prejudice to the responsibility of the Government of Lebanon, to protect civilians under imminent threat of physical violence.<sup>604</sup>

Furthermore, by an exchange of letters between the Secretary-General and its President,<sup>605</sup> the Council, in response to the Secretary-General's recommendations,<sup>606</sup> authorized the reinforcement of UNIFIL with a maritime unit for controlling the coastline.

### 34. United Nations Assistance Mission for Iraq

At the beginning of the period under review, the United Nations Assistance Mission for Iraq (UNAMI), established pursuant to resolution 1500 (2003), continued to coordinate the activities of the United Nations in post-conflict processes in Iraq.

#### Mandate implementation

The Council adopted four resolutions on the basis of the recommendations of the Secretary-General<sup>607</sup> and the requests of the Government of Iraq,<sup>608</sup> extending the mandate of UNAMI for further periods of one year, the last until 10 August 2008.<sup>609</sup>

Subsequent to the formation of a sovereign Interim Government of Iraq, as presented on 1 June 2004, which would assume full responsibility and authority by 30 June 2004 for governing Iraq, the Council, by resolution 1546 (2004) of 8 June 2004, adopted under Chapter VII of the Charter, decided that in implementing, as circumstances permitted, their mandate to assist the Iraqi people and Government, the Special Representative of the Secretary-General and UNAMI, as requested by the Government of Iraq should (a) play a leading role to assist in the convening, during the month of July 2004, of a

national conference to select a Consultative Council; advise and support the Independent Electoral Commission of Iraq, as well as the Interim Government of Iraq and the Transitional National Assembly, on the process for holding elections; and promote national dialogue and consensus-building on the drafting of a national constitution by the people of Iraq; and also (b) advise the Government of Iraq in the development of effective civil and social services; contribute to the coordination and delivery of reconstruction, development, and humanitarian assistance; promote the protection of human rights, national reconciliation, and judicial and legal reform in order to strengthen the rule of law in Iraq; and advise and assist the Government of Iraq on initial planning for the eventual conduct of a comprehensive census.<sup>610</sup>

In September and October 2004, through an exchange of letters between the Secretary-General and its President,<sup>611</sup> the Council welcomed the arrangement proposed by the Secretary-General to establish an integrated United Nations security structure to carry out access control and patrols within Mission facilities; to provide personal security details for personnel both within United Nations premises and on the move; and to conduct training and coordinate security arrangements between UNAMI and other United Nations organizations, as well as with the multinational force in Iraq authorized by resolutions 1511 (2003) and 1546 (2004). The UNAMI integrated security structure would consist of four elements, namely, international security staff, protection coordination officers, personal security details and three guard units. Each guard unit would consist of up to 160 armed civilian police, paramilitary or military personnel and have the specific responsibility of controlling access to and conducting patrols within UNAMI premises.

By resolution 1770 (2007) of 10 August 2007, the Council decided that, as circumstances permitted, the Special Representative of the Secretary-General for Iraq and UNAMI, at the request of the Government of Iraq, should (a) advise, support and assist the Government and people of Iraq on advancing their inclusive, political dialogue and national reconciliation; on the development of processes for holding elections and referendums; on constitutional review and the implementation of constitutional

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<sup>604</sup> Resolution 1701 (2006), second preambular paragraph and paras. 11, 12 and 14.

<sup>605</sup> S/2006/733 and S/2006/734.

<sup>606</sup> S/2006/670.

<sup>607</sup> S/2004/625, S/2005/509 and S/2006/601.

<sup>608</sup> S/2006/609, annex, and S/2007/481, annex.

<sup>609</sup> Resolutions 1557 (2004), para. 1; 1619 (2005), para. 1; 1700 (2006), para. 1; and 1770 (2007), para. 1.

<sup>610</sup> Resolution 1546 (2004), para. 7.

<sup>611</sup> S/2004/764 and S/2004/765.

provisions, as well as on the development of processes acceptable to the Government of Iraq to resolve disputed internal boundaries; on facilitating regional dialogue, including on issues of border security, energy and refugees; on planning, funding and implementing reintegration programmes for former members of illegal armed groups; and on initial planning for the conduct of a comprehensive census; (b) promote, support and facilitate, in coordination with the Government of Iraq, the coordination and delivery of humanitarian assistance and the safe, orderly and voluntary return, as appropriate, of refugees and displaced persons; the implementation of the International Compact with Iraq; the coordination and implementation of programmes to improve Iraq's capacity to provide essential services for its people and continue active donor coordination of critical reconstruction and assistance programmes through the International Reconstruction Fund Facility for Iraq; economic reform, capacity-building and the conditions for sustainable development; the development of effective civil, social and essential services; and the contributions of United Nations agencies, funds and programmes to the objectives outlined in the resolution under the unified leadership of the Secretary-General through his Special Representative for Iraq; and (c) promote the protection of human rights and judicial and legal reform in order to strengthen the rule of law in Iraq.<sup>612</sup>

<sup>612</sup> Resolution 1770 (2007), para. 2.

## Regional offices

### 1. United Nations Office for West Africa

At the beginning of the period under review, the United Nations Office for West Africa (UNOWA), established in November 2001 by the Secretary-General, continued to carry out the following tasks: (a) enhance linkages in the work of the United Nations and other partners in the subregion, by promoting an integrated subregional approach and facilitating coordination and information exchange, with due regard to specific mandates of United Nations organizations as well as peacekeeping operations and peacebuilding support offices; (b) liaise with and assist, as appropriate, the Economic Community of West African States (ECOWAS) and the Mano River Union, in consultation with other subregional organizations and international partners; (c) carry out good offices roles and special assignments in countries of the subregion, on behalf of the Secretary-General, including in the areas of conflict prevention and peacebuilding efforts; and (d) report to Headquarters on key developments of subregional significance.

### Mandate implementation

During the period under review, the mandate of UNOWA was extended twice, by exchanges of letters between the Secretary-General and the President of the Council, for periods of three years, subject to a midterm review in 2006 and 2009, respectively; the last extension was until 31 December 2010.<sup>613</sup>

In an exchange of letters between the Secretary-General and its President in December 2004 and January 2005,<sup>614</sup> the Council took note of the Secretary-General's intention to strengthen UNOWA to enable it to perform its mandate more effectively. UNOWA was entrusted with the overall mandate of enhancing the contribution of the United Nations towards the achievement of peace and security priorities in West Africa. In addition to the original mandate, UNOWA was asked to carry out additional tasks as assigned by the Secretary-General and the Security Council, including providing support to the work of the Cameroon-Nigeria Mixed Commission and follow-up of the relevant recommendations contained

<sup>613</sup> S/2004/797 and S/2004/858; S/2007/753 and S/2007/754.

<sup>614</sup> S/2004/797 and S/2004/858.

in the report of the Security Council mission to West Africa of June 2004,<sup>615</sup> and of the Council's recommendations on cross-border issues in West Africa.<sup>616</sup> The tasks of UNOWA would include enhancing harmonization of the activities of the various United Nations missions and other regional entities, strengthening cooperation with ECOWAS and other key regional and international partners and working on cross-border issues in the region.<sup>617</sup>

In a statement by the President on 25 February 2005, emphasizing the need to pursue security sector reforms aiming at improving civil-military relations in countries emerging from conflict situations and creating a culture of peace and stability and promoting the rule of law, the Council requested UNOWA to further explore with interested Governments and organizations ways in which security sector reforms could be formulated and implemented.<sup>618</sup> The report on the midterm review was submitted to the Council on 18 May 2007.<sup>619</sup>

By an exchange of letters between the Secretary-General and the President of the Security Council in November and December 2007,<sup>620</sup> the mandate of UNOWA was revised in accordance with three objectives. Under its first objective to enhance capability within West Africa towards a harmonized subregional approach to peace and security, UNOWA was mandated (a) to facilitate systematic and regular linkages in the work of the United Nations in the subregion for defining and harmonizing national and subregional policies and strategies, with due regard to specific mandates of United Nations organizations, as well as peacekeeping operations and peacebuilding support offices;<sup>621</sup> (b) to liaise with and assist, as

appropriate ECOWAS, the Mano River Union and other key partners in their promotion of peace and stability in the subregion;<sup>622</sup> and (c) to perform good offices role in countries of the subregion on conflict prevention and peacebuilding efforts.<sup>623</sup> Under the

tools being used by the United Nations system; (iv) to identify and raise awareness on emerging threats to peace and security, with particular attention will be given to the Sahelian band and fragile States; (v) to identify positive trends and promote activities in consultation with and participation of the private sector, including civil society organizations, to raise awareness of subregional issues and United Nations approaches; (vi) to reinforce cooperation on cross-cutting issues, including the rule of law, economic issues, human rights and gender issues aimed at mainstreaming them in the deliberations/recommendations of joint initiatives with Governments, civil society, the academic and private sectors, and other partners in the region; and (vii) to make use of UNOWA leverage, and political and strategic network to rally international support to subregional efforts and national commitments to tackle cross-cutting threats to human security and subregional peace.

<sup>622</sup> Under this function, the activities were (i) to implement and update the joint programme of work developed by UNOWA and the ECOWAS Commission to address selected areas relating to conflict prevention and peacebuilding; (ii) to assist the ECOWAS Commission in the implementation of its comprehensive Strategic Conflict Prevention Framework, as well as the ECOWAS Protocol relating to the Mechanism for Conflict Prevention, Management, Resolution, Peacekeeping and Security; implement subregional action plans, strategies and recommendations formulated with/by ECOWAS and other key partners, including the civil society and the private sector; (iii) to promote awareness of the need to address the protection of children, youth, and women during crises as priority issues in West Africa; (iv) to strengthen cooperation with the International Contact Group for the Mano River Basin; and (v) to strengthen cooperation with international partners, including the European Union (within the agreed framework of ECOWAS/European Union/UNOWA cooperation) and the Bretton Woods institutions, as well as regional partners such as civil society organizations and the private sector.

<sup>623</sup> Under this function, the activities were (i) to identify situations that could generate tension and fuel local, national or cross-border conflicts; (ii) to carry out good offices functions and special assignments in countries of the subregion, on behalf of the Secretary-General; (iii) to facilitate the development of an integrated subregional early warning and monitoring system among the United Nations entities and other regional partners active on peace operations in West Africa; and (iv) to promote an

<sup>615</sup> S/2004/525.

<sup>616</sup> S/PRST/2004/7.

<sup>617</sup> Letter from the Secretary-General dated 14 December 2004 (S/2005/16), annex.

<sup>618</sup> S/PRST/2005/9, para. 11.

<sup>619</sup> S/2007/294, annex.

<sup>620</sup> S/2007/753 and S/2007/754.

<sup>621</sup> Under this function, the activities were (i) to facilitate inter-mission and inter-agency cooperation among United Nations missions in the subregion at the political level, at the military level, and at the expert level; (ii) to hold regular consultations of heads of United Nations regional agencies for West Africa to develop common strategies; (iii) to establish and conduct activities of subregional working groups aiming to foster greater interaction among the various planning and response

second objective to enhance efforts towards addressing cross-border issues, including good governance practices and measures; mainstreaming security sector reform into development strategies; formulating a meaningful, effective and integrated subregional approach that encompasses priorities and concerns related to humanitarian, human rights and gender issues; and curbing corruption, youth unemployment, rapid urbanization, transitional justice and cross-border illicit activities. UNOWA was tasked (a) to promote good governance practices and confidence-building measures, including curbing corruption and improving electoral processes;<sup>624</sup> (b) to take an integrated approach to security sector reform as part of economic development strategies;<sup>625</sup> (c) to develop and promote better knowledge and awareness of subregional problems confronting West Africa;<sup>626</sup> and (d) to

integrated subregional approach by supporting and partnering with ECOWAS and other subregional partners in their conflict prevention and peacebuilding efforts.

<sup>624</sup> Under this function, the activities were (i) to undertake regular consultations and contribute to the deepening of civic education aimed at strengthening democratic, transparent and accountable governance in the States of the subregion; (ii) to assist ECOWAS and its member States in their efforts to improve electoral processes through a more robust election-monitoring capacity; (iii) to follow up on implementation of a subregional approach to the greater involvement of women in peace and security issues, within the framework of the implementation of United Nations Security Council resolution 1325 (2000); (iv) to facilitate the identification of practical ways of curbing or minimizing emerging or potential tensions in specific border areas of West Africa, including through the formulation of integrated border strategies; and (v) to assist ECOWAS in the implementation of its initiative on borders as zones of peace.

<sup>625</sup> Under this function, the activities were (i) to undertake broad consultations with Governments, and, in particular, security institutions, civil society and development partners on gender, poverty alleviation, human rights and humanitarian mainstreaming in security sector reforms; and (ii) to promote capacity-building of armed and security forces in civic, human rights, humanitarian and gender approaches as part of security sector reforms.

<sup>626</sup> Under this function, the activities were (i) to undertake studies, organize forums and seminars and help develop practical and concerted strategies for addressing current and emerging issues, including the subregional dimensions of youth unemployment, fast growing urbanization, security sector reform, transitional justice, the proliferation of small arms and light weapons, drug

strengthen cooperation with the ECOWAS Commission and with representatives of ECOWAS member States at ECOWAS headquarters in Abuja, focusing on governance and development issues.<sup>627</sup> Under the final objective to carry out additional tasks assigned by the Secretary-General and the Security Council, it was given the function of facilitating the implementation of the International Court of Justice ruling of 10 October 2002 on the land and maritime boundary dispute between Cameroon and Nigeria.<sup>628</sup>

## 2. United Nations Regional Centre for Preventive Diplomacy for Central Asia

and human trafficking, piracy and terrorist threats; (ii) to prepare periodic updates on the subregional impact of conflict situations on sustainable peace and development; and (iii) to develop targeted public information strategies on subregional issues in West Africa, with a focus on human rights and economic governance and their impact on peace and security.

<sup>627</sup> Under this function, the activities were (i) to assist ECOWAS in the implementation of its new Strategic Vision for Regional Development, adopted at the ECOWAS Heads of State Summit in Abuja on 15 June 2007, as well as its Protocol on the Free Movement of Persons and on the Right of Residence and Establishment; (ii) to assist ECOWAS in the implementation of its Protocol on Democracy and Good Governance, including through regular working group sessions as well as joint programmes and activities; and (iii) to increase the participation of the public sector, civil society, the academic community and the private sector in ECOWAS-UNOWA joint initiatives and activities addressing governance issues and challenges.

<sup>628</sup> Under this function, the activities were (i) to assist the Cameroon-Nigeria Mixed Commission in the implementation of activities related to its mandate, including the demarcation of the land boundary between the two countries; the civilian observation following the peaceful and orderly transfer of authority in the Lake Chad area, along the land boundary and in the Bakassi peninsula; (ii) to assist the follow-up committee in monitoring the implementation of the Greentree Agreement (12 June 2006) on the withdrawal and transfer of authority in the Bakassi peninsula; (iii) to assist the Cameroon-Nigeria Mixed Commission in addressing issues related to the needs of the affected populations in border areas and in the Bakassi peninsula; and (iv) to assist the Cameroon-Nigeria Mixed Commission to make recommendations on confidence-building measures, such as the development of projects to promote joint economic ventures and cross-border cooperation, and the revitalization of the Lake Chad Basin Commission.

### **Establishment, mandate and composition**

In a letter dated 7 May 2007 to the President of the Council,<sup>629</sup> the Secretary-General informed the Council of his intention to establish a United Nations Regional Centre for Preventive Diplomacy at Ashgabat at the initiative of the Governments of five Central Asian countries.

The Centre would be established in parallel with the phasing down and closure of the United Nations Tajikistan Office of Peacebuilding with the following functions: (a) to liaise with the Governments of the region and, with their concurrence, with other parties concerned on issues relevant to preventive diplomacy; (b) to monitor and analyse the situation on the ground and to provide the Secretary-General with up-to-date information related to conflict prevention efforts; (c) to maintain contact with the Organization for Security and Cooperation in Europe, the Commonwealth of Independent States, the Shanghai Cooperation Organization and other regional organizations, encourage their peacemaking efforts and initiatives, and facilitate coordination and information exchange with due regard to their specific mandates; (d) to provide a political framework and leadership for the preventive activities of the United Nations country teams in the region and to support the efforts of the Resident Coordinators and those of the United Nations system, including the Bretton Woods institutions, in promoting an integrated approach to preventive development and humanitarian assistance; and (e) to maintain close contact with the United Nations Assistance Mission in Afghanistan to ensure a comprehensive and integrated analysis of the situation in the region.

In a letter from the President of the Council, the Council took note of the intention of the Secretary-General.<sup>630</sup>

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<sup>629</sup> S/2007/279.

<sup>630</sup> S/2007/280.

## **G. Peacebuilding Commission**

### **Establishment**

By resolution 1645 (2005) of 20 December 2005, the Security Council, acting concurrently with the General Assembly, in accordance with Articles 7, 22 and 29 of the Charter, and with a view to operationalizing the decision of the 2005 World Summit,<sup>631</sup> decided to establish the Peacebuilding Commission as an intergovernmental advisory body.<sup>632</sup> It also decided that the arrangements for the Peacebuilding Commission would be reviewed after five years to ensure that they were appropriate to fulfil the agreed functions of the Commission.<sup>633</sup>

### **Mandate**

Pursuant to resolution 1645 (2005), the main purposes of the Peacebuilding Commission were (a) to bring together all relevant actors to marshal resources and to advise on and propose integrated strategies for post-conflict peacebuilding and recovery; (b) to focus attention on the reconstruction and institution-building efforts necessary for recovery from conflict and to support the development of integrated strategies in order to lay the foundation for sustainable development; and (c) to provide recommendations and information to improve the coordination of all relevant actors within and outside the United Nations, to develop best practices, to help to ensure predictable financing for early recovery activities and to extend the period of attention given by the international community to post-conflict recovery.<sup>634</sup> The Council also underlined that in post-conflict situations with which it was actively seized, in particular when there was a United Nations-mandated peacekeeping mission on the ground or under way and given the primary responsibility of the Council for the maintenance of international peace and security in accordance with the Charter, the main purpose of the Commission would be to provide advice to the Council at its request.<sup>635</sup>

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<sup>631</sup> See General Assembly resolution 60/1.

<sup>632</sup> For more information on the relationship of the Security Council with the General Assembly and the Peacebuilding Commission, see chapter VI.

<sup>633</sup> Resolution 1645 (2005), paras. 1 and 27.

<sup>634</sup> *Ibid.*, para. 2.

<sup>635</sup> *Ibid.*, para. 16.

### Composition

By resolution 1645 (2005), the Council decided that the Commission would meet in various configurations and have a standing Organizational Committee, responsible for developing its own rules of procedure and working methods, comprising (a) seven members of the Security Council, including permanent members, selected according to rules and procedures decided by the Council; (b) seven members of the Economic and Social Council, elected from regional groups according to rules and procedures decided by the Council with due consideration to those countries that had experienced post-conflict recovery; (c) five top providers of assessed contributions to United Nations budgets and of voluntary contributions to United Nations funds, programmes and agencies, including a standing peacebuilding fund, that were not among those selected in (a) or (b) above, selected by and from among the 10 top providers, giving due consideration to the size of their contributions, according to a list provided by the Secretary-General, based on the average annual contributions in the previous three calendar years for which statistical data were available; (d) five top providers of military personnel and civilian police to United Nations missions that were not among those selected in (a), (b) or (c) above selected by and from among the 10 top providers, giving due consideration to the size of their contributions, according to a list provided by the Secretary-General, based on the average monthly contributions in the previous three calendar years for which statistical data were available; and (e) seven additional members elected according to rules of procedure decided by the General Assembly, with due consideration to representation from all regional groups in the overall composition of the Committee and to representation from countries that had experienced post-conflict recovery. Members of the Organizational Committee serve for renewable terms of two years, as applicable.<sup>636</sup>

In accordance with resolution 1645 (2005), country-specific meetings of the Commission, upon the invitation of the Organizational Committee, also included as members representatives of (a) the country under consideration; (b) countries in the region engaged in the post-conflict process and other countries that were involved in relief efforts and/or political dialogue, as well as relevant regional and subregional organizations; (c) the major financial, troop and civilian police

contributors involved in the recovery effort; (d) the senior United Nations representative in the field and other relevant United Nations representatives; and (e) such regional and international financial institutions as might be relevant.<sup>637</sup>

### Mandate implementation

*Appointments to the Organizational Committee.* By resolution 1646 (2005) of 20 December 2005, the Council decided, pursuant to paragraph 4 (a) of resolution 1645 (2005), that the permanent members listed in Article 23 (1) of the Charter would be members of the Organizational Committee of the Peacebuilding Commission and that, in addition, the Council would select annually two of its elected members to participate in the Organizational Committee. For 2006 and 2007, Denmark and the United Republic of Tanzania, and Panama and South Africa, respectively, were selected as the two members of the Council's elected member category for the Organizational Committee for a term of one year.<sup>638</sup>

*Monitoring and reporting.* By resolution 1646 (2005), the Council decided that the annual report referred to in paragraph 15 of resolution 1645 (2005) would also be submitted to the Security Council for an annual debate.<sup>639</sup> On 25 July 2007, the Peacebuilding Commission submitted the report on its first session to the Security Council.

*Requests for advice on Burundi and Sierra Leone.* In a letter dated 21 June 2006 from its President to the Secretary-General, the Council requested the advice of the Peacebuilding Commission, in accordance with paragraph 12 of resolution 1645 (2005), on the situations in Burundi and Sierra Leone, which had expressed their desire to be considered by the Peacebuilding Commission.<sup>640</sup> In a letter dated 20 December 2006 to the President of the Council, the Chair of the Peacebuilding Commission informed the Council that, following the inclusion of Burundi and Sierra Leone in the Commission's agenda on 23 June 2006, it had held two country-specific meetings on each of those two countries in 2006 and that both countries had made progress.<sup>641</sup> By a letter dated 11 December 2007 to the

<sup>637</sup> Ibid., paras. 7-9.

<sup>638</sup> See S/2006/25 and S/2007/16.

<sup>639</sup> Resolution 1646 (2005), para. 2.

<sup>640</sup> Not issued as a document of the Council. See PBC/1/OC/2.

<sup>641</sup> S/2006/1050.

<sup>636</sup> Ibid., paras. 3, 4 and 6.

Chair of the Peacebuilding Commission, the President of the Council supported the request of the Government of Guinea-Bissau to be placed on the agenda of the Commission and stated that the Council supported that request and invited the Commission to provide advice on the situation in Guinea-Bissau. The Council considered that the advice of the Commission would be particularly useful in the areas of (a) governmental capacity to institute effective oversight and management of national

finances, and comprehensive public sector reform, including effective anti-corruption policies and programmes; (b) action by the national Government and the international community to develop effective, accountable and sustainable security systems and to strengthen the independence of the judiciary and the rule of law, taking account, in particular, of the dangers posed by drug trafficking and organized crime; and (c) ongoing development of democratic accountability and preparations for elections in 2008.<sup>642</sup>

<sup>642</sup> S/2007/744.

## Part II

### Subsidiary organs of the Security Council whose mandate was completed or terminated during the period 2004-2007

<i>Subsidiary organ</i>	<i>Established by resolution/letter/ exchange of letters</i>	<i>Completion of mandate/termination*</i>
<b>Peacekeeping operations/political missions</b>		
United Nations Mission in Côte d'Ivoire (MINUCI)	Resolution 1479 (2003)	4 April 2004
United Nations Office in Burundi (UNOB)	S/26757	1 June 2004
United Nations Advance Mission in the Sudan (UNAMIS)	Resolution 1547 (2004)	24 March 2005
United Nations Mission of Support in East Timor (UNMISSET)	Resolution 1410 (2002)	20 May 2005
United Nations Observer Mission in Bougainville (UNOMB)	S/2003/1198 and S/2003/1199	30 June 2005
United Nations Mission in Sierra Leone (UNAMSIL)	Resolution 1270 (1999)	31 December 2005
United Nations Office in Timor-Leste (UNOTIL)	Resolution 1599 (2005)	25 August 2006
United Nations Operation in Burundi (ONUB)	Resolution 1545 (2004)	31 December 2006
United Nations Tajikistan Office of Peacebuilding (UNTOP)	S/2000/518 and S/2000/519	1 June 2007
<b>Other subsidiary organs</b>		
Ad Hoc Committee on Mandate Review	S/2006/354	28 December 2007
Informal Working Group on General Issues of Sanctions	S/2000/319	21 December 2006

<i>Subsidiary organ</i>	<i>Established by resolution/letter/ exchange of letters</i>	<i>Completion of mandate/termination*</i>
United Nations Monitoring, Verification and Inspection Commission (UNMOVIC)	Resolution 1284 (1999)	29 June 2007
Commission of Experts to Review the Prosecution of Serious Violations of Human Rights in Timor-Leste (then East Timor) in 1999	S/2005/96 and S/2005/97	28 September 2005

\* For details of termination, see the relevant case studies in part I.

### Part III

## Subsidiary organs of the Security Council proposed but not established

#### Note

During the period under review, there was one instance in which a subsidiary organ was formally proposed but not created. The proposal was submitted in the form of a draft resolution and related to the situation in Cyprus.<sup>643</sup>

*Proposal submitted at the 4947th meeting of the Council, on 21 April 2004, with respect to the situation in Cyprus*

On 16 April 2004, shortly before the holding of two separate but simultaneous referenda in Cyprus on the Comprehensive Settlement of the Cyprus Problem (the “Annan plan”), the Secretary-General submitted a report on his mission of good offices in Cyprus.<sup>644</sup> In the report, the Secretary-General drew the attention of the Security Council to appendix E of the Annan plan, by which the Council would be requested to, inter alia, establish a new United Nations operation to monitor the implementation of the Comprehensive Settlement. Bearing in mind that the provisions for the new United Nations operation would have to enter into force simultaneously with the Comprehensive Settlement on 29 April, and the need to reassure Cypriots that the Council would be prepared to meet the responsibilities foreseen in the plan, the Secretary-General requested the Council to consider taking action in advance of the referenda of 24 April, while making the entry into force of the plan contingent on the outcome of the referenda.

At its 4947th meeting, on 21 April 2004, the Council considered a draft resolution to that effect, submitted by the United Kingdom and the United States,<sup>645</sup> by which the Council would have decided, inter alia, to terminate the mandate of the United Nations Peacekeeping Force in Cyprus and to establish a new operation in Cyprus, to be known as the United Nations Settlement Implementation Mission in Cyprus, with responsibilities including monitoring, verification and supervision of the implementation of the Comprehensive Settlement, contingent on the outcome of the 24 April referenda and the entry into force of the Comprehensive Settlement.

The draft resolution was put to the vote and received 14 votes in favour and 1 against (Russian Federation), and was not adopted owing to the negative vote of a permanent member.<sup>646</sup>

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<sup>643</sup> Instances in which members of the Security Council, during Council proceedings, or Member States in communications to the President of the Council, proposed the creation of subsidiary organs without submitting their suggestions in the form of draft resolutions were not considered.

<sup>644</sup> S/2004/302.

<sup>645</sup> S/2004/313.

<sup>646</sup> For more details, see chapter VIII, section on the situation in Cyprus. For more information on the United Nations Peacekeeping Force in Cyprus, see part I, sect. F, of the present chapter.