

Update Note for the Secretary-General

22 February 2007

Maliki

EOSG

1. Iraq

The President of the Security Council delivered a press statement on Iraq today, which states that members are following with concern the situation in Iraq and condemns all terrorist attacks, including the recent chlorine gas and other bombings in and around Baghdad. They also called on Member States to prevent the transit of terrorists to and from Iraq, and arms and financing for terrorists.

Qazi has reported¹ that on 19 February he met Iranian FM Motaki in Tehran, who said there was no alternative to PM Maliki. It was important to avoid any "unexpected developments" in Iraq (a reference to US initiatives without consulting Maliki including actions to dismantle the Sadrist infrastructure).

Following discussions with Iraqi FM Zebari Iran had agreed to provide security assistance to Iraq. It had sent two security officers to Baghdad, only for them (and others) to be arrested by the US. The arrest of Iranian diplomats raised doubts whether the US wanted Iran to contribute to security in Iraq. Iran condemned the US actions and wanted help from the international community, including the UN, to secure their release.

Closing Iraq's border with Iran and Syria sent the wrong signal. Everyone in the region knew whose borders were open to infiltration by foreign elements (a reference to Jordan and Saudi Arabia). Motaki said that Bush was using the UN as a cover when the UN should have been a strong and active player. Iran would request a more active UN role on Iraqi issues.

Qazi also reported² on his other meetings in Tehran. Deputy FM Araghchi said that if the US wished to leave Iraq without further humiliation, Iran was ready to be helpful because it knew that the humiliation of a superpower could only bring about a very dangerous situation. Even President Ahmadinejad had privately said that a precipitate US withdrawal might leave Iraq engulfed in a sectarian war that led to Iraq's disintegration. Despite their serious differences, the US and Iran shared many overlapping interests in Iraq, including support for the Maliki government, the security of Baghdad, reducing the level of violence and preserving the territorial integrity of Iraq.

Iran wanted the UN's good offices in securing the release of its detained diplomats. Whatever the outcome of UN efforts, they would increase Iran's confidence in the UN. They were also crucial to creating an atmosphere in which the US and Iran could talk to each other. Iran was still ready to talk with Washington without preconditions, and would appreciate anything the UN could do in this regard.

¹ (CZX-046 of 22/02/07)

² (CZX-049 of 22/02/07)

It understood the limits of the UN's room for manoeuvre, but wanted to see a more active UN role.

Qazi had an extensive discussion with the late Ayatollah Khomeini's spokesman, Sadek Tabataba'i, who remains an influential supporter of the pragmatist trend within Iranian politics. Tabataba'i also noted the considerable overlap between Iranian and US interests in Iraq. Accordingly, the pragmatists had advocated a low profile response to recent US provocations against Iran. There was no clear-cut or unified Iranian strategy towards Iraq. Policy was in the hands of the Supreme Leader, Khomeini, and contrary to the Iranian constitution, the Expediency Council's studies and proposals on Iraq (directed by Rafsanjani) were still being ignored. Among key advisers there was a split between hardliners like Larijani, who represented the views of the Revolutionary Guards, and the pragmatists who were represented by former FMs Velayati and Kharrazi.

Although the Iranian authorities had been shocked by Moqtada al Sadr's initial thuggish behaviour, he had matured and become more moderate. Maliki understood that it was not possible for him to disband the Jaish Mahdi of Sadr. Instead, he would try to bring the Sadrist more within the fold of organized political forces, and thereby seek to moderate their behaviour.

Tabataba'i continued that there was a general consensus among the leadership of Iran that any turmoil in Iraq that could be traced to Iran did not serve its interests. Any US military campaign against Iran would presumably aim for regime change, but this was not an option in Iran. Increasing external pressure on Iran would only restore the popular base of the President who had been weakened in the recent provincial and mayoral elections as a result of his failure to improve the economy. Even Iranian liberal intellectuals would close ranks with the regime if Iran was attacked. He himself, despite being a well-known critic of the hardliners, whom he accused of hijacking the Khomeini revolution, would "always choose independence from external dominance over internal freedom". The US build-up in the Gulf was very worrying. If an attack was launched by Israel, the Iranians would be even more humiliated. Even if Iran was unable to retaliate militarily, an attack on Iran would almost certainly lead to intensive retaliatory actions by Iran's sympathizers in Iraq, Afghanistan, Kuwait, Bahrain and the Gulf. Iran had to be seen as a friend by the Arab world. But Iranian diplomacy at present was unprofessional and clumsy as it was largely conducted by "untrained and immature personnel who knew little of the world outside their ideological blinkers".

Qazi comments that he explained the actions UNAMI and UNHCR are taking to address the IDP/refugee issue. Zebari called Qazi to say he had agreed to a preparatory meeting at the deputy FM level of the neighbouring countries in Baghdad on 10 March to which P5 ambassadors would be invited. Zebari asked Qazi to get Iran's agreement. Deputy FM Araghchi wanted to know whether the proposal had US backing before considering it. Amre Moussa earlier told Qazi that there would be no ministerial level meeting of neighbouring countries until after the Arab Summit in Cairo schedules for 29 March – and then only if Arab Sunni perceptions about security in Baghdad and the Maliki government improved.

2. Iran

This evening, EOSG received a request from IAEA to forward to you ElBaradei's report. In summary, the report says that "Iran has not agreed to any of the required transparency measures, which are essential for the clarification of certain aspects of the scope and nature of its nuclear programme..... The Agency is unable to verify the absence of undeclared nuclear material and activities in Iran unless Iran addresses the long outstanding verification issues.... Iran has not suspended its enrichment related activities..... It is necessary for Iran to enable the Agency, through maximum cooperation and transparency, to fully reconstruct the history of Iran's nuclear programme. Without (that), the Agency will not be able to provide assurances about the absence of undeclared nuclear material and activities in Iran or about the exclusively peaceful nature of the programme".

3. Lebanon

PM Siniora wrote to you yesterday³ concerning the International Independent Investigation Commission. He states that as we near the end of the Commission's mandate on 15 June 2007, and in order to ensure stability and continuity in the investigative process, Cabinet has requested a further extension of the mandate of the UNIIIC for one year. It hopes that Commissioner Serge Brammertz will continue, and also looks forward to the ratification by Parliament of the agreement signed between the UN and the Government for the establishment of the Special Tribunal.

4. Israel/Palestine

The Director-General of UNESCO, Koichiro Matsuura, has written to you⁴ about recent developments concerning the Old City of Jerusalem. On 8 February he issued a statement expressing his deep concern. On 6 February he wrote to PM Olmert in order to ensure that the work being undertaken did not undermine the outstanding universal value of the Old City of Jerusalem. Matsuura also plans to send a technical mission to the site on the ground. UNESCO is in the process of discussing with the concerned parties how such a mission could be undertaken.

Responses from you to Amre Moussa of the Arab League and the PM of Malaysia were signed on your behalf in EOSG today, emphasising your concerns and recent actions on this same subject.

5. Sudan

UNMIS reports⁵ that the Presidents of Sudan, Libya and Eritrea were joined by President Deby of Chad at their summit in Tripoli, which began on 20 February. According to local media, the summit is reviewing the implementation of the Tripoli

³ (27-03309)

⁴ (27-03258)

⁵ (UNMIS#271/2007 of 22/02/07)

Agreement between Chad and Sudan, as well as means of bringing non-DPA signatories into the Darfur peace process. The meeting will reportedly prepare for a new round of negotiations between the GoS and the armed movements, expected to be held later in Asmara. The Sudanese rebel movement, the National Redemption Front (NRF), announced it was only attending the Tripoli summit to exchange views and had not come to engage in negotiations with the GoS.

In a fax sent to Gambari today, the Head of the UN Liaison Office with the AU in Addis Ababa, Babacar Jagne, informed him that AU Commissioner for Peace and Security Said Djinnit had told him that further to your letter to Chairperson Konaré and following the recent telephone conversation you both had, it has been decided that Djinnit would now represent Konaré at the meeting in New York on 27 February. Djinnit is also fully empowered by Konaré to discuss not only Darfur, but also all other issues of common concern to the two Organizations, including the situations prevailing in Somalia, Côte d'Ivoire and the Central African Republic.

6. Democratic Republic of the Congo

MONUC reports⁶ that in consultations with French Government officials, SRSB Swing argued against a reduction of MONUC's troop levels or a phasing-out plan. He suggested that any downsizing should follow a system of benchmarks of DRC's minimum capacity to take over security functions from MONUC rather than an *a priori* timetable. He also underscored the importance of holding local elections and of (1) retaining a minimum logistical capacity within MONUC to support elections; and (2) exploring ways to mobilize the necessary funds for them. He also emphasized the necessity of an international coordination mechanism for political dialogue that would be respectful of the newly acquired legitimacy of the Congolese institutions. Swing called for a Council visit to the DRC by the end of June.

French officials agreed that a continued UN peacekeeping presence in the DRC was necessary. They felt that security sector reform (SSR), and not the holding of elections, should be the exit strategy of MONUC. The Mission's mandate would need to be adjusted to reflect the realities on the ground. They are supportive of maintaining the current troop levels of the mission and were working with their partners in the SC towards this end. They expressed concern at a tendency following the elections to shift from a multilateral to increasingly bilateral approaches in the DRC. They expressed their preference for multilateralism in the DRC and underscored their support for the establishment of an international coordination mechanism. French officials expressed concern at the US position on the coordination mechanism and inquired about the South African position.

In a note⁷ to you, Gambari reports that that following an EOSG directive, he received yesterday a phone call from opposition leader Jean-Pierre Bemba. The latter recalled that he had accepted Gambari's and others' previous advice to accept the results of the presidential elections despite obvious irregularities to "avoid chaos and

⁶ (CCX-117 of 21/02/07)

⁷ (27-03304)

confusion. However, he has noted that President Kabila had reneged on the understanding that there would be a government and an opposition by confiscating the process. In areas where the opposition was strong, Kabila was using public money to buy public officials. He said that instead of creating democracy, Kabila was producing a dictatorship through the use of public funds.

Bemba claimed that the UN representatives on the ground often did not receive reports depicting the real situation. He remarked that if the current situation continued, he would pull out of the political process entirely and leave the political field to Kabila to do whatever he wanted. He was certain that this would lead to problems and chaos; however, Kabila would be the one to blame. Gambari appealed to Bemba not to pull out of the political process and to remain engaged.

7. Nepal

Gambari has sent you a note⁸ analyzing recent developments in Nepal. The crisis in the Terai and the Government's announcement of concessions to the Madhesi and other communities has exposed a major flaw in Nepal's peace process, namely its lack of inclusiveness. Although the "People's Movement" that forced King Gyanendra to give up power last April was a truly broad-based popular movement in which civil society in the wide sense participated, the negotiations that followed on the political transition towards the election of a Constituent Assembly have been entirely monopolized by the Seven-Party Alliance (SPA) and the Communist Party of Nepal (Maoist) – CPN-M. Little effort was made to include in the dialogue, civil society groups, indigenous peoples' organizations, women's groups or representatives of Dalits (untouchables), or to give them space in any of the transitional bodies, or permit them a say in the design of the electoral system.

Although social exclusion has been an important underlying issue of the Maoist insurgency this is the first time it has received such a wide embrace and public expression by a cross-section of these communities.

The Government and the Maoists now face a major challenge of initiating immediate and meaningful dialogue with these communities so as to stave off a continuation of the protests. The issues at hand are so central to the whole political process that the exercise will require a revision of the Interim Constitution, a wider power-sharing arrangement in parliament and the Government, a revision of the proposed electoral system and an agreement on a future federal structure. This means a renegotiation of important aspects of the interim arrangements that took the SPA and the Maoists months to settle. The Electoral Commission has warned that if the electoral framework is not agreed and the necessary legislation not put in place in the coming days, it will not be possible to hold the Assembly elections as planned by mid-June. A delay of the elections would mean a postponement until November, on account of the monsoon season. Neither PM Koirala nor the Maoists want a delay. Maoist Chairman Prachanda publicly warned that if the elections were delayed, his

⁸ (27-03202)
27-03310

party would lead a new street movement for the declaration of a republic by April or May.

Meanwhile, UNMIN continues to make steady progress in its deployment with an important stage being reached on 17 January with the commencement of UN registration and storage of the weapons of Maoist combatants. Registration has now been completed in five of the seven cantonments and the number of arms monitors has reached 50, with full deployment expected by the end of March once the Mission's budget is approved by the GA.

Gambari underlines the importance of the Mission having the capability to carry out its mandate fully and in a timely manner, and observes that support among Member States for the UN's role in Nepal remains strong.

8. Ethiopia/Eritrea

Attached is a letter dated 15 February addressed to the President of the Security Council by the Eritrean Ambassador, in which he reiterated his Government's rejection of the appointment of Mr. Ennifar as Acting SRSG for UNMEE. The Ambassador argued that "while Ethiopia's refusal to accept Kalomoh was honoured, Eritrea's legally and diplomatically accepted behaviour of rejecting Ennifar's appointment was not honoured. Such approach by the Secretariat of the United Nations is unacceptable and it is the manifestation of a double standard". The Ambassador indicated that he was looking forward to the appointment of a new SRSG for UNMEE. (*attachment # 1*)

Despite the fact that Lopes explained to the Eritrean Ambassador that sending a letter to the Council on this matter was not a good course of action, he decided to do so. This letter has been distributed informally to Security Council members and will not be issued as a Council document.

9. Timor-Leste

The Security Council this morning unanimously adopted resolution 1708, agreeing with your recommendations to extend the mandate of the United Nations Integrated Mission in Timor-Leste (UNMIT) until 26 February 2008, and to reinforce it with an additional Formed Police Unit (FPU) of up to 140 police officers to supplement existing law enforcement capacity particularly during the pre- and post-electoral periods.

Meanwhile, SRSG Khare reports⁹ that in his weekly meeting with PM Ramos-Horta, he briefed him on the measures taken by UNPOL to deal with the security situation in Dili, including increased patrolling and arrests. He said they agreed that these isolated but frequent attacks on Government and UN vehicles should be investigated to see if they had been incited.

⁹ (CTX-050 of 22.02.07)

10. Kosovo

SRSR Rucker reports that the Chairman of the Kosovo delegation to the status consultations in Vienna, Veton Surroi, called on the people of Kosovo to be patient in the "last marathon steps to independence". Surroi said the positions of the two sides remained far apart and he was discouraged that the two sides were unable to agree on issues on which agreement should be possible, such as the return of missing persons' remains.

The UN Office in Belgrade reports that at the end of the first day of consultations, Leon Kojen, one of the coordinators of the Belgrade Negotiating Team and President Tadic's adviser, declared that the stance of the two parties are far apart on the issue of the future status of Kosovo, and that outgoing Serbian President Kostunica stated that he was convinced that Ahtisaari considers a compromise impossible, and that compromise actually means an imposed solution.

Meanwhile FM Lavrov is quoted as stating that Russia will not be part of any effort to force Serbia to recognize the independence of Kosovo. "Only the two sides (Serbs and Kosovars) can make a decision on Kosovo and no one can impose a decision on them ... At least Russia will not be part of any such scheme". Lavrov said he respected Ahtissari, but that it was his job to mediate. "It is not up to him to decide if the time is right to make a decision. We back Ahtisaari's activities in preparing proposals on Kosovo to be presented to both sides. That is what we have subscribed to, nothing else".

11. Least Developed Countries (LDCs)

The PR of Benin called on EOSG (Gilmour) today to follow up on his meeting with you on 12 February. He said that some LDC ambassadors were asking if there was any progress in your appointment of the next UN High Representative for the LDCs, landlocked and small island states. As he mentioned to you in response to your question, he was in favour of an appointment from a Nordic country and would be prepared to suggest possible names if desired. He reiterated his suggestion that you may want to meet with the group of which he is chair (and which numbers 50 member states) to convey your support to LDCs. You will also be invited to attend the next ministerial meeting of the LDCs, scheduled for 8-9 July in Istanbul.

 Carlos Lopes
22 February 2007

cc: DSG
Mr. Nambiar
Mr. Kim Won-soo