

**Update Note for the Secretary-General  
26 January 2007**

**1. Iraq**

The Iraqi PR has written<sup>1</sup> in response to Mr. Nambiar's letter sent on 6 January, urging the GoI to grant a stay of execution to those whose sentences may be carried out in the near future. The PR wanted to clarify certain facts, namely that the judiciary in Iraq, according to its constitution, is wholly independent, and no branch in the state is entitled to interfere in its affairs or influence its decisions; the decisions of the Court of Appeal are categorical and not subject to change and that the executed members of the former Iraqi regime were prosecuted by a court which took into account and maintained the rules and principles of tribunals based on Iraqi domestic law and in accordance with international legal standards and were publicly broadcast and transparent.

The PR adds that the whole issue is a matter of Iraqi domestic law and that you noted this matter to journalists in your statement of 2<sup>nd</sup> January. He wanted to stress that Iraq agrees with your strong view that all members of the international community should pay due regard to all aspects of international, humanitarian and human rights laws.

SRSQ Qazi has reported<sup>2</sup> on his meeting with the Iraqi Ambassador to Jordan, Mr. Saad Hayani. Hayani served as Deputy FM during the Interim Government, since then he has been involved in the League of Arab States (LAS) conference in Cairo. Hayani stated that he was not closely identified with any political party or movement enabled the Embassy to serve all parts of the Iraqi community in Jordan. He was sad to see secular parties disunited and uninfluential in Iraq's political life. This allowed space for religious parties to dominate the scene. He said that this was the "greatest danger" facing Iraq at the moment.

Hayani said that Syria would change its position. This had already been signaled by the conference held by the Ba'athists ruling party in Damascus recently. Many had been afraid of Saddam, but his execution now opened up the possibility that some would join the political process. The Syrians were actively engaged in splitting the Ba'ath party of Iraq to isolate Izzat al-Douri (al-Douri was an Iraqi military commander and was Vice President and deputy chairman of the Iraqi Revolutionary Command Council until the 2003 US-led invasion of Iraq. Following the execution of Saddam, al-Douri was confirmed as the new leader of the banned Iraqi Ba'ath Party. He is believed to be living in Yemen). Hayani assessed that Syria would always pursue its interests, even if that placed them within the framework of US policy in the region, and required them to split from Iran. However, Qazi states that Iranian influence in Syria should not be discounted.

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<sup>1</sup> (27-01900)

<sup>2</sup> (CBX-007 of 25/01/07)

In regard to the Baghdad Security Plan, Hayani was optimistic that there could be improvement within a few months, because it differed from previous plans given that it included a political dimension. VP Mahdi could make a real difference as head of the political committee. The plan would be targeted towards outlaws in all parts of the capital. It was in the interests of neighbouring countries to assist the Iraqi government as they all realized that the situation entailed dangers for their own political and security stability adding that "the fires would not stop at the border".

## **2. Middle East**

Following Gambari's briefing to the Security Council yesterday on the situation in the Middle East, Council members were generally encouraged by recent positive developments, including that the ceasefire agreed at the end of November in Gaza remained in place; the positive meeting between President Abbas and PM Olmert last December; the transfer by Israel to the Palestinian Authority (PA) of US\$100 million of the Palestinian tax revenues; and Secretary of State Rice's initiative to bring Olmert and Abbas together to discuss the political horizon.

A number of speakers remained concerned about persistent obstacles. Many speakers highlighted the need to support Abbas' initiative to create a government of national unity. To revitalize the peace process, members often highlighted the need for resumed political dialogue between the parties and underscored the central role played by the Quartet to that end. Many delegations looked forward to its forthcoming meeting on 2 February as a crucial step to give a decisive impetus to the peace process. The UK expected the Quartet to take "a clear lead and to achieve a clear goal". Slovakia (next month's Chair) indicated that he would convene an open debate on the Middle East at a suitable date soon after the Quartet meeting, with a view to identifying the role of the Council. France talked about enlarging the Quartet to include "other protagonists". France and Russian Federation also called for the convening of an international conference on the Middle East. The UK, China and Slovakia said that efforts by the LAS and Saudi Arabia to find a solution were welcome as that would benefit Lebanon and the entire region.

Addressing questions, Gambari said that the UN priorities in the Middle East included: to revitalize the peace process by moving from "crisis management to conflict resolution". Gambari also stressed that, at the forthcoming meeting of the Quartet, you intend to listen to the points of view of the other parties and to bring a fresh perspective on how to best underscore recent positive developments, such as the November 2006 ceasefire.



### 3. Côte d'Ivoire

SRSR Schori of UNOCI (UN Observer Mission in Cote d'Ivoire) reports<sup>3</sup> that *Forces nouvelles* (FN) invited the Mediation Groupe to Bouaké to brief the group on Guillaume Soro's (Secretary-General of the rebel group) meeting with President Compaoré of Burkina Faso. Soro told Compaoré that he had serious doubts about the success of the direct negotiations and wanted the involvement of the international community to closely monitor and witness the process. Compaoré indicated that he would meet the President the following day (see below) and would then prepare the proposals for dialogue. The first meeting for direct negotiations will be held between President Gbagbo and Soro on 5 February with Compaoré as mediator. Modalities for subsequent negotiations are yet to be determined.

Soro informed the Group that, on three conditions, he is ready for the direct dialogue as called for by Gbagbo: that the international community is involved and closely monitors the process; that it is transparent; and that it is inclusive of other Ivorian parties. Soro said that, as long as the President has presidential ambitions and interests, the problem of identification of the population, a central issue for the FN, will not be easily resolved. That raises the question of transparency of the electoral process to suit Gbagbo's interest in winning the elections. Soro intends to demand a straightforward answer from Gbagbo as to whether or not he wants to remain president. He also intends to raise the issue of restructuring the army, but it requires a political decision to break the deadlock in military dialogue. Soro also informed the Group on the extensive consultations he had with the Prime Minister (PM) and other partners, including the G-7 (coalition of the leaders of the opposition), and at all these meetings, he stressed that as long as the Ivorian constitution remained in place, it would be difficult to move the peace process forward.

Schori comments that Soro gave the impression that the planned direct dialogue with Gbagbo would be a decisive moment to gauge the commitment of the latter to break the stalemate in the peace process. It would also provide the opportunity to evaluate whether Gbagbo intends to implement resolution 1721. The success of the negotiations will depend on whether the President is willing to make concessions to break the current impasse, including by making a political decision on the electoral lists and the restructuring of the army.

By insisting on transparency as one of the conditions for direct dialogue, Soro is counting on the international community to monitor the process and to draw attention to any form of shady deal that may crop up. It is in the interest of transparency that he chose to brief the Mediation Group of the outcome of his meeting with Compaoré. By advocating for the inclusion of both the Prime Minister and the G-7, Soro appears to be reinforcing his own negotiation position, which would place the PM, the opposition, the AU and ECOWAS on his side, while reducing the potential for the President to outsmart him. Soro expressed

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<sup>3</sup> (CCN-028 of 26/01/07)  
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caution and prudence in undertaking negotiations with the President and also ruled out organizing elections precipitately (Gbagbo reportedly wants elections to be held this year, which is impossible according to Soro, and is ready to bring forward the date from October to July) as a means of resolving the Ivorian crisis.

UNOCI further reports<sup>4</sup> that on 24 January, Compaoré held a three-hour meeting with Gbagbo. The meeting prepared for the direct dialogue between Gbagbo and Soro, Secretary-General of the *FN*. Compaoré later acknowledged the good will of his two interlocutors and indicated that he would organize a second meeting to identify the conditions for a successful dialogue. He also expressed hope that the upcoming direct talks would yield in a positive outcome. Gbagbo stated that the direct dialogue would be unconditional and should pave way to a lasting peace in the country. He also expressed full support to the current approach of ECOWAS in dealing with the Côte d'Ivoire dossier.

On 25 January, Schori travelled to Bouaké to meet with Soro to discuss and share views on the proposed direct dialogue. Soro also invited the EC, French and US Ambassadors in Côte d'Ivoire to attend the meeting. The French Ambassador expressed hope for a one-on-one meeting with Soro.

#### **4. Somalia**

SRSF Fall of UNPOS (UN Political Office for Somalia) reports<sup>5</sup> that the security situation in the Somali capital remains precarious. There are daily reports of murders and killings. About 20 people are reported to have been killed in Mogadishu for unknown reasons over the past few days. Unconfirmed sources suggest that they may be cases of individual revenge. He also reports that four mortar rounds were reportedly launched against unspecified targets yesterday evening in Mogadishu, with no casualties.

One mortar landed in the former UNOSOM (UN Operation in Somalia) compound and three landed Northwest of the UN compound. Casualties could not be confirmed, but two civilians were reported to have been taken to the hospital. Mortar fire comes a day after similar attacks at the Mogadishu airport.

#### **5. Guinea**

Ould-Abdallah reports<sup>6</sup> that while in Conakry, his Guinean interlocutors stressed the following points: (a) The strike is more of a political uprising and has very little to do with workers' issues as such; rather their claims made in this document are "essentially political", (b) The government has been striving to the best of its ability, to implement the recommendations of the two documents concluded after negotiations between the Government and trade unions following the two previous strikes, (c) The Government will investigate violent events

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<sup>4</sup> (Daily sitrep of 25/01/07)

<sup>5</sup> (037 of 26/01/07)

<sup>6</sup> (CDX-004 of 26/01/07)



linked to the strike, including the killing and the wounding of civilians by security forces.

He founded out that his interlocutors looked rather subdued, either they were aware that the number of casualties of 22 January was much higher than the initial official figure, or they were not supportive of the harsh repression and subsequent killing, therefore underlying that was rather the responsibility of the *Gendarmerie* and *Berets rouges/Garde présidentielle*. In any case, this may be an indication of possible divisions within the Government. He expressed his concern that the investigation commission is only made up of governmental officials.

In view of the impending appointment of a new PM, Guineans must overcome the following obstacles: first, there is no provision in the Constitution for such a position; second, it will take time to reach a consensus on the selected person; third, the biggest, the President may agree on the principle, only to change his mind later.

## **6. Guinea Bissau**

Gambari has sent a note to inform that OLA has clearly advised DPA that UN premises cannot be used as a safe haven, which can lead to complications if Carlos Gomes (the former Prime Minister and head of the largest party in the National Assembly, who has been living in UNOGBIS' premises since 10 January) stays at UNOGBIS for much longer. Gomes took refuge because he was about to be arrested without proper judicial authority and in disrespect for his parliamentary immunity. At this point your direct appeal could help impress on President Vieira the gravity of situation and the fact that it is putting the UN in a difficult position. Despite continuous efforts by your Representative, Mr. Omoregie, to negotiate a solution, President Vieira continues to refuse all proposals. While both sides agree that the solution is to have a statement from Gomes recanting his allegations to President Vieira's involvement in the killing of Commodore Sanha, the two sides have still not reached an agreement on the wording.

## **7. Kosovo**

Special Envoy Ahtisaari reports<sup>7</sup> that he met today with the Contact Group (CG) – the Russian Federation, US, UK, France, Germany and Italy – as well as with representatives of the EU and NATO, and shared with them the draft settlement proposal (the same he handed to you in Paris), which he intends to deliver to Belgrade and Pristina on 2 February.

All CG members supported the need to engage the parties in the negotiations. With the exception of the Russian Federation all CG members stressed that there should be no further delays in the process, and noted that the

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<sup>7</sup> (CVX-005 of 26/01/07)

proposal was balanced, realistic and would lead to a sustainable security and stability in the Balkans. EU representatives expected that EU Foreign Ministers would support the proposal and the work plan at their meeting scheduled for 12 February.

Ahtisaari states that there are obvious differences between the Russian Federation and the rest of the CG. The Russian representative underlined that while the general principles of the draft settlement proposal did not mention independence, it was implied in a number of provisions. Since Kosovo's independence was not acceptable to Belgrade, his conclusion was that the document could not be seen as a compromise and for this reason Russia could not offer its support. On a positive note, he observes that Russia has already urged Belgrade to engage with his proposal.

## **8. Colombia**

Gambari has sent you an extensive note<sup>8</sup> on Colombia, stating that a negotiated settlement to Colombia's 40-year internal armed conflict and its humanitarian consequences continues to dominate the UN-Colombia agenda.

For the UN system – strongly represented by 21 agencies, funds and programmes working in the country – Colombia remains an internal armed conflict. The former SG appointed a Special Adviser on Colombia in December 1999 in an attempt to use his good offices in pursuit of a negotiated settlement. The Uribe Government, however, did not allow access to the guerrillas and ultimately asked that the Adviser's mandate not be renewed beyond 30 April 2005. Since then, the UN has repeatedly stated the Secretary-General's willingness to reactivate his good offices, should the parties so desire.

The UN's relationship to the GoC has at times been fraught. The GoC is uncomfortable with the characterization of the situation as an internal armed conflict; has shown extreme sensitivity over its human rights record; and once proposed that Colombian uniformed personnel be designated "blue helmets" within the country. In January 2005 a large, High-Level meeting was chaired by former USG Prendergast to inform Colombian officials about what the UN could and could not do in a conflict such as that in Colombia. Discussions covered the breadth of UN activities in the country. Perhaps with this precedent in mind, in December 2006, President Uribe sought an early meeting with you, to be followed by a High-Level meeting of the UN system active in Colombia with top GoC officials to discuss the complete UN-Colombia agenda.

One issue of current concern within the UN Country Team is the use of UN "visibles" (i.e., the UN logo and blue vests and hats) by personnel hired by the United Nations Office on Drugs and Crime (UNODC) to work on activities related to coca eradication. Some humanitarian agencies have appealed to the UN Resident Coordinator (UNRC) and DPA for help in addressing this sensitive

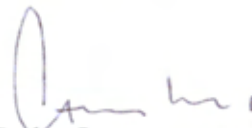
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<sup>8</sup> (27-01751)  
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issue, as they feel the practice endangers their own staff and could compromise the humanitarian work of the Organization. In a letter dated 27 November 2006, Ms. Bárcena asked the UNRC to establish the facts surrounding the practice and to make recommendations on a way forward. She also suggested that "use of the UN logo in activities conducted in conjunction with the Colombian armed forces cease until the investigation is complete and policy decisions have been taken". However, the practice has not stopped and a report of the UNRC remains pending.

On 19 January, concerns about this practice were reinforced when a car rented by UNODC marked with a UN flag and logo came under fire in Colombia leading to the death of the hired driver. The severity of the incident and the potentially serious implications for the scores of UN staff working in the country suggest that a prompt and thorough investigation of UN security procedures and UNODC activities in particular should be conducted. UNODC's direct involvement in drug eradication efforts, particularly in conjunction with Colombian security forces, has the potential not only to endanger the lives of other UN staff but also to affect the Organization's ability to serve as honest broker between the parties, should good offices again be requested.



Carlos Lopes  
26 January 2007

cc: Mr. Nambiar  
Mr. Kim Won-Soo