

EO SG

Confidential

**Update Note for the Secretary-General
7 July 2008**

1. Lebanon

UNSCOL reported over the weekend that hopes were high that a new government would be formed today. A tentative agreement was reached over the weekend between PM Siniora and Aoun on the allocation of cabinet seats. The agreement reportedly gives Aoun the portfolios of Deputy PM, Communications, Energy, Agriculture and Social Affairs, and the parties are now in the process of naming the portfolio holders.

According to reports, Dr. Zuhair Mikdashi (Muslim, Sunni), a professor of banking and financial systems may be named as the Finance minister in the new government. It is also reported that Aoun is likely to name his son-in-law Gibran Basil as the minister of communications, and the ministry of energy will be allocated to Allan Taborian from the Armenian Tashnag party. As for the ministry of interior, there are strong indications that the President will nominate attorney Ziad Baroud, a (Christian Maronite) who is accepted by both sides.

PM Siniora was expected to meet with President Suleiman today to finalize the formation.

2. Somalia

Ould-Abdallah reports¹ on the killing of Osman Ali Ahmed, the UNDP officer-in charge in Mogadishu, who was shot in the head and chest by unidentified gunmen as he was coming out of a mosque in Bulohubay, southern Mogadishu yesterday. Mr. Osman's nephew was wounded in the attack.

Ould-Abdallah comments on an increase in recent attacks targeting UN national staff. On 2 June, Awes Abdualhli Ibrahim of the UNDP office in Baidoa was seriously wounded by unidentified gunmen as he was coming out of a mosque in Baidoa. On 21 June, Hassan Moahmed Ali 'Kaynan', head of UNHCR in Mogadishu, was abducted from his home on the outskirts of the city.

Ould-Abadallah also reports² on preparations for implementing some of the provisions of the Djibouti Agreement, namely the creation of the Joint Security Committee (JSC) and the High Level Committee (HLC), in Articles 8 and 9.

¹ (CMN-181 of 7 July 2008)

² (POS-035 of 7 July 2008)

The United Nations is expected to chair the two committees, at least on a temporary basis. The JSC may be co-chaired with the AU given the AU's role in Somalia. The two committees are designed to help build mutual Somali confidence and ownership. UNPOS supports the offer made by some external partners to help with a few experts to support the two committees.

Article 11 of the Djibouti Agreement envisages the convening of an International Conference on Reconstruction and Development, now expected to be conducted in two phases. The first phase will focus on recovery and should take place in December, followed by a second one on reconstruction and development.

3. Zimbabwe

OHCHR has sent³ DPA a cable recommending the inclusion of a human rights fact-finding mission in the overall UN package being negotiated for Zimbabwe. As was done in Kenya following the post election violence, a OHCHR fact-finding mission with concrete recommendations to address protection issues, as well as questions related to justice and accountability, could usefully feed into DPA's efforts for Zimbabwe.

4. Sierra Leone

Schulenburg reports⁴ that the local council elections proceeded as planned on Saturday 5 July. Notwithstanding some relatively minor security incidents, polling was conducted in a peaceful manner throughout the country. The Sierra Leone Police (SLP) provided security in all polling stations. A number of small incidents occurred which are still under investigation.

The principal political parties- the APC and the SLPP, ECOWAS, the National Democratic Institute, the Commonwealth and the US Embassy in Freetown also observed the elections. The National Electoral Commission intends to begin declaring the provisional results on 9 July and certifying them on or before 23 July.

5. Democratic Republic of the Congo

Doss has reported⁵ on the meeting he had on 1 July with President Kabila. The latter expressed his frustration about the deadlock in the Amani process, putting the blame on Nkunda. Kabila warned that, as a last resort, he would prepare for war against Nkunda should no significant strides towards peace be accomplished by year's end. In the meantime, he intends to reinforce FARDC's strength in the Kivus.

³ (CZY-036 of 4 July 2008)

⁴ (CSN-077 of 7 July 2008)

⁵ (CCX-408 of 4/07/08)

Kabila asked for MONUC's robust assistance, including military operations, to remove Nkunda by force. He characterized the DRC's relations with Rwanda as poor and ruled out the establishment of full diplomatic relations between the two to rebuild the Sake-Masisi road axis. While not condoning local violence against MONUC, he did not seem surprised by it.

Although expressing belief that Thomas Lubanga is guilty for the crimes he stands accused of before the ICC, Kabila remains concerned about the UN's inability to assist the prosecution because of witness protection considerations.

Doss cautioned the President about the use of force and stated that the UN believes that the GoDRC must strive for a peaceful solution if at all possible. Kabila welcomed the granting of premiums to FDLR ex-combatants willing to relocate, while continuing to favour their reputation.

Doss comments that whether or not the threat to use force is a realistic proposition on the part of the President or merely a test to assess the extent of MONUC's willingness to support him, Doss believes the international community should facilitate Nkunda's early departure abroad. Doss was struck by the President's insistence – time and again during the meeting – on settling the matter with the CNDP leader once and for all, and before the local elections.

As Doss sees it, the President considers Nkunda a permanent obstacle to peace that endangers his own credibility in rebuilding the country as well as his re-election prospects. Kabila may be increasingly tempted to use force against Nkunda as time goes by, with the added risk of Rwanda's possible involvement. The firm certainty that Nkunda would leave the country would make it easier for the President to make some essential compromises.

Separately Doss reported⁶ on Jean-Pierre Bemba's first appearance before the ICC judges. Bemba's transfer is likely to have a number of implications for the future of the MLC, Bemba's party, the broader political opposition, including the UDPS, at the national level in general.

Doss comments that at some stage during the ICC proceedings, Bemba might attempt to negotiate with the ICC a reduction of his sentence, should he be found guilty, by incriminating political leaders who were allegedly involved, since 2002, in crimes similar to those for which he stands trial. Other Congolese officials from across the political spectrum might thus become concerned that they also could be incriminated by the ICC.

⁶ (CCX-411 and 416 of 3 & 5/07/08)
28-07906

6. Zambia

The Zambian Chargé has transmitted to the Secretary-General an update report⁷ on His Excellency Dr. Levy Patrick Mwanawasa, President of the Republic of Zambia, who is currently receiving treatment for hypertension at the Percy Military Hospital in Paris, France. There are no new developments.

7. Ethiopia/Eritrea

Ennifar reports⁸ that UNMEE has ceased its mandated activities in Eritrea, in particular, by terminating its military operations in February 2008 and repatriating the COE and the rear parties in May 2008, but most of the Mission's administration remains in Asmara. The restrictions imposed on UNMEE by the Eritrean authorities and the crippling shortages of diesel and jet fuel in Eritrea, on the one hand, and repeated Ethiopian concerns that UNMEE operations are still supported from Asmara and recent restrictions on UNMEE flights, on the other hand, call for the Mission's immediate exit from Asmara.

In this regard, the Ethiopian authorities have informed Ennifar that UNMEE flights between Addis Ababa and Asmara will no longer be allowed if operations in Ethiopia continue to be administered from Asmara. They suggested a timeframe of two weeks to begin autonomously supporting UNMEE from Ethiopia. Given the two countries' positions, it is likely, the Mission's operations on the Ethiopian side as well might be paralyzed by the end of July when the mandate expires.

8. Nepal

Martin reports⁹ that the three major parties and the Madhesi parties agreed to draft a new supplementary Bill which would address Madhesi demands. The Cabinet nominated 26 individuals to the Constituent Assembly.

9. Pakistan

Kang (OHCHR Deputy High Commissioner) has reported¹⁰ on former HC Arbour's visit to Pakistan last week. In all discussions, the worsening security situation appeared as a major preoccupation for the GoP, with Pakistan clearly on the front line in the global fight against terrorism. This is particularly reflected, Kang states, by the increasing lawlessness in the western and northern parts of the country. During Arbour's mission, the GoP announced its new three-pronged strategy of

⁷ (28-07879)

⁸ (CUX-179 of 7/07/08)

⁹ (CQN-206 of 7/07/08)

¹⁰ (GVA 0634 of 4/07/08)

military action, political negotiation and development in the tribal areas and other pockets of armed militancy. In this context, the High Commissioner stressed the need for protection of civilians, both in the context of counter-insurgency operations as well as in peace deals with the militants, which in some instances have left local communities vulnerable and have led to regression on women's rights, particularly girls' education.

There was no specific discussion of cross-border issues with either Afghanistan or India. There was also no reference made to the Government's request for UN assistance in the investigation of Benazir Bhutto's assassination.

OHCHR hopes that the visit, while at the very end of Arbour's term will launch a new institutional relationship between OHCHR and the GoP including the possible re-deployment of an HR Adviser to support the UNCT and the Government's reform initiatives. This suggestion was also positively received by Arbour's interlocutors.

10. Georgia

With Georgia increasingly indicating the possibility for it to request the withdrawal of the CIS peacekeeping force (see, most recently, the Update of 3 July), OLA provided DPKO with comments on legal implications of such a decision. Concerning the legal status of the Agreement on a Ceasefire and Separation of Forces, signed in Moscow on 14 May 1994 by the Georgian and Abkhaz sides (the "Moscow Agreement"), OLA opines that it is binding on Georgia and that its provisions would remain in force and continue to operate, at least in so far as they were capable of continued implementation. With regard to UNOMIG, its mandate would continue to exist – unchanged – unless the Council decides otherwise, as SC resolution 1808 and other preceding resolutions do not make any connection, as a matter of law, between the continued presence of the CIS peacekeeping force and that of UNOMIG.

There are reports of further exacerbated tensions in Abkhazia, with five explosions reported on both sides of the Ceasefire Line yesterday. One locally-engaged UNPOL staff member was among four people killed, and six, including a second locally-engaged staff member, were injured. DPKO comments¹¹ that recent bomb attacks can be expected to sustain high levels of tension between Georgia and Abkhazia, which could also be used by separatist authorities to further their separation from Georgia and to call for an increased Russian peacekeeping presence.

¹¹ (1516 of 3 July 2008)
28-07906

11. Kosovo

Xinhua media report from Pristina quotes the head of EULEX, Yves de Kermabon, as saying that he would report to Brussels only and not to the UNHQ and that EULEX was not under UN umbrella although initially operating under the auspices of UNMIK. The report further quotes his remarks, made after a meeting with Seidjiu, "in this environment EULEX is under very clear chain of command, which is a European chain of command, and we will report through this specific organization in Brussels." De Kermabon, however, welcomed the SG's decision for UNMIK reconfiguration and expressed a hope that it would enable EULEX deployment and operation in the whole of Kosovo.

12. Afghanistan

Eide reports¹² on his visit to Pakistan on 2 July, where he met PM Gillani, FM Qureshi, and other senior officials. PM Gillani agreed with Eide on the importance of an improved political dialogue between the leaderships of the two countries. Gillani mentioned three main concerns related to Afghanistan: a) poppy cultivation and the link with financing the insurgency; b) lack of development; and c) possibly option – as last resort – to use force. All Pakistani interlocutors expressed their serious concerns regarding border issues, including insurgents, narcotics, and refugees.

On refugees, the interlocutors informed that Pakistan was under intense public pressure to return refugees to Afghanistan, stressing the need for stronger political will from the Afghans to fulfill their responsibility to enable reintegration of refugees. Lack of sustainability resulted in a "recycling" phenomena. While the tripartite (GoP, GoA, and UNHCR) agreement for voluntary repatriation has been extended till end of 2009 and is likely to be extended in the future, Pakistan indicated it was not in favor of an open timeframe.


Political Unit
7 July 2008

cc: VN, DSG and KWS

CdC		SG	
For SG's approval	<input type="checkbox"/>	Approved	<input type="checkbox"/>
For SG's attention	<input checked="" type="checkbox"/>	Noted	<input type="checkbox"/>
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Comment (if applicable):			

¹² (CFN-121 of 5 July 2008)
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