

Update Note for the Secretary-General
20 July 2009 *Bryan*

1. Lebanon *> bn*

The Kafer Choufa incident

Graziano reports¹ that on 18 July he met with the Speaker of Parliament, Nabih Berri. Members of Parliament, Ali Bazzi and Qassem Hashem, who yesterday led the demonstration in Kafer Choufa, were also present (see Update Note of 17 July 2009).

Berri started emphasizing the Lebanese claims on She'ba Farms and describing the Israeli recent activities in the area as a change of the status quo and a provocation that the Lebanese could not accept. In defending the actions taken by the population of Kafer Chouba, he remarked that UNIFIL should also address this situation.

Graziano expressed UNIFIL's concern about the growing tension in Kafer Chouba but reiterated that UNIFIL's mandate is strictly limited to its Area of Operations, which is defined as the area between the Litani River and the Line of Withdrawal, and that as a consequence events occurring in the She'ba Farms were not part of UNIFIL's mandate.

Graziano told the delegation that he had conveyed to the Israelis his concern over their recent construction activities in the area which had contributed to raising tensions, despite recognizing that such activities did not constitute a violation of the Line of Withdrawal. However, he pointed out that the crossing of the Line of Withdrawal by Lebanese civilians represented a violation to 1701 (2006), regardless of the motivation used to justify it. He indicated that he would inform both the Personal Representative of the SG for Lebanon, Williams and UNHQ about these Lebanese concerns.

Graziano made reference to the time required to address these issues and the risk of precipitating events on the ground, particularly in view of the local demonstrators' threat to use bulldozers to destroy the recently built Israeli position.

He left with the impression he had achieved a period of grace of at least 4-5 days before more assertive actions take place.

¹ (NAQ-811 of 18/7/09)
29-07527

The Khirbat Silim incident

Graziano also reports² that following the explosions of 14 July at Khirbat Silim, the LAF agreed to a joint inspection of an area where UNIFIL had reported suspicious movements having taken place, in the morning after the incident. On 18 July, UNIFIL met the LAF at 14:45 at an agreed rendezvous. However, they were delayed by discussions over operational details and the identification of the house to be inspected.

While these issues were being resolved, the situation deteriorated and a well-coordinated group of civilians, probably Hezbollah, started to confront and throw stones at the UNIFIL investigation team and the French battalion units providing area security. An Italian unit was then deployed with heavy armored vehicles to reinforce those already on the ground. Since it was clear that the investigation could not be carried out without strong use of force against a population, including women and children, armed with stones and batons, a decision was made to disengage. At one point it became necessary for an APC crew to fire two pistol shots in the air in order to open an exit path. Meanwhile, LAF sent reinforcements which facilitated the UNIFIL units' disengagement. One UNIFIL Warrant Officer was hit by a stone on his face while thirteen others were slightly injured; several vehicles were damaged.

Today, Graziano met LAF Commander Kahwaji and Gen. Shehaitly. Gen. Shehaitly reiterated the need to follow the agreed procedures on searching private property. Graziano told him that in his view it was not a matter of the agreed procedures not having been followed. Rather, valuable time was lost with discussions of the operational details of the search during which the situation at the location grew more and more tense.

Graziano comments that LAF interlocutors hinted that Hezbollah could be reconsidering their official strategy of full respect of resolution 1701 (2006), specifically with regard to the right of UNIFIL to enter private properties.

Graziano estimates that, the good condition of the ammunition and the anxiety of the local populace to remove evidence, suggests that the ammunition depot that exploded on 14 July was active. However, because the ammunition is old, dating between the 1970s and 1990s and also because of the type of ammunition involved, it is very probable that this ammunition was present from before the 2006 war.

² (NAQ-814 of 20/7/09)
29-07527

2. Jerusalem

Serry informs³ that the Jerusalem Municipality last week approved construction for new settler housing units at the site of the old Shepherd's Hotel. The announcement of the approval has led to sharp tensions between Israel and the US (these were widely reported over the weekend and are not repeated here).

The Palestinian president has now reiterated his position that he will not renew negotiations with Israel as long as there is no halt to Israeli settlement construction.

Serry comments that these developments happened on the eve of Senator Mitchell's next visit to Jerusalem and do not bode well in respect to US efforts to obtain a credible commitment from Israel on its roadmap obligations to freeze all settlement activities, including natural growth. In recent meetings, Palestinian interlocutors have expressed to Serry their concern that the US may be giving in to Israeli counter-pressure on, for instance, a definition of natural growth, and allowing for some construction projects to continue, which in turn would put President Abbas in a very difficult position.

3. Sudan

Qazi updates⁴ on the situation in Abyei ahead of the ruling of the Permanent Court of Arbitration (PCA) on 22 July. UNMIS is deeply concerned about the continuing reports of movements of armed elements in the Abyei Roadmap Area. There are indications that the SPLA is planning to take control of the Agok airstrip once the PCA award is handed down. UNMIS is implementing its contingency plans to ensure readiness in responding to any possible outbreak of hostilities. Notwithstanding this, UNMIS has emphasized to its interlocutors that the two parties bear overall responsibility for security and protection of civilians in the area. UNMIS issued a press release on 18 July, expressing concern about the presence of armed elements and stressing complete commitment of the two parties to the peaceful implementation of the PCA decision.

Following the press release, the Sudanese government conveyed its strong discontent with the press release. Foreign Minister Deng Alor relayed that UNMIS should have consulted with its local counterparts, fearing that the statement can generate mistrust between the parties at a sensitive time. The GoS banned printing of the press release in papers.

³ (CJX-067 of 20/07/09)

⁴ (KHA-1075 of 17/07/09, KHA-1076 of 19/07/09)

On 18 July, the ICRC has stated⁵ that it had facilitated the transfer of 60 GoS prisoners from JEM to Sudan on 17 July. JEM also released its statement on its web page confirming the release of prisoners. JEM has maintained that the GoS should release JEM prisoners as a precondition for the progress in the Doha negotiations.

4. Somalia

UNPOS reports⁶ that in an op-ed authored by the SRSG, published by the Washington Post today, he argues that the present conflict in Somalia is a not a classic civil war, but an externally funded attempt to seize power from a legitimate government.

Meanwhile, on 18 July, Somali gunmen kidnapped three foreign aid workers in Mandera, a remote border town in Kenya. They were taken into Somalia. The three aid workers, reportedly nationals of the USA, Pakistan and Zimbabwe, were working for the charity group, Action Against Hunger. Al-Shabaab is said to have claimed responsibility of the kidnapping.

The radical elements of Al-Shabab have reportedly announced that UNDP, UNDSS and UNPOS can no longer operate in Baidoa and Wajid. The decision is in reaction to the support of the international community for the Government of Somalia and AMISOM. As a result, the UN compound in Baidoa and Wajid were "visited". Equipment has, reportedly, been confiscated in Wajid while a more systematic "looting of the premise" was reported in Baidoa. The UN has pulled out its international staff from the area, UNPOS is monitoring the situation.

5. Afghanistan

A month ahead of the elections, Eide reports⁷ that over 100 cases of electoral violations have been submitted to the IEC, including the destruction of campaign materials, discrimination, intimidation, and misuse of Government resources to influence the electoral process. This is further to the earlier concerns about biased coverage in the state media in favor of President Karzai (see Update of 13 July). Security planning for the election is facing serious challenges owing to a shortfall of Afghan National Police to secure IEC offices/warehouses and polling sites.

⁵ (ELF-604 of 20/07/09)

⁶ (CMN-150 of 20/7/09)

⁷ (Weekly sitrep of 9-15 July 2009)

On the humanitarian front⁸, access continues to be hampered by insecurity in most parts of the country, with direct attacks on aid workers increasing, even in the north and northeast which were previously considered relatively safe. Humanitarian needs are on the increase, as military operations in Helmand and the intensifying conflict in Pakistan's NWFP and FATA are causing displacement and movement of populations.

Continuing civilian casualties remain a serious concern. In June, 213 civilian deaths were reported to UNAMA (which represents a 24% increase over the same period in 2008), reflecting the intensification and spread of the conflict. This includes 18 killed in two separate air strikes by the international military forces in the Central Highlands. Eide informs of ISAF's new directives, which authorize the use of air strikes only under very limited conditions. It also requires troops to be accompanied by Afghan forces when entering residences and bars ISAF forces from entering or firing upon mosques or other religious sites.

6. Guatemala-- CICIG

Castresana reports⁹ that on 16 July, Congress, in an extraordinary session, ratified the extension of CICIG's mandate for an additional two years. Earlier in the day, the international community demonstrated its support of CICIG when a group of 15 ambassadors and other representatives from diplomatic delegations and international organizations came before Congress to request the immediate ratification of the extension of CICIG's mandate. The representatives of more than 40 civil society organizations who have come together in support of CICIG and the fight against immunity were also present in Congress, lobbying for the urgent ratification of the extension.



Political Unit
20 July 2009

cc: DSG, VN, KWS

⁸ (CFN-120 of 18/07/09)

⁹ (CTG-118 of 16/07/09)