

Update Note for the Secretary-General  
6 December 2010

1. Israel/Lebanon

Asarta reports<sup>1</sup> that on 3 December at 2:25 p.m, a UNIFIL patrol post monitoring the vicinity of Suwwanan was asked by a person in civilian clothes (who identified himself as LAF Intel officer) to leave the spot due to an alleged impending LAF intelligence operation conducted in the area. The UNIFIL patrol then moved away.

Subsequently, a LAF liaison officer informed UNIFIL that, at 11:35 a.m an explosion had occurred nearby at Majdal Silim, injuring two civilians. A UNIFIL patrol was dispatched in order to check the situation. The LAF liaison officer then alleged that the explosion had occurred during "excavation activities", an explanation which may not be true.

Asarta informs<sup>2</sup> that UNIFIL has now requested an explanation from the LAF *inter alia* the reason of the breakdown in communications between LAF and UNIFIL, taking into account that despite LAF becoming aware of the incident at an early stage, no official notification was given to UNIFIL until 5:02 p.m. Furthermore it appears that UNIFIL was diverted from the area by the LAF.

2. Sudan

Menkerios also reports<sup>3</sup> that the UN SG's Panel conducted its second visit to Sudan between 13 to 22 November, and witnessed the start of voter registration in both Northern and Southern Sudan. The Panel found an enthusiastic, orderly and transparent registration process in the South; in the North, the Panel found an equally orderly registration process but with very low turnout.

The low turnout in the North was attributed to a number of factors: an unofficial campaign by the South discouraging people from registering in the North and urging them to return to the South to register; some anxiety with regard to registering in the North because of statements made by some key Northern officials with regard to the status of Southerners in the North and lack of voter education.

The Panel found that relations between the two parties continued to be marred by mistrust. The Panel concluded that unless there was political will on both sides to make the referenda processes take place in as favourable conditions as

<sup>1</sup> (NAQ-997 of 4/12/10)

<sup>2</sup> (NAQ-998 of 4/12/10)

<sup>3</sup> (KHA-1450 of 2/12/10)

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possible, either party will be able to find faults of a technical, legal or political nature to challenge the credibility of the process.

The Panel was informed by the AU High-level Implementation Panel that progress was made in reaching a general agreement on most of the post-referendum issues, but that citizenship and Abyei remained to be resolved at the Presidency level. On its visit to Abyei, the Panel was informed that unless “positive action” was taken on the Abyei referendum by 30 November 2010 by the two CPA parties, the Ngok Dinka in Abyei will exercise its right to self-determination.

During the visit, it was evident that the expectations that people had of the Panel varied widely. The Panel hopes to fully clarify its role during its meeting with the SG in New York on 15 December.

### **3. West Africa**

Djinnit reports<sup>4</sup> on private discussions he had with President elect Condé in Conakry on 3 and 4 December during which Condé shared his vision for Guinea. His objectives include building credible state institutions and improving the living conditions of the populations (electricity, water and sanitation, rice and roads). He also shared with Djinnit his concerns in view of the gigantic tasks ahead and the necessity to meet the high expectations for change raised by his candidature.

The President elect revealed that he intended to establish a balanced government with equal representation of the 05 regions of Guinea. Condé disclosed that he intends to appoint as PM and ministers personalities who had never been involved in mismanagement over the past years, to convey a message of change and gain the confidence of the people. His inauguration will be held on 21 December.

President elect Condé on 4 December announced his intention for form a truth and reconciliation commission, based on the South African model. He hoped to bring reconciliation to Guinea by providing thus an opportunity for those who made mistakes to ask for forgiveness and for the victims to forgive.

### **4. DRC**

Meece updates<sup>5</sup> that despite the mining ban in the Kivus and Maniema, the illegal exploitation of the minerals continues. In South Kivu, both FARDC and integrated CNDP elements were accused of illegally exploiting mines.

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<sup>4</sup> (CDX-137 of 6/12/10)

<sup>5</sup> (CCX-685 of 01/12/10)



Regarding the LRA, Uganda welcomed the US plan, especially the US' focus on demobilized combatants and post-war recovery along with military aspects. Uganda relayed that though external support is always welcome, Uganda can lead the military campaign.

Separately, Meece reports<sup>6</sup> that the new MONUSCO operation "Rudia Umbrella" was launched on 30 November 2010 in Haut Uele to help counter the LRA. Rudia Umbrella will be in operation until 13 January 2011, composed of foot and vehicular patrols with air support, as needed. Though FARDC is fully informed of the operation, there will be no FARDC participation in the manoeuvre.

## **5. Haiti**

As anticipated, another protest calling for the nullification of the election results was held on 5 December in Port-Au-Prince. Mission sources indicated that the protesters initially numbered at around 200 and subsequently swelled to about 1,000. During the course of the protest, a UN vehicle with uniformed personnel on board was pelted with stones; there were no injuries or damages. The Haitian national police later responded with tear gas and dispersed the gathering.

The Mission also reported that the three political figures were among the protesters.

Mulet reports<sup>7</sup> that in the Steering Committee meeting, the head of the OAS-CARICOM observation Mission, Colin Granderson, criticized the politically motivated disturbances and the "poisonous" political atmosphere prior to, and on, 28 November. He observed that both politicians and the media had created this atmosphere by alleging that "massive fraud" was occurring. All of the experts agreed that irregularities are not sufficient to warrant an annulment of the elections.

The CEP met representatives of political parties and candidates today. Jude Celestin, Yves Neptune, and Jean Hector Anacasis attended in person, the other presidential candidates sent representatives. The CEP accepted responsibility for various irregularities and gave a detailed presentation of how it will address them for the second round. Celestin and Anacasis asked the CEP how it will respond to illegal demonstrations. The candidates calling for an annulment reiterated their call and blamed MINUSTAH for fraud, claiming that they have evidence of this occurring at a MINUSTAH base. RDNP, the party of front running candidate Myrlande Manigat, reiterated its support for the electoral process, but accused the international community of scapegoating the CEP.

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<sup>6</sup> (CCX 680 of 2/12/10)

<sup>7</sup> (MINUSTAH Daily Situation Report from 02/12/10-03/12/10)

The President of the International Council of Médecins Sans Frontières has e-mailed a copy of a letter on its way to the SG, demanding transparency concerning the origin of the cholera outbreak. (*Attachment #1*).

**6. Guatemala**

Dall'Anese transmits<sup>8</sup> information from VP Espada regarding the possibility of a coup d'état planned to take place between 10 December 2010 and 14 January 2011. The coup is to be instigated by the Coordinating Committee of Agricultural, Commercial, Industrial and Financial Associations (CCIF), which is the umbrella organization of the Guatemalan private business sector. Should the coup occur, the VP would become acting President.

Dall'Anese opines that the information cannot be discounted as Guatemala is a country where anything can happen.

**7. Flotilla Panel of Inquiry**

Pascoe has sent an update on the Flotilla Panel of Inquiry. (*Attachment #2*)

**8. Disarmament/Sherpa Meeting on Nuclear Security Summit**

Mr. Duarte has submitted a report on his participation at the Sherpa Meeting on the Nuclear Security Summit (NSS) which was held in Buenos Aires on 2-3 November. It includes, among others, discussion of the SG's proposal at the Washington NSS in April where he presented the idea of convening an international conference to promote accession and implementation of the Nuclear Weapons Convention if so requested by the States parties to the Convention. (*Attachment #3*)



Political Unit  
6 December 2010

cc: DSG, VN, KWS

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<sup>8</sup> (CTG095 of 3/12/10)  
10-11229



Mr. Secretary-General,

I am writing to you on behalf of Médecins Sans Frontières (MSF) in order to formally request that the UN system and all member states share publicly and with all relevant stakeholders any reports and investigations that have been conducted concerning the origin of the cholera outbreak in Haiti. We feel it is critical that this be done in order to promote transparency and ensure the most effective national and international humanitarian response.

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As you know, MSF has deployed wide-scale emergency medical operations to respond to the cholera outbreak in Haiti since the end of October 2010. As of 3 December, our teams had treated more than 41,000 patients in over 30 cholera treatment centres and other medical facilities in Port-au-Prince, Artibonite region, north and northwest of Haiti.

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On 20 November, I led an MSF delegation to Haiti to share our concerns regarding the lack of response and mobilization of the Haitian government, the UN system and other humanitarian NGOs and to ask for a prompt mobilization of all key operational stakeholders to step up urgently their action. We met with President Préval, Prime Minister Bellerive, SRSG Mulet, Humanitarian Coordinator/Resident Coordinator Fisher, ERC Amos and all heads of UN operational agencies on the ground.

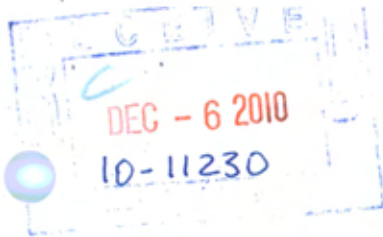
On 26 November, MSF received an epidemiological report commissioned by the French Foreign Affairs Ministry. As soon as MSF became aware of this report, we contacted the French authorities and the UN senior leadership to ask for full transparency regarding this specific document and all other investigations. This past week, President of MSF-France, Dr. Marie-Pierre Allié, and Deputy Director of Operations, Ms. Marie-Noëlle Rodrigue together with our UN Representative, again raised this issue in meetings with your executive office, Mr. Le Roy's front office, Assistant-Secretary-General for Peacekeeping Operations Khare, UNICEF as well as the French diplomatic mission to the UN.

On behalf of Médecins Sans Frontières, I urge you and all concerned member states and institutions for full transparency on this matter.

Yours sincerely,

Dr. Unni Karunakara  
President, International Council of Médecins Sans Frontières

Cc: Mr. Gérard Araud, Permanent Representative of France to the United Nations



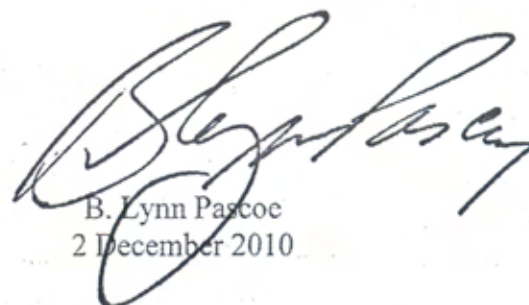
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Note to Mr. Nambiar

**UPDATE ON THE FLOTILLA PANEL OF INQUIRY** ✓

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1. Further to the conveyance to the Secretary-General by the Defence Minister of Israel that the Israeli national investigation commission into the flotilla incident (the Turkel Committee) would not be able to submit a report before January 2011, Mr. Palmer was officially contacted by Israeli officials with the same information.
2. Mr. Palmer indicated that he considered the Israeli request for a postponement and the justification for it to be in good faith. Inter alia, he grounded this judgement on a discussion he had had with one of the international observer members of the Turkel Committee. He further noted that the initial scheduling of the next Panel meeting for 1-3 December had been designed to follow the expected submission of an Israeli contribution by mid-November. For the same reason, he now believes that there is no point in holding the December meeting, and instead it should be postponed until after the Israeli report has been received.
3. The Turkish side was disappointed at the Israeli delay and insisted that the Panel should have time (two to three weeks) to study the Turkel report after it is submitted. They also indicated that they took exception with Mr. Palmer having been in contact with a member of the Turkel Committee – even one not holding the right to vote.
4. Members of the Panel now agreed that they would next meet on 7-9 February 2011. Mr. Palmer shared his belief that he would need to request an extension of the Panel's mandate until March 2011 from the Secretary-General. He insisted however that the submission of the Panel's final report should not be delayed until any further date, in order for the Panel to have completed its work well in advance of the anniversary of the 31 May incident.
5. Based on the above, it is required to extend the mandate of the Panel until the end of April 2011, in order to give its members the time required to complete their report to the Secretary-General. On 23 November I sent an interoffice memorandum to the Controller seeking his approval for the issuance of an allotment in the amount of USD1,143,600 from the Secretary-General's Unforeseen and Extraordinary Expenses Account, to cover the associated estimated costs of four months work of the Panel from January to April 2011.

  
B. Lynn Pascoe  
2 December 2010



## Note to the Secretary General

### Report on the Sherpa meeting (Buenos Aires, 2-3 November 2010)

A Sherpa meeting as a follow up to the Nuclear Security Summit (Washington D.C., 12-13 April 2010) was held on 2-3 November in Buenos Aires, Argentina. The meeting was the first after the April 2010 Summit. It was hosted by Argentina and co-chaired by Sherpas from the United States and South Korea as representatives of the former and future hosts of the Nuclear Security Summits. The meeting was attended by Sherpas from all 50 States and organizations which participated in the 2010 Nuclear Security Summit (NSS).

The key objective of the meeting was to discuss a road map to the 2012 Summit based on the Communiqué and Work Plan adopted at the 2010 Summit. The participants discussed ways and formats for participating States' reporting on their activities to carry out commitments made at the 2010 Summit. The main purpose of such reporting would be to record progress in implementing the commitments and to demonstrate achievements to leaders and the public, thus preparing for the success of the 2012 Summit. There was a wide insistence on avoiding duplication of existing reporting mechanisms and additional reporting burden on States as well as on requirements to preserve the voluntary nature of implementing measures. It was accepted that existing structures like the IAEA could play an essential role in the follow up process.

Other issues which were raised at the meeting included: HEU (highly enriched uranium) guidelines (minimization of HEU use or even prohibition for its use for civilian purposes), security culture, illicit trafficking, information security in the nuclear area and treaty ratifications. France reiterated its president's proposal to establish an international tribunal under UN auspices to prosecute States that deliver nuclear material or nuclear technology to a terrorist organization. The Sherpa of France explained that such a tribunal could be established through a Security Council resolution under Chapter VII of the UN Charter. Security Council resolution 1540 (non-proliferation of WMD to non-State actors) was often referred to as an example of good cooperation and a valuable tool to strengthen nuclear security. However, as a result of the discussions at the November meeting, no specific issues have yet emerged as key issues to be taken forward to the next summit.

The High Representative for Disarmament Affairs, Mr. Sergio Duarte, participated in the meeting as the UN Sherpa. He briefed the meeting on the United Nations activities to implement proposals outlined by the UN Secretary-General at the 2010 Summit. He recalled that in reference to the need to strengthen global norms and to achieve universality at preventing terrorist groups and non-state actors from gaining access to WMD weapons and materials, the Secretary-General expressed his willingness to convene a conference to facilitate further ratifications of the International Convention for the Suppression of Acts of Nuclear Terrorism should the Parties to the Convention so decide. It should be noted that a number of States have ratified the Convention since the 2010 Summit including four Summit participating States (Armenia, Chile, Georgia and

*I have expressed a certain interest in Washington.*

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the Netherlands) and six non-participating States (Bahrain, DRC, Lesotho, Moldova, St Vincent and the Grenadines and Tunisia). Several of participating States reconfirmed their commitments to ratify the Convention (Argentina, Australia and UK). Representatives of the United States made it known that the administration was considering steps towards ratification of the Convention.

At the meeting, Mr. Sergio Duarte presented some ideas on roles of the United Nations as a global organization in promoting sustainability and legitimacy through greater involvement of its Member States and United Nations principal organs and greater transparency of the implementation activities. A summary of the meeting prepared by its co-chairs made a direct reference to UN possible contribution to achieving "legitimacy, universality and transparency of the NSS process" (the summary, as well as a paper on the next steps to implement the NSS work plan are attached).

It was accepted that a number of Sherpa meetings would be required to prepare for the 2012 Summit. Some participating countries announced their intentions to host Sherpa meetings including Kazakhstan (April 2011), Finland (September 2011), India (early 2012) and South Korea (on the eve of the 2012 Summit). In addition, Russia made a proposal to convene a meeting at ministerial level in Moscow next year.

The meeting in Buenos Aires was useful. The participants reconfirmed their commitments made at the 2010 Summit. The meeting provided an opportunity to promote roles of the United Nations and the Secretary-General in addressing vital issues of international security, including in the nuclear area. The meeting also showed that much work would need to be done to prepare for a successful outcome of the 2012 Summit, in particular to identify key issues to be brought to the attention of the Summit participants.



Sergio Duarte  
High Representative for Disarmament Affairs  
3 December 2010