

UNITED NATIONS
INTEROFFICE MEMORANDUM



NATIONS UNIES
MEMORANDUM INTERIEUR

TO: Mr. Vijay Nambiar
A: Chef de Cabinet
Executive Office of the Secretary-General

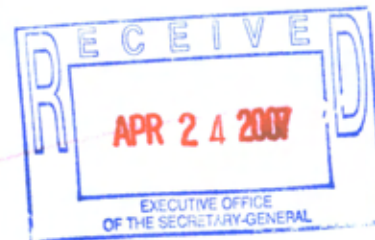
DATE: 23 April 2007

REFERENCE:

THROUGH:
S/C DE:

FROM: *H.H.* Horst Heitmann, Director
DE: Security Council Affairs Division, DPA

SUBJECT: Security Council: Report on activities
OBJET:



Attached please find, for the attention of the Secretary-General, a note on the proceedings of the Security Council on Monday, 23 April 2007 (a.m.).

cc: Mr. Pascoe



PROCEEDINGS OF THE SECURITY COUNCIL

Monday, 23 April 2007 (a.m.)

FORMAL MEETING

Meeting of the Security Council with the troop-contributing countries (TCCs) to the United Nations Mission in the Sudan pursuant to resolution 1353 (2001), annexes II sections A and B

At its 5666th (private) meeting, the Security Council met with the TCCs to UNMIS. Participants were briefed by the Acting SRSG for the Sudan, Mr. Tayé-Brook Zerihoun, having before them the latest report of the Secretary-General on the Sudan (S/2007/213).

Highlighting the progress made in the Comprehensive Peace Agreement (CPA) implementation, Acting SRSG Zerihoun noted that on the power-sharing agenda, almost all of the commissions provided for in the CPA had been established; there had been progress on wealth-sharing; and on the security front, the cease-fire had been generally respected by the parties despite a few incidents and the persistent concern posed by the activities of the LRA in southern Sudan.

Turning to the military situation, Acting SRSG Zerihoun indicated that the re-deployment of the Sudanese Armed Forces (SAF) to the north of the 1-1-56 border should be completed by 9 July. However, the formation of the Joint Integrated Units (JIUs) was behind schedule, thereby affecting the redeployment of the Sudanese People's Liberation Army (SPLA) out of the transitional areas, while the integration of other armed groups remained a source of concern. In addition, restrictions on the UN's freedom of movement in Sector 6 (Abyei) had been repeatedly imposed by both parties. On the UN police, 660 UN police officers were deployed in UNMIS against an authorized strength of 715. Among the priorities ahead, Acting SRSG Zerihoun noted that 2007 would mostly be the year of security protocol. He also underscored the need for further progress on implementing the CPA in key areas, as well as to begin to focus on the preparation for elections in 2009.

Addressing questions by Australia, Acting SRSG Zerihoun said that he had no information on the appointment of a new SRSG for the Sudan. On whether the border demarcation would be done on time to allow the elections to take place, he said that one of the reasons why the midterm elections originally scheduled to take place in 2007 had been delayed to 2009 was because the north-south problem could not be identified and because the recommendations of the Abyei boundary commission were not acceptable to one of the parties. At the same time, the process had begun, the technical committees had been on the ground and the parties had shown a determined effort to deal with the Abyei issue. In this regard, he believed that it was going to be very tough to meet the border demarcation deadline,

while noting that the census could begin in earnest before the end of this year. On a question by Ecuador, Acting SRSG Zerioun indicated that the parties had not given their full support to the DDR programme, noting that the SPLA had not been very forthcoming. There was also the issue of how to maintain the three armies, namely the SAF, the SPLA and the JIUs. The DDR programme was therefore very difficult to implement, not least because the military on both sides believed they had responsibilities for DDR, but they did not want to deal with reintegration at all. He stressed that the DDR process and the boundary issue were two of the most pressing problems, which would require much attention from the international community.

On a question by the United States, Acting SRSG Zerioun stressed that the situation in Darfur had had a negative effect on UNMIS and its work across the border. While Darfur was a priority, he stressed the importance to also direct resources to the north-south situation. He acknowledged that if Darfur was not at peace, then the forthcoming elections would be partial at best.

On questions by Bangladesh, General Mehta stated that the envisaged Darfur force would be comprised of "green berets", which were the African-generated forces (AMIS), and of "blue berets". Noting the three-phase package was proceeding smoothly, he indicated that the AU/UN were about to finalize the joint concept paper on the Heavy Support Package (HSP), while the rules of engagement had already been finalized by DPKO. On the issue of direct command and control, he stressed that all forces in the Darfur area of responsibilities would be under the direct operational command of the Joint Operations Centre and the Joint Logistics Operation Centre. The Force Commander of UNMIS would retain the overall control over UN officers.

INFORMAL CONSULTATIONS

Reports of the Secretary-General on the Sudan (S/2007/213)

Informal consultations were convened immediately after the TCC meeting. Introducing the Secretary-General's report, Acting SRSG Zerioun stressed the importance of the full implementation of the CPA as a key element for the restoration of peace. While progress continued to be made in the implementation of the CPA, there remained profound mistrust between the parties, which had implied a lack of commitment to genuine partnership and to the qualitative objectives of the CPA, namely political inclusion, democratic governance and the protection of human rights. Highlighting the priorities ahead, he underscored the importance of international support in the preparation of the 2009 elections. As peace in Sudan was indivisible, Acting SRSG Zerioun said that the next steps towards the implementation of the CPA would be greatly influenced by

the political stability and security of the whole country. In this regard, the AU/UN joint initiative to re-energize the political process was of crucial importance. While recalling that Khartoum had agreed to implement the HSP, he stressed that the ultimate objective remained the deployment of a hybrid force in Darfur. To this end, DPKO was finalizing its planning with the AU and intended to move forward speedily.

Noting that progress to date had been limited, many members called for the full implementation of the CPA and concurred with the Secretary-General's observation that peace in Sudan was "indivisible". The United States and China underlined the importance of pursuing an integrated peace process which linked efforts in Darfur to those in both northern and southern Sudan, while the Russian Federation said that the Darfur issue was having a negative impact on the CPA. Italy noted that the peace process in eastern Sudan was stagnating. The Russian Federation, China and Slovakia called on international donors to fulfill the pledges made at Oslo, while Indonesia said that the Sudan required sustained international assistance to deal with its political, security and humanitarian problems.

On the preparation of the 2009 elections, members stressed the importance of holding free and fair elections. South Africa remained concerned about outstanding legislation in that regard and called for the establishment of an independent National Election Commission. Members also noted that the Abyei issue and the demarcation of the north/south border were crucial components to successful elections and agreed with the Secretary-General's comments that elections did not "begin at the ballot box". Noting that a potential delay could cause divergence among the various parties, France highlighted the importance of sticking to the current 2009 deadline for the elections. The United Kingdom hoped that DPA's Electoral Assistance Division (EAD) would act as the "focal point" in the forthcoming elections.

Members also called for completion of the redeployment process and the development of the JIUs, while Belgium, Peru and Qatar called for progress on demobilization and reintegration. Many members also supported the Secretary-General's comments regarding the establishment of a National Human Rights Commission.

All members commended the work of UNMIS and expressed their support for the extension of the UNMIS mandate until October 2007. The United States issued the text of a draft resolution (Attachment) extending the mandate of UNMIS until 31 July 2007 and invited members to attend an experts' meeting to discuss the draft text on 24 April.

Responding to questions, Mr. Zerioun said that the appointment of a new SRSG remained the prerogative of the Secretary-General and he had no further information on that matter. With regard to the elections, he said that the parties must focus on three critical issues, namely, Abyei, the north-south boundary demarcation and the census. While a pilot census had begun, challenges remained in that regard. Similarly, a technical commission on the ground in Abyei had been stymied because of a lack of funding. However, delaying the midterm elections beyond the second half of 2009 would bring them too close to the 2011 referendum. Mr. Zerioun reiterated that holding the elections was critical to bringing all of the peace agreements together and that elections would test both the will of the people and the claim that the various movements represented the people of the different regions of the Sudan.

With regard to the envisaged hybrid force, Mr. Zerioun said that the planning should be finalized within the next two weeks and that a report would be sent jointly to the Security Council and to the AU Peace and Security Council. It was also crucial, he said, that the Government of Sudan was given a comprehensive briefing with regard to the hybrid force. Referring to AU Chairperson Konaré's visit to Khartoum, Mr. Zerioun said that that had been devoted to the status of AMIS, which had been under tremendous strain in 2007.

On a question by Indonesia, Mr. Zerioun said that the HSP would require additional funding to the tune of \$300 million. While the initial tranche could come from UNMIS savings, there would be a need to revise UNMIS' budget to support the package. Mr. Zerioun also reported that while the Eastern Sudanese Peace Agreement was still holding, many people felt that they had not been involved in the peace process and that issue needed to be addressed. Responding to a query from Congo, Mr. Zerioun said that the LRA remained a serious concern and that issues remained with regard to the LRA's command-and-control structure. However, talks were scheduled to resume in Juba and less attacks had been reported.

In summing up the discussion, the President said that the Council shared the Secretary-General's views regarding the importance of the CPA and strengthening support for the agreement. Moreover, the President noted members' calls for prompt action regarding the hybrid force and the need to have the mandate extension agreed as soon as possible. He also stressed the importance to have a new SRSG in place in order to demonstrate the UN's seriousness regarding the situation in the Sudan.

Attachment

The Security Council,

PP1. *Recalling* its previous resolutions, in particular resolutions 1714 (2006) of 6 October 2006, 1709 (2006) of 22 September 2006, 1706 (2006) of 31 August 2006, 1679 (2006) of 16 May 2006, 1665 (2006) of 29 March 2006, 1663 (2006) of 24 March 2006, 1653 (2006) of 27 January 2006, 1627 (2005) of 23 September 2005, 1593 (2005) of 24 March 2005, 1591 (2005) of 29 March 2005, 1590 (2005) of 24 March 2005, 1574 (2004) of 19 November 2004, 1564 (2004) of 18 September 2004, and 1556 (2004) of 30 July 2004, and the statements of its President, concerning the situation in the Sudan,

PP2. *Recalling* also its previous resolutions 1674 (2006) of 28 April 2006 on the protection of civilians in armed conflict, 1612 (2005) of 26 July 2005 on children in armed conflict, 1502 (2003) of 26 August 2003 on the protection of humanitarian and United Nations personnel, and 1325 (2000) of 31 October 2000 on women, peace and security,

PP3. *Reaffirming* its commitment to the sovereignty, unity, independence and territorial integrity of the Sudan and to the cause of peace,

PP4. *Welcoming* the progress in implementation of elements of the Comprehensive Peace Agreement of 9 January 2005, and *calling upon* the parties to accelerate urgently progress on implementing all aspects of the Comprehensive Peace Agreement, in particular the full and verified redeployment of forces by 9 July 2007,

PP5. *Welcoming* the first organized returns of internally displaced persons from Khartoum to Southern Kordofan and Southern Sudan,

PP6. *Welcoming* the deployment in Southern Sudan of the United Nations Mission in the Sudan (UNMIS) in support of the Comprehensive Peace Agreement, and *acknowledging* the continued commitment by troop-contributing countries in support of this mission,

PP7. *Expressing* its grave concern over the continued deterioration of the humanitarian situation in Darfur and the increasing effects of the violence on persons in Chad and the Central African Republic, and *condemning* continued violent attacks on civilians, including displaced persons, refugees, women, children, the elderly and humanitarian workers,

PP8. *Condemning* the recent fatal attacks on the African Union Mission in the Sudan (AMIS) and *commending* AMIS for its peacekeeping efforts in Darfur,

PP9. *Reiterating* in the strongest terms the need for all parties to the conflict in Darfur, including non-parties to the Darfur Peace Agreement, to put an end to the violence and atrocities in Darfur and the region, and *expressing* full support for the coordinated efforts of United Nations and African Union Envoys for Darfur and other leaders to broaden support for and move forward implementation of the Darfur Peace Agreement,

PP10. *Condemning* the 19 January 2007 arrests and detentions of personnel from the United Nations, AMIS and international non-governmental organizations in Nyala, South Darfur, and *calling for* the Government of National Unity to respect its commitment to cooperate with the United Nations in the investigation of this incident,

PP11. *Welcoming* the communiqué signed between the United Nations and the Government of National Unity in Khartoum on 28 March 2007, to support, protect and facilitate all humanitarian operations in Darfur, *calling for* its immediate implementation, and *noting* with concern the impact of continued restrictions by the Government of National Unity on the ability of the humanitarian community to reach affected persons and on UNMIS to carry out its mandate effectively,

PP12. *Urging* the parties to the Darfur Peace Agreement and all other relevant parties to implement United Nations assistance to AMIS, including the Light Support Package and the Heavy Support Package, to advance transition of AMIS to a United Nations-African Union hybrid peacekeeping force with a single unified chain of command with United Nations back-stopping and command and control structures, consistent with the conclusions of the High Level Consultations on the Situation in Darfur of 16 November 2006 in Addis Ababa (the "Addis Ababa conclusions"), and as endorsed by the communiqué of the 66th meeting of the African Union Peace and Security Council of 30 November 2006 in Abuja and by the statement of the United Nations Security Council President of 19 December 2006,

PP13. *Taking note of* the report of the Secretary-General on the Sudan dated 17 April 2007 (S/2007/213),

PP14. *Determining* the situation in the Sudan continues to constitute a threat to international peace and security,

OP1. *Decides* to extend the mandate of UNMIS until 31 July 2007, with the intention to renew it for further periods;

OP2. *Requests* the Secretary-General to report to the Council not later than 1 July 2007 on the implementation of the mandate of UNMIS;

OP3. *Calls upon* the parties to the N'Djamena Humanitarian Cease-fire Agreement, the Comprehensive Peace Agreement, the Darfur Peace Agreement, the Eastern Sudan Peace Agreement and the communiqué of 28 March 2007 to respect their commitments and implement fully all aspects of those agreements without delay, and *calls upon* those parties that have not signed the Darfur Peace Agreement to do so without delay and not to act in any way that would impeded the implementation of the Agreement;

OP4. *Calls upon* the Government of National Unity and all other parties to implement fully the Addis Ababa conclusions without delay;

OP5. *Expresses its intention* to establish a United Nations-African Union hybrid force in Darfur as provided for in the Addis Ababa conclusions;

OP6. *Requests* the Secretary-General to ensure that the arrangements for the hybrid force referred to in Paragraph 5 will allow the hybrid force to protect effectively civilians under threat of physical violence and prevent attacks against civilians; help establish the necessary security conditions for the safe provision of humanitarian assistance, and assist in the implementation of the Darfur Peace Agreement; and provide for United Nations command and control structures consistent with the Addis Ababa conclusions and for effective United Nations financial management and oversight mechanisms;

OP7. *Requests* the Secretary-General to conclude urgently the arrangements referred to in Paragraph 6, to submit to the Council recommendations for the establishment of the hybrid force, and, in the event that these arrangements have not been concluded by the date of his next monthly report to the Council on Darfur, to include in that report information on the status of these efforts;

OP8. *Requests* the Secretary-General, pending the establishment of the hybrid force referred to in Paragraph 5, to put in place urgently the full range of UNMIS assistance to AMIS as provided for in the Light and Heavy Support Packages, as agreed in the Addis Ababa conclusions and as outlined in paragraphs 35-41 of the reports of the Secretary-General on Darfur of 23 February 2007 (S/2007/104);

OP9. *Requests* the Secretary-General to continue to take the necessary measures to ensure full compliance in UNMIS with the United Nations' zero-tolerance policy on sexual exploitation and abuse and to keep the Council informed, and *urges* troop-contributing countries to take appropriate preventive action, including pre-deployment accountability in cases of such conduct involving their personnel;

OP10. *Decides* to remain actively seized of the matter.