

University Of Pretoria, Department Of Political Sciences.

SOUTH AFRICA'S SECOND TERM ON THE UNSC

By FAITH K. MABERA
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A Critical Appraisal of South Africa's second term in the UNSC: Month to Month 2011.

1. Introduction

South Africa embraced its second term on the UNSC with a heightened sense of optimism and resolve to perform better than it did on the first term. In a key speech at the University of Pretoria on 15 October 2010, Minister Nkoana-Mashabane reiterated the thrust of South Africa's foreign policy including the prioritization of the African continent, South-South cooperation, North-South cooperation and promotion of multilateralism in tackling issues related to international peace and security.¹ The Minister also emphasized the continuation of South Africa's efforts towards strengthening cooperation between the UNSC and the AU Peace and Security, whilst working closely together with other African countries on the UNSC during its term that is, Gabon and Nigeria.²

Furthermore, South Africa's latest invitation to join BRICS is crucial as it calls for a balancing of the country's agenda for development and peace on the African continent with its strategic partnerships ranging from BRICS to IBSA, while at the same time showing commitment to the priorities of its foreign policy. Such a precarious balance is the essence of what constitutes the test of South Africa's second stint on the UNSC and needless to mention, expectations are high. This report is a critical appraisal of South Africa's performance at the UNSC from the time when it took up its seat in January 2011 up till December 2011. The focal areas will be the voting behaviour of South Africa in key

¹ Speech by Minister Maite Nkoana-Mashabane at the Institute for Strategic and Political Affairs (ISPA) and the Department of Political Sciences (University of Pretoria) Seminar on "South Africa's Second Term as a Non-Permanent Member of the UN Security Council", 15 October 2010. DIRCO
<<http://www.dfa.gov.za/docs/speeches/2010/mash1015.html>> (accessed 2 April 2011).

² *Ibid*

resolutions passed thus far and the politics underlying its international diplomatic profile. Also included is a discussion of South Africa's presidency of the Council in January 2012.

2. January 2011

Bosnia and Herzegovina held the presidency of the Council in January. One resolution on Côte d'Ivoire (S/RES/1967) was unanimously passed on 19 January 2011, authorizing the deployment of an additional 2000 troops for the United Nations Operation in Côte d'Ivoire (UNOCI).³ By the end of January, a key issue for the Council was whether to impose sanctions on individuals and parties that were frustrating the process to end the on-going crisis. The support of South Africa for this resolution shows its commitment to the success of peacekeeping missions as viable instruments in conflict resolution.

3. February 2011

Brazil held the presidency in February. Issues of note on the Council agenda were Côte d'Ivoire, Timor-Leste and the Middle East.⁴ On 16 February 2011, S/RES/ 1968 was unanimously passed authorizing a three-month extension of the temporary redeployment of infantry and aviation units from the United Nations Mission in Liberia (UNMIL) to the Organization's Operation in Côte d'Ivoire (UNOCI). Also unanimously adopted was S/RES/ 1969 which extended the mandate of the United Nations Integrated Mission in Timor-Leste (UNMIT) for one year till 26 Feb 2012.

A draft resolution S/2011/24 which would have dubbed all Israeli settlements in Palestinian occupied territory as illegal failed to sail through courtesy of a veto as a result of the negative vote cast by the US. Speaking on behalf of the US, Susan Rice defended the

³ "Amid deteriorating security situation, ongoing political impasse in Côte d'Ivoire, Security Council bolsters peacekeeping mission there by 2,000 additional troops" SC/10156 Press Release < <http://www.un.org/News/Press/docs/2011/sc10156.doc.htm> > (accessed 29 March 2010)

⁴ Security Council Report: Monthly Forecast Feb 2011, <<http://www.securitycouncilreport.org>> (accessed 2 February 2011)

position of the US arguing that her country vehemently rejected the legitimacy of settlement activity, which undermined Israel's security and corrode hopes for a peace settlement. She highlighted the immense efforts of the US towards realizing a viable two-state solution to the conflict resulting in the creation of a state of Palestine as a way of ending the conflict. She also added that the only way to reach that goal was through sustained negotiations between the parties, with dynamic international support.⁵

Amb Sanqu said South Africa had voted in favour of the resolution because it believed that the illegal settlements continued to hamper the process of negotiations and realization of peace. He further stated that in spite of the the failure of the Council to adopt the draft resolution, the peace process has to move forward. The parties are still under an obligation to comply with their previous agreements and obligations in terms of the Quartet Road Map, which includes those on illegal settlements. He also called on Israel to immediately and completely cease all settlement activities in the Occupied Palestinian Territory, including East Jerusalem.⁶

Also of note in February was S/RES/1970 on Libya which was passed on 26 Feb 2011. The UNSC voted unanimously in condemning the use of lethal force by Libyan leader Muammar Gaddafi and in turn imposed a series of sanctions on Gaddafi and his affiliates including an arms embargo and travel bans. In addition, the UNSC referred Libya to the ICC, urging the Prosecutor to look into crimes against humanity in light of the violent crackdown of protesters undertaken by Gaddafi and members of his inner circle. In a statement explaining South Africa's vote in favour of the resolution, Amb Sanqu said South Africa was deeply concerned about the deteriorating situation in Libya which had resulted in massive loss of lives. He also pointed out that the resolution sent "a clear and unambiguous message to the Libyan authorities to end the carnage against its people." The resolution was also in sync with the decision of the AU Peace and Security Council to condemn the excessive and

⁵ "Security Council fails to adopt text demanding that Israel halt settlement activity as permanent member casts negative vote" SC /10178 Press Release <<http://www.un.org/news/press/docs/2011/sc10178.doc.htm>> (accessed 28 February 2011)

⁶ *ibid.*

lethal use of force against protesters while urging Libyan authorities to put an end to the violence and come up with amicable solution to the crisis.⁷

4. March 2011

China held the presidency in March and priority issues included Liberia, Somalia, Libya, Afghanistan and Cote d'Ivoire. Resolutions on Liberia, Somalia, Afghanistan and Cote d'Ivoire were adopted unanimously. S/RES/1971 was passed on 3 March and ended the authorization for the deployment of military personnel for the protection of the Special Court for Sierra Leone reverting responsibility to local authorities. S/RES/1972 was passed on 17 March alleviating the assets freeze on Somalia particularly on resources that facilitated access of UN humanitarian aid to areas of need. S/RES/1974 on Afghanistan extended the mandate of the United Nations Assistance Mission in Afghanistan (UNAMA) for one year until 23 March 2012.⁸

The most controversial resolution in March was S/RES/ 1973 which imposed a no-fly zone over Libya and reinforced the sanctions regime on Gaddafi and his affiliates. The resolution authorised members to take all necessary measures, short of an occupational force, to protect civilians under attack from pro-Gaddafi forces. The resolution was passed on 17 March by a vote of 10 with none against, and five abstentions (Brazil, China, Germany, India and Brazil).

Explaining Germany's abstention, Peter Wittig said that his country was concerned by the plight of the Libyan people and fully supported the sanctions regime. However in terms of the implementation of a no-fly zone, there was the risk of states involved being drawn into a protracted conflict. Maria Luiza Riberio Viotti of Brazil said her delegation was deeply concerned about the situation in Libya and that the Brazilian government stood in solidarity

⁷ Statement in Explanation of Vote by SA Ambassador Baso Sangqu on the Resolution on Libya in the United Nations Security Council, New York, 26 February 2011. DIRCO
<<http://www.dfa.gov.za/docs/2011/unsc0226.html>> (accessed 1 March 2011)

⁸ Meetings conducted/ Actions taken by the Security Council in 2011 UN Documents, Research Guide
<<http://www.un.org/Depts/dhl/resguide/scact2011.htm>> (accessed 29 March 2011)

with all parties that called for an end to the crisis. “We are not convinced that the use of force as provided for in operative paragraph 4 of the present resolution will lead to the realization of our common objective — the immediate end of violence and the protection of civilians,” she said, adding that Brazil was also concerned that the measures undertaken under the resolution might have the unintended effect of exacerbating the current tensions on the ground and may have unintended consequences on civilians. Brazil believed that a political process was the key in resolving the crisis as opposed to a purely military process. Manjeev Singh Puri of India explained that a lot of questions remained around the implementation of measures and such uncertainty about tactical and operational strategies motivated India’s abstention. India favoured political measures as priority in addressing the Libyan situation. Li Baodong of China expressed his country’s conviction that force was to be used only as a last resort when all other measures had been exhausted. Russia’s spokesperson, Vitaly Churkin expressed concern about uncertainty around implementation of measures and emphasized that Russia believed an immediate ceasefire would be the most viable solution.⁹

South Africa was the only BRICS country that voted in favour of S/RES/ 1973. Amb Sanqu defended South Africa’s position stating that the country believed that adoption of measures under Resolution 1973 was a necessary reinforcement of Resolution 1970, all aimed at protecting the rights of civilians. He also added that as a matter of principle, South Africa supported the resolution with all the necessary caveats surrounding sovereignty, territorial integrity and rejection of foreign occupation.¹⁰ South Africa’s cabinet also welcomed Resolution 1973, reiterating South Africa’s support for the AU High Level

⁹ Security Council approves ‘no-fly zone’ over Libya, authorizing ‘all necessary measures’ to protect civilians, by vote of 10 in favour with 5 abstentions. UN Press Release SC/ 10200 17 March 2011
<<http://www.un.org/News/Press/docs//2011/sc10200.doc.htm>> (accessed 29 March 2011)

¹⁰ Statement by Ambassador Baso Sangqu in explanation of the vote in the UN Security Council on the Situation in Libya < <http://www.dfa.gov.za/docs/2011/liby0318.html>> (accessed 29 March 2011)

Committee dedicated to finding a political solution in Libya through measures such as political dialogue, humanitarian assistance, inclusive transition and cessation of hostilities.¹¹

In a media briefing held on 1 April 2011, Minister Nkoana-Mashabane highlighted that South Africa's support of Resolutions 1970 and 1970 was based on "our values of human rights, human dignity and freedoms, which behoved of us not to be silent while people were being massacred in Libya by their own government; our ideological outlook which emphasizes/prioritizes the spirit of internationalism, the rejection of colonialism and other forms of oppression, and the promotion and defence of the plight of the suffering masses of the world; and that the UN resolution 1973 contained elements of civilian protection and the delivery of humanitarian assistance to those affected in Libya."¹²

Praise aside, South Africa's support for the no-fly zone over Libya has been the subject of a chorus of criticisms. The South African government has come over fire from the ANC Youth League that "whilst presented as a means of protecting Libyan civilians, the UN resolution and imposition of a no-fly zone in Libya is meant to impose the West's takeover of Libya, because of its oil endowments," according to spokesman Floyd Shivambu. Zuma's allies in the Communist Party were also critical, saying South Africa was "unwittingly aiding imperialist lust for Libyan oil". "Whilst as the SACP we support the President's call that there must be no attempts at regime change in Libya, and that civilian life has to be protected, it is our firm belief that in voting for this resolution in the Security Council, our government should also have fully considered the dangers of military intervention that may be used by imperialist forces to exploit such attacks for their own ends," the Communist Party said in a

¹¹ Statement on the Cabinet meeting held 30 March, DIRCO
<<http://www.dfa.gov.za/docs/2011/cabinet0330.html>> (accessed on 1 April 2011)

¹² Notes following Minister's Media Briefing on Current and International Issues, 05 April 2011 DIRCO
<<http://www.dfa.gov.za/docs/speeches/2011/mash0405.html>> (accessed 20 April 2011)

statement. President Robert Mugabe's ZANU-PF party has damned the attacks in Libya as "imperialist aggression".¹³

Zuma has reacted to criticism by distancing himself from the NATO-led intervention in Libya arguing that it has endangered civilians. This confirms criticisms hailed against South Africa's foreign policy under Zuma as being 'all over the place.' President Zuma has now joined the bandwagon criticizing the killing of civilians in Libya yet he knew that imposition of a no-fly zone left room for use of force which could have resulted in the unintended but foreseeable death of civilians. Furthermore the NATO-led intervention has been accused of falling prey to 'mission-creep' by implicitly favouring the removal of Gaddafi from power hence instigating a regime change. Perhaps this is what its BRICS counterparts and Germany were trying to avoid when they chose to abstain from the vote: the likelihood of Libya turning into another Iraq or Afghanistan, where civilians have bore the brunt of military intervention led by Western forces. The excuse that South Africa did not anticipate civilian casualties in the course of implementing S/RES/1973 simply does not hold. Furthermore, the lack of clear direction and uncertainty in South Africa's foreign policy is also seen in the change of positions over Côte d'Ivoire earlier in March. President Zuma made the decision to acknowledge Alassane Outtara as rightful President and call for the resignation of Laurent Gbagbo after his visit to France yet South Africa had been sitting on the fence for many months since December 2010.¹⁴ The implication is that South Africa's prioritization of Africa, support for sovereignty and territorial integrity of states and its campaign for human rights have been tangled up in a foreign policy twist that will take time and insight to untangle.

¹³ "President Zuma Changes Tune Amid Criticism From the Youth League and Communist Party on Libya Vote" 22 March 2011 <<http://www.newzimbabwe.com/news/printVersion.aspx?newsID=4729>> (accessed 1 April 2011)

¹⁴ "South Africa's foreign policy, all over the place: South Africa is joining the BRICs without much straw," The Economist 24 March 2011 <http://www.economist.com/node/18447027?story_id=18447027> (accessed 1 April 2011)

There is need for coherence and direction in foreign policy strategies in coming months of its second tenure at the Security Council.¹⁵

Also of note in March was S/RES/1975 adopted 30 March 2011 which imposed sanctions on Laurent Gbagbo and his affiliates. The resolution which was passed unanimously urged Gbagbo to step down immediately and also reinforced the Council's support for UNOCI's mandate to protect civilians from violence. In a media briefing held on 1 April 2011, Minister Nkoana-Mashabane stated that South Africa remained deeply concerned about the situation in Côte d'Ivoire and emphasized that ECOWAS (the regional body), the AU and the United Nations should continue striving for a peaceful political solution to the current crises in Côte d'Ivoire, which was on the brink of civil war. Furthermore, South Africa believed that a political solution, aimed at restoring national reconciliation and unity, democracy, good governance was the only sustainable approach to ensuring long-term stability in Côte d'Ivoire and that the continued killing of civilians was a gross violation of human rights. In addition, South Africa voted in favour of Resolution 1975 (2011) as the resolution is fully in line with the roadmap outlined by the African Union, as it calls for: an end to hostilities, the protection of civilians and for the parties to implement the political solution endorsed by the African Union. She also noted that South Africa was supportive of the call by the AU, United Nations and SADC Organ Troika on Politics, Defence and Security Cooperation for Mr. Laurent Gbagbo to immediately hand over power to the internationally recognized winner of the Ivorian Presidential elections, Mr. Alassane Outtara, in order to avoid further bloodshed.¹⁶

¹⁵Christie, S (2011) "An armchair guide to SA's foreign policy challenges" Mail and Guardian, 25 March 2011 <<http://mg.co.za/article/2011-03-25-an-armchair-guide-to-sas-foreign-policy-challenges/>> (accessed 20 April 2011)

¹⁶ Notes following Minister's Media Briefing on Current and International Issues, 05 April 2011 DIRCO <<http://www.dfa.gov.za/docs/speeches/2011/mash0405.html>> (accessed 20 April 2011)

5. April 2011

Colombia held the Presidency in April. Key issues on the April agenda were Somalia, Sudan, Western Sahara, Côte d'Ivoire, Kenya and the non-proliferation of weapons of mass destruction. On 8 April, Council members met in consultations on Kenya's request to defer the application of the International Criminal Court (ICC) jurisdiction, under Article 16 of the Rome Statute. It was decided that the matter was to be determined by the ICC itself and seeing that members did not agree, the issue would not take up any more of the Council's time. On 11 April, the Council unanimously adopted S/RES/ 1976 on Somalia which considered the establishment of tribunals to deal with piracy and maritime violence cases. S/RES/1977, adopted 20 April, extended the mandate of the committee that monitors efforts to prevent weapons of mass destruction from falling into the hands of terrorists and other non-State actors (also known as the 1540 Committee) for 10 years, until 25 April 2021. On 27 April, the Council adopted S/RES/1978 which extended the mandate of the United Nations Mission in Sudan (UNMIS) until 9 July 2011. The Council also announced its intention to establish a mission to succeed UNMIS, determining that the situation in the region continued to threaten international peace and security. The Council also adopted S/RES/1979 extending United Nations Mission for the Referendum in Western Sahara (MINURSO) mandate until 30 April 2012. The resolution also stressed the importance of improving the human rights situation in Western Sahara and the Tindouf camps and encouraged the parties to work with the international community to develop and implement independent and credible measures to ensure full respect for human rights.¹⁷

In terms of South Africa's test on its commitment to the African agenda, South Africa's rallying and support for the Resolution extending MINURSO's mandate, in spite of the lack of human rights mechanisms, is a commendable strategy on Amb Sanqu's part. This is because it will be very difficult to gun down the implementation of human rights mechanisms by the Council in 2012. The fight for human rights mechanism in MINURSO's mandate as championed by Amb Sanqu is well within South Africa's foreign policy principles

¹⁷ Security Council Report, May 2011 Forecast <<http://www.securitycouncilreport.org>> (accessed 3 May 2011)

as a crusader for human rights, and perhaps shows that there is room for South Africa to correct any naive missteps in the likes of Libya and Côte d'Ivoire in the future.¹⁸

On 28 April 2011, S/RES/ 1980 on Côte d'Ivoire was adopted in which the Council renewed its arms embargo and diamond trade ban on the West African nation, as well as targeted sanctions restricting the travel and finances of individuals threatening peace and national reconciliation until 30 April 2012. Key issues for the Council relating to Côte d'Ivoire the urgent need for disarmament and demobilization and its role in providing insight for the complex peace building needs of the country including balancing its role with that of regional and sub regional organisations.¹⁹

6. May 2011

France held the Presidency in May. S/RES/1981 (2011) on Côte d'Ivoire was unanimously adopted on 13 May 2011, extending the mandate of the United Nations Operations in Côte d'Ivoire (UNOCI) until 31 July 2011. The Council also asked the Secretary-General to submit an assessment report of UNOCI by 30 June 2011²⁰. S/RES/1982 (2011), also adopted by all Council Members, prolonged the Panel of Experts that monitored the arms embargo and sanctions on targeted parties in Sudan. The Panel was to remain operational until 19 February 2012.²¹

¹⁸ Christie, S (2011) "An armchair guide to SA's foreign policy challenges" Mail and Guardian, 25 March 2011 <<http://mg.co.za/article/2011-03-25-an-armchair-guide-to-sas-foreign-policy-challenges/>> (accessed 20 April 2011)

¹⁹ Security Council Report, May 2011 Forecast <<http://www.securitycouncilreport.org>> (accessed 3 May 2011)

²⁰ Security Council extends mandate of United Nations Operation in Côte D'ivoire until 31 July 2011. UN Press Release SC/10251 13 May 2011 <<http://www.un.org/News/Press/docs/2011/sc10251.doc.htm>> (accessed on 17 May 2011)

²¹ Security Council extends until 19 February 2012 mandate of Expert Panel monitoring sanctions In Sudan. UN Press Release SC/10253 17 May 2011. <<http://www.un.org/News/Press/docs/2011/sc10253.doc.htm>> (accessed on 17 May 2011)

On 25 May 2011, France, Germany, Portugal and the UK presented Council members with a draft resolution condemning the violent crackdown of protesters by the Syrian government. The resolution was shot down by China and Russia. China and Russia threatened to block the resolution arguing that the Syrian situation was an internal affair and that external intervention may aggravate the situation. The US had been initially reluctant to support the European initiative on grounds that a blocked resolution would be a sign of political divisions in the Council. However the US assured European diplomats that it would vote in favour of the resolution. Brazil, India and South Africa have been cautious about the occurrence of 'another Libya'. Lebanon would not vote for any resolution condemning its Syrian neighbour for its own domestic political concerns. The issue therefore was one of finding a solution to the Syrian issue that is far from the Libyan precedent. Meanwhile the silence on the part of UNSC members has been frowned upon by Human Rights groups in the midst of mounting death tolls.²²

7. June 2011

Gabon held the presidency in June. S/RES/1983, which was built on S/RES/1308 (2000), was unanimously adopted on 7 June 2011 and attested to the Council's pledge to tackle the HIV/AIDS pandemic as a threat to international peace and security. The resolution highlighted the integration of HIV prevention treatment, care and support in the implementation of peacekeeping mandates and the amplification of HIV-prevention activities within the UN missions. Addressing the gathering, Deputy President of South Africa Kgalema Motlanthe acknowledged the international community progress in addressing the HIV/AIDS pandemic through research projects and medical developments. He also highlighted the need for integrated efforts to combat and prevent conflict-related sexual violence in the UN strategy. Finally he urged donor countries to continue fulfilling

²² Security Council Report, Update Report No. 2 Syria, 26 May 2011. <<http://www.securitycouncilreport.org/>> (accessed on 9 June 2011).

their financial commitments to African countries facing financial challenges in the fight against spread of the pandemic.²³

S/RES/1984, adopted on 9 June 2011, prolonged the mandate of the Panel of Experts monitoring sanctions in Iran until June 2012. The resolution was passed with 14 in favour, none against and one abstention, Lebanon. The representative of Lebanon, Mr Assaf, explained his country's abstention saying that Lebanon voted in consistency with its position on S/RES/1929 (2010) and hence opted to abstain once again. Furthermore, Mr Assaf highlighted Lebanon's support for a nuclear-free Middle East. He acknowledged Iran's right to develop nuclear capabilities for peaceful use in line with the Non-Proliferation Treaty. Lebanon had abstained from voting in 2010 when Resolution 1929 was passed.²⁴ It can be argued that Lebanon's own domestic political divisions, with one camp of ministers being pro-Iran and the other against Iran's policies in the region, has resulted in lack of a common standpoint hence the choice to abstain.²⁵

S/RES/1985, unanimously adopted on 10 June 2011, lengthened the mandate of the Panel of Experts monitoring sanctions of the Democratic People's Republic of Korea until 12 June 2012.²⁶ Also unanimously approved was S/RES/1986 which extended the mandate of the UN Peacekeeping Force in Cyprus (UNFICYP) until 15 December 2011. Resolution 1986 also urged the Greek and Turkish Cypriots to intensify negotiations especially on crucial issues of land and joint governance. Furthermore, the two parties were encouraged to establish a

²³ Security Council encourages inclusion of HIV prevention, treatment, care, support in implementing peacekeeping mandates, UN Press Release SC/10272, 7 June 2011

<<http://www.un.org/News/Press/docs/2011/sc10272.doc.htm>> (accessed 10 June 2011).

²⁴ Security Council authorizes Expert Panel helping to monitor sanctions on Iran to continue work until June 2012, by vote of 14 in favour with 1 abstention UN Press Release SC/10276, 9 June 2011

<<http://www.un.org/News/Press/docs/2011/sc10276.doc.htm>> (accessed 10 June 2011)

²⁵ Lebanon and Iran's sanctions: intensifying the internal political dispute? 14 June 2010

<http://news.xinhuanet.com/english2010/world/2010-06/14/c_13349203.htm> (accessed 11 June 2011)

²⁶ Security Council extends until 12 June 2012 mandate of Panel of Experts helping monitor sanctions on Democratic People's Republic of Korea, UN Press Release SC/10277, 10 June 2011

<<http://www.un.org/News/Press/docs/2011/sc10277.doc.htm>> (accessed 14 June 2011)

buffer zone in conjunction with the UNFICYP and to facilitate demining operations both within and beyond the buffer zone.²⁷

With regards to counterterrorism, S/RES/1988 (2011) stipulated that the sanctions list on Afghanistan maintained by the 1267 Committee be split into two separate lists, one entailing persons and entities linked to the Taliban and another list on Al-Qaeda. S/RES/1989 (2011) extended the term of the 1267 Committee Ombudsman for an additional 18 months. Both sanction regimes entail travel bans, arms embargos and assets freeze. Representatives of the US, Germany, India, France, Portugal and the UK embraced the resolutions noting that the distinction between Al-Qaeda and the Taliban was an acknowledgement of the nuanced nature of the terrorist threat. The differentiation of the regimes was also a show of support for the Afghanistan government's efforts in dialogue and reconciliation.²⁸

Peacekeeping and Observer missions of the UN also featured on the Council's June agenda. S/RES/1990²⁹ adopted on 27 June 2011 authorized deployment of a peacekeeping force, the UN Interim Security Force for Abyei (UNISFA) in the Abyei region of Sudan. UNISFA was set up for 6 months and was mandated under Chapter VII of the UN Charter to protect civilian and humanitarian workers in Abyei; facilitate delivery of humanitarian resources; survey the flashpoint border between North and South Sudan; monitor and validate the redeployment of any Sudan Armed Forces and Sudan People's Liberation Army from the Abyei region.

²⁷ Security Council extends Peacekeeping Force in Cyprus, UN Press Release SC/ 10279, 13 June 2011
<<http://www.un.org/News/Press/docs/2011/sc10279.doc.htm>> (accessed 20 June 2011)

²⁸ In Two Resolutions, Council Extends Ombudsperson's Term for 18 Months to Oversee Al-Qaida List, Creates New Committee to Manage Taliban List, UN Press Release SC/10285, 17 June 2011
<<http://www.un.org/News/Press/docs/2011/sc10285.doc.htm>> (accessed 20 June 2011)

²⁹ Deeming need for 'urgent' response to situation in Abyei, Sudan, Security Council decides to deploy Peacekeeping Force to Area, unanimously adopting 1990 (2011), UN Press Release SC/ 10298, 27 June 2011
<<http://www.un.org/News/Press/docs/2011/sc10298.doc.htm>> (accessed 1 July 2011)

S/RES/1991,³⁰ passed on 28 June 2011, extended the mandate of the UN Organization Stabilization Mission in the Democratic Republic of Congo (MONUSCO) until 30 June 2012. Resolution 1991 postulated that all armed groups, particularly the Forces Démocratiques de Libération du Rwanda (FDLR) and the Lord's Resistance Army (LRA), immediately desist all forms of violence, human rights violations and sexual abuses against women and children. The UNSC urged the Congolese government to remain fully committed to its responsibility of ensuring security, peace building and development. The Council also noted that future compositions of MONUSCO should be based on the changing dynamic of the situation on the ground; and should aim towards completing ongoing disarmaments operations in North and South and the Orientale provinces and enhancing the government's capacity to protect the civilian population. The Council also directed that MONUSCO would provide technical and logistical support in the upcoming DRC November 2011 elections. S/RES/1992,³¹ adopted on 29 June 2011, extended until 31 July the temporary redeployment of infantry and aviation units from the UN Mission in Liberia (UNMIL) to the UN Operation in Côte d'Ivoire (UNOCI). UNOCI's mandate expires on 31 July as extended on 13 May 2011 in S/RES/1981.

On the issue of international criminal tribunals, S/RES/1993 adopted on 29 June 2011, extended the terms of office of eight permanent and nine ad litem judges serving in the Trial Chambers of the International Tribunal for the former Yugoslavia until 31 December 2012 or until completion of their assigned cases.³²

³⁰ Security Council extends mandate of MONUSCO until 30 June 2012, UN Press Release SC/10299, 28 June 2011 <<http://www.un.org/News/Press/docs//2011/sc10299.doc.htm>> (accessed 2 July 2011)

³¹ Security Council Resolution 1992 (2011) extends temporary redeployment of military assets from Liberia to Côte d'Ivoire, UN Press Release SC/ 10303, 29 June 2011
<<http://www.un.org/News/Press/docs//2011/sc10303.doc.htm>> (accessed 15 July 2011)

³² Terms of 17 judges with International Criminal Tribunal for the Former Yugoslavia extended as Security Council adopts Resolution 1993 (2011), UN Press Release SC/10304, 29 June 2011
<<http://www.un.org/News/Press/docs//2011/sc10304.doc.htm>> (accessed 17 July 2011)

S/RES/1994, adopted on 30 June 2011, extended the mandate of the UN Disengagement Observer Force (UNDOF) until 31 December 2011. UNDOF was established on 31 May 1974 to maintain the ceasefire between Israeli and Syrian forces and to oversee implementation of the disengagement agreement. Central to the deliberation on Resolution 1994 were the events of 15 May and 5 June 2011 which saw a wave of anti-Israeli protests breach the disengagement line and resulted in large loss of civilian life. Representatives from the UK, Germany, the US, France, Lebanon and Russia expressed concern that the ongoing anti-government demonstrations in Syria had spread to area of limitation on the Syrian side and condemned the Syrian government's involvement ignoring the Palestinian refugees' demonstrations in the Golan Heights region manned by UNDOF. Israel and Syria were urged to respect their obligations to prevent violations of the ceasefire line and the line of disengagement. The Syrian representative, Mr Ja'afari expressed disapproval at the efforts of some Council members to involve the Council in Syrian internal affairs by attempting to link the country's domestic issues to a technical resolution of the mandate of UNDOF. He cited these statements as attempts to pile political pressure on Syria and noted that the reforms that met the demands of Syrians would be addressed by the National Dialogue Conference, which had begun realizing some measure of success. The Israeli representative, Mr Prosor, said the Syrian regime's fingerprints were all over the demonstrations of 15 May and 5 June that had breached the Syrian-Israeli disengagement line and that the Syrian regime could not be allowed to disrupt the peaceful state that had existed in the UNDOF line of separation.³³

8. July 2011

Germany held the Presidency of the Security Council in July. On 6 July 2011, S/RES/1995 was unanimously adopted allowing ad litem judges to be candidates or voters for the presidency of the International Criminal Tribunal for Rwanda. Resolution 1995 also directed that an ad

³³ Concerned about recent threats to long-standing ceasefire, Security Council renews mandate of United Nations Disengagement Observer Force, UN Press Release SC/10305, 30 June 2011
<<http://www.un.org/News/Press/docs//2011/sc10305.doc.htm>> (accessed 20 July 2011)

litem judge elected as Tribunal President may exercise same powers as a permanent judge.³⁴

With regard to peacekeeping, S/RES/1996³⁵ was adopted on 8 July 2011 authorizing the deployment of a peacekeeping force in the Republic of South Sudan. The United Nations Mission in the Republic of South Sudan (UNMISS) was established for an initial period of one year to sustain peace consolidation and promote longer-term state building and economic development in South Sudan. UNMISS was also mandated to advise on formulation of national policies, support an inclusive constitutional process and to promote the establishment of an independent media and the participation of women in decision-making forums. The Council also authorized UNMISS to 'use all necessary means' within its capacity and areas of operation to assist the government of South Sudan in protecting civilians. Furthermore, the Council demanded that all rebel militias and the Lord's Resistance Army (LRA) immediately cease all forms of violence and human rights abuses against civilians in South Sudan. In line with the establishment of UNMISS, S/RES/1997³⁶ put an end to the United Nations Mission in the Sudan (UNMIS) and stipulated complete withdrawal of troops by 31 August 2011. The representatives of the US (Susan Rice) and the UK (Mark Lyall Grant) expressed regret at the adoption of the text withdrawing UNMIS, stressing that UNMIS was still needed in the two critical areas of South Kordofan and the Blue Nile State where there were reports of ongoing violence and human rights violations.

³⁴ Security Council adopts text allowing ad litem judges to be candidates, or voters, in electing president of International Criminal Tribunal for Rwanda, UN Press Release SC/10308, 6 July 2011
<<http://www.un.org/News/Press/docs//2011/sc10308.doc.htm>> (accessed on 21 July 2011)

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³⁵ Security Council authorizes United Nations Mission in Republic of South Sudan, UN Press Release SC/10314, 8 July 2011 <<http://www.un.org/News/Press/docs//2011/sc10314.doc.htm>> (accessed on 21 July 2011)

³⁶ Security Council adopts Resolution 1997 (2011) authorizing closure of United Nations Mission in the Sudan, UN Press Release SC/10317, 11 July 2011 <<http://www.un.org/News/Press/docs//2011/sc10317.doc.htm>> (accessed on 21 July 2011)

The Security Council held its much anticipated debate on Children and Armed Conflict on 12 July 2011. S/RES/1998³⁷ was adopted in which the Council condemned attacks on schools and hospitals and called for all violators to be held accountable and placed on the Secretary-General's annual list of those committing grave violations against children. Radhika Coomaraswamy (Secretary-General's Special Representative for Children and Armed Conflict) noted that attacks on schools and hospitals were becoming more frequent and acknowledged that the utility of Resolution 1998 was very real. Anthony Lake (Executive Director of UNICEF) praised S/RES/1998 but stressed that 'naming and shaming' alone were not sufficient as they could not propel governments into action. Action plans by the UN were thus necessary to prevent the destruction of schools and hospitals.

Several delegations urged the Security Council to take a tougher stance on impunity by authorizing targeted measures against repeat offenders. Also present during the debate were Colombia's Minister for Foreign Affairs, the Minister for Foreign Affairs for Bosnia and Herzegovina, Minister for Justice and Constitutional Development of South Africa and the Deputy Minister for Foreign Affairs of Portugal. Speakers who participated in the debate were representatives the United States, United Kingdom, Brazil, Russian Federation, Lebanon, France, Nigeria, Gabon, India, China, Italy, Mexico, Canada (on behalf of the Group of Friends of Children and Armed Conflict), Slovenia, New Zealand, Switzerland (on behalf of the Human Security Network), Iraq, Japan, Luxembourg, Peru, Pakistan, Thailand, Hungary, European Union, Australia, Finland (also on behalf of Denmark, Iceland, Norway and Sweden), Liechtenstein, Belgium, Israel, Papua New Guinea, Bangladesh, Afghanistan, Myanmar, Austria, Ukraine, Chile, Yemen, Azerbaijan, Kenya, Kyrgyzstan, Republic of Korea, Armenia and Benin.

María Ángela Holguín Cuéllar (Minister for Foreign Affairs of Colombia) said prevention and cooperation policies were more effective than finger-pointing and excluding governments from the debate and search for solutions. More would be achieved if the UN turned

³⁷ Security Council adopts text expanding criteria for Secretary-General's List 'Naming and Shaming' violators of Conflict-Affected Children's Rights, UN Press Release SC/10319 12 July 2011

<<http://www.un.org/News/Press/docs//2011/sc10319.doc.htm>> (accessed on 18 July 2011)

governments into allies, privileging cooperation and dialogue to protect the welfare of children affected by conflict. Sven Alkalaj (the Minister for Foreign Affairs for Bosnia and Herzegovina) said that more vigorous, targeted measures against persistent perpetrators should be applied. Jeffrey Radebe (Minister for Justice and Constitutional Development of South Africa) expressed concern about the ongoing recruitment of child soldiers in conflict areas. He said South Africa welcomed the adoption of S/RES/1998 and its subsequent implementation of punitive measures against offenders. Luís Brites Pereira (Deputy Minister for Foreign Affairs of Portugal) also reiterated that action plans were an effective tool for engaging armed forces and organised armed groups in efforts to protect children's welfare.³⁸

On 13 July 2011, the Security Council recommended to the General Assembly that the Republic of South Sudan be admitted as a member of the UN.³⁹

S/RES/2000⁴⁰, adopted on 27 July 2011, extended the Mandate of the United Nations Operation in Côte d'Ivoire (UNOCI) until 31 July 2012. The Security Council also requested the Secretary-General to provide a mid-term report on the situation on the ground by end of 2011 and a final report by 31 June 2012. Furthermore, the Council encouraged the recently installed government of Côte d'Ivoire to ensure that the Dialogue, Truth and Reconciliation Commission established by presidential decree on 31 May 2011 became fully operational as soon as possible. Mr Bamba (Representative of Côte d'Ivoire) welcomed Resolution 2000 saying it augmented the efforts of Côte d'Ivoire's President in stabilizing the country, providing assistance to internally displaced persons, promotion of reconciliation

³⁸ *Ibid*

³⁹ Adopting Resolution 1999 (2011) without vote, Security Council recommends admission of Republic of South Sudan as UN member, UN Press Release SC/10322, 13 July 2011

<<http://www.un.org/News/Press/docs//2011/sc10322.doc.htm>> (accessed on 18 July 2011)

⁴⁰ Security Council adopts Resolution 2000 (2011) extending mandate of United Nations Operation in Côte d'Ivoire until 31 July 2012, UN Press Release SC/10342, 27 July 2011

<<http://www.un.org/News/Press/docs//2011/sc10342.doc.htm>> (accessed on 30 July 2011)

and the rehabilitation of infrastructure. He also acknowledged that the Resolution upheld the certification of legislative elections and addressed the need for a new disarmament, demobilization and reintegration programme suited to the new circumstances.

With regards to the United Nations Assistance Mission for Iraq (UNAMI), S/RES/2001, extended UNAMI's mandate for 12 months, noting its importance in helping the Iraqi people and government consolidate democratic institutions, advance political dialogue, regional dialogue and national reconciliation.⁴¹

The Security Council also took action on Somalia in July by tightening the sanctions regime on Somalia and Eritrea to include recruiters of child soldiers in the region's armed conflict. The same resolution, S/RES/2002, also extended for 12 months the mandate of the Expert Group charged with monitoring the implementation of the sanctions regime on Somalia and Eritrea.⁴²

The final resolution adopted in July was S/RES/2003⁴³, which extended the mandate of the AU-UN Hybrid Operation in Darfur (UNAMID) for another 12 months. Speaking on behalf of South Africa, Amb Sangqu welcomed the unanimous vote on Resolution 2003 noting that UNAMID was a key player in the facilitation of the Darfur Peace Process and the protection of civilians. He said South Africa also welcomed the conclusion of the Doha Peace Process and that his country fully backed the efforts of the AU high Level Implementation Panel to launch the Darfur Political Process as soon as possible. While reiterating the importance of

⁴¹ Security Council adopts Resolution 2001 (2011), extending mandate of United Nations Assistance Mission for Iraq, UN Press Release SC/10345, 28 July 2011

<<http://www.un.org/News/Press/docs//2011/sc10345.doc.htm>> (accessed on 30 July 2011)

⁴² Security Council tightens sanctions regime on Somalia, Eritrea, extending mandate of Monitoring Group for 12 months, UN Press Release SC/10348, 29 July 2011

<<http://www.un.org/News/Press/docs//2011/sc10348.doc.htm>> (accessed on 1 August 2011)

⁴³ Security Council extends mandate of AU-UN Hybrid Operation in Darfur by adopting Resolution 2003 (2011), UN Press Release SC/10349, 29 July 2011 <<http://www.un.org/News/Press/docs//2011/sc10349.doc.htm>> (accessed on 1 August 2011)

Africa's leadership in solving Africa's problems, Amb Sangqu urged the international community to support the efforts of the AU on the Darfur Political Process. The representatives of Nigeria (Mr. Amieyeofori) and Gabon (Mr. Messone) also acknowledged the indispensable role of UNAMID in the efforts to bring peace to Darfur. They noted that although an 'enabling environment' for the Darfur-based Political Process was yet to be realized, it was disappointing that the Security Council had not used UNAMID's extension mandate to immediately endorse the Darfur-based Political Process as envisaged by the AU. Representatives of China (Mr. Wang Min) and the Russian Federation (Mr. Pankin) said their countries fully supported the AU Peace and Security Council Communiqué on 19 July 2011 calling for the launch of the Darfur-based Political Process. In concluding statements, the representatives of the US (Mrs. DiCarlo) and the UK (Sir Mark Lyall Grant) stressed that enabling conditions for the Darfur-based Political Process did not yet exist hence UNAMID's duty remained that of protecting civilians and ensuring humanitarian access for civilians.⁴⁴

⁴⁴ *Ibid*

9. August 2011

India held the presidency of the Council in August. One Resolution was unanimously adopted in August, S/RES/2004, which extended the mandate of the UN Interim Force in Lebanon (UNIFIL) for one year until 31 August 2012. In addition, the Council urged Israel to hasten withdrawal of its army from northern Ghajar.⁴⁵

Israel's representative (Mr Waxman) welcomed the resolution but highlighted several concerns that Israel had regarding UNIFIL's operations. First, the increasing acquisition of arms by Hezbollah terrorist organization. Secondly, the attacks on Israeli civilians by Lebanese civilians under the directive of Hezbollah. He also accused the Lebanese Armed Forces of attacking Israeli Defence forces situated along the Blue line.⁴⁶ Lebanon's representative (MR Salam) contended that Israel was violating directives under S/RES/1701 (2006) which had called for a cessation of offensive military operations in Lebanon by Israel. S/RES/1701 also provided for the creation of a buffer zone free of both Hezbollah and Israeli armed personnel between the UN-drawn Blue Line in southern Lebanon and the Litani River. He pointed out the disproportionate use of force by the Israeli army against civilians on 15 May 2011. He added that Israel was also encroaching on Lebanon's sovereign rights by claiming rights over Lebanon's offshore areas in spite of the fact that the former is not party to the UN Convention on the Law of the Sea.⁴⁷

Also of note in August was the deteriorating situation in Syria which had witnessed an up scaling of violent crackdown of anti-government protests. President Bashar al-Assad has been launching violent campaigns against protesters in an uprising that began in January 2011, prompted by demands for al-Assad's resignation, equal rights for Kurds and political freedoms. On 3 August 2011, the Security Council issued a statement condemning

⁴⁵ Security Council Authorizes One-Year Mandate Extension for United Nations Interim Force in Lebanon in Wake of Attacks on Peacekeepers, UN Press Release SC/10373 30 August 2011
<<http://www.un.org/News/Press/docs//2011/sc10373.doc.htm>> (accessed 31 August 2011).

⁴⁶ Meeting record S/PV.6605. 30 August 2011. <<http://daccess-dds-ny.un.org/doc/UNDOC/PRO/N11/483/76/PDF/N1148376.pdf?OpenElement>> (accessed 31 August 2011)

⁴⁷ *Ibid.*

widespread violations of human rights against civilians by the Syrian authorities. UN Security Council Presidential Statement (S/PRST/2011/16) also called for Syrian authorities to grant access to international humanitarian and aid agencies.⁴⁸ The US, Britain, France, Germany and Portugal had circulated a draft resolution sanctions against al-Assad and affiliates. The failure of the Council to pass a resolution stemmed from the reluctant stance of China and Russia who argued that excessive international pressure would weaken the Assad regime and further destabilize the region. Brazil, India and South Africa are also wary of 'another Libya' in Syria in view of what seen as an overstepping of NATO beyond the UN Mandate in Libya. The Russian counter-proposal to the European sponsored draft resolution did not include sanctions emphasizing instead on dialogue and negotiations between the conflicting Syrian camps. The draft resolution proposed an arms embargo which would sever the trade in arms between Moscow and Damascus. The draft resolution also included a travel ban on 22 of Assad's close affiliates and an asset freeze on 28 Syrians.⁴⁹

On 10 August 2011, the Council was briefed on the situation in Somalia by the Secretary-General's Special Representative, Augustine Mahiga. Mr Mahiga said that international support to Somalia was critical in view of political gains marked by implementation of the Kampala Accord and the withdrawal of Al-Shabab from Mogadishu. Catherine Bragg, assistant Secretary-General and Deputy Emergency Relief Coordinator also briefed the

⁴⁸ Security Council, In Statement, Condemns Syrian Authorities For 'Widespread Violations of Human Rights, Use Of Force against Civilians' Press Release SC/10352 3 august 2011<
<http://www.un.org/News/Press/docs//2011/sc10352.doc.htm>> (accessed 31 August 2011).

⁴⁹ 'Russia, China resist UN Syria sanctions push' Reuters 26 August 2011
<<http://www.reuters.com/article/2011/08/26/us-syria-un-idUSTRE77P4X920110826>> (accessed 31 August 2011).

Council on the need for swift action deeming the situation as the most severe crisis emergency in the world at the time as the famine worsened.⁵⁰

On 25 August, Lynn Pascoe, the Under-Secretary for Political Affairs briefed the Council on the situation in the Middle East, including the Palestinian question. On Syria, Mr Pascoe noted that al-Assad's regime had not heeded the UN call to end violent crackdown on civilians. The High Commissioner for Human Rights had issued a detailed report outlining the trajectory and scale of the human rights violations in Syria since March 2011. Subsequently, the Human Rights Council launched an international commission of inquiry on 23 August 2011 to investigate claims of crimes against humanity in Syria.⁵¹

On 26 August, the Security Council held its first thematic peacekeeping debate. The debate highlighted issues such as host government consent and implications for sovereignty and mismatch between resources and mandates of peacekeeping operations. The debate also focused on the relationship between troop and police-contributing countries (TCCs and PCCs), the Security Council and the General Assembly. The relationship between UN peacekeepers and regional organizations like the AU was also discussed. In addition to Council members, representatives from Argentina, Australia, Bangladesh Canada, Croatia, Ethiopia, Fiji, Guatemala, Hungary, Indonesia, Japan, Republic of Korea, Kyrgyzstan, Malaysia, Morocco, Nepal, Norway, Pakistan, Peru, Philippines, Senegal, Serbia, Sri Lanka,

⁵⁰ Somalis 'Simply Cannot Wait Any Longer' For International Support, In Midst Of Deadly Drought, Nascent Political Gains, Security Council Told, UN Press Release SC/10358 10 August 2011
<<http://www.un.org/News/Press/docs//2011/sc10358.doc.htm>>(accessed 31 August 2011)

⁵¹ Despite 'Urgent' Need For Progress towards Two-State Solution in Middle East, 'Profound Differences between the Parties' Remain, Security Council Told UN Press Release SC/10367
<<http://www.un.org/News/Press/docs//2011/sc10367.doc.htm>> (accessed 31 August 2011)

Tunisia, Uganda, Ukraine, Uruguay, and Venezuela also addressed the gathering. Representatives of the EU and the AU also participated in the meeting.⁵²

Mr Sanqu (South Africa) expressed South Africa's alignment to the position of the Non-Aligned Movement. Speaking on behalf of NAM, Morocco's delegate had said that peacekeeping must not turn into peace enforcement and that 'the use of force in peacekeeping must under no circumstances jeopardize the strategic relation between the host country and the peacekeeping mission.' Mr Sanqu also stressed that peacekeeping on its own was not a panacea for conflict but was part of the broader political solution to conflict. As such South Africa supports efforts aimed at enhancing political solutions to conflicts such as mediation, conflict prevention and management and peace building as outlined in Chapter VI of the UN Charter.⁵³

On the issue of flexible, predictable and sustainable resources for peacekeeping operations, South Africa acknowledged the leading role of the AU in conflict prevention and resolution on the African continent. There was a need for the Council to bolster AU missions sanctioned by the Council by ensuring provision of sufficient resources, enablers and capabilities. South Africa also expressed its support for the enhancement of triangular cooperation among the Council, TCCs and the Secretariat aimed at improving effectiveness and strategies of peacekeeping missions. Finally, in addition to paying tribute to the men and women who had served and continue to serve in UN Peacekeeping missions, South Africa expressed its belief in the centrality of gender mainstreaming in peacekeeping operations and welcomed the efforts of UN Women in integrating the gender perspective in peacekeeping mandates.⁵⁴

⁵² Security Council Commits To Strengthening Partnership With Troop, Police Contributors In Debate On United Nations Peacekeeping Operations UN Press Release SC/ 10368, 26 August 2011.

<http://www.un.org/News/Press/docs//2011/sc10368.doc.htm> (accessed 31 August 2011)

⁵³ *ibid*

⁵⁴ *ibid*

10. September 2011

Lebanon held the presidency of the Council in September 2011. Six resolutions were adopted in September alongside a key open debate on preventive diplomacy.

S/RES/2005 was unanimously adopted on 14 September 2011 and provided for the extension of the UN Integrated Peacebuilding Office in Sierra Leone (UNIPSIL) until 15 September 2012. UNIPSIL was made responsible for providing support to the government in overseeing fair and peaceful elections. Its mandate also enlisted activities such as tackling corruption, illicit drug trafficking and organized crime alongside the government of Sierra Leone.⁵⁵

S/RES/2006 extended the term of the Prosecutor of International Criminal Tribunal for Rwanda, Hassan Bubacar Jallow until 31 December 2014. By implication, the Tribunal's term which was to end on 31 December 2011, was also extended until 31 December 2014. The Resolution also underscored the provisions of S/RES/1966 (2010) which called upon the international tribunal to take all possible measures to complete its work by 31 December 2014.⁵⁶ The Tribunal is mandated with the prosecution of persons charged with violations of international humanitarian law during the 1994 genocide. Similarly, S/RES/2007 also extended the term of the Prosecutor of the International Criminal Tribunal for the former

⁵⁵ Security Council Extends Operation Of United Nations Integrated Peacebuilding Office in Sierra Leone Until September 2012, By Resolution 2005 (2011), UN Press Release SC/ 10381, 14 September 2011.

<<http://www.un.org/News/Press/docs//2011/sc10381.doc.htm>> (accessed 20 September 2011).

⁵⁶ Security Council Reappoints Hassan Bubacar Jallow as Prosecutor of International Criminal Tribunal for Rwanda, Departing from Length-Of-Office Stipulation, UN Press Release SC/10382, 14 September 2011<<http://www.un.org/News/Press/docs//2011/sc10382.doc.htm>> (accessed 20 September 2011).

Yugoslavia, Serge Brammertz until 31 December 2014. In so doing, the Council also retracted the initial date of termination of the Tribunal's work of 31 December 2011, extending its mandate for three years. However, the Council noted that both extensions were subject to earlier termination in the event that the Tribunals completed work before scheduled date.⁵⁷

S/RES/2008, adopted under UN Charter Chapter VII, extended the mandate of the UN Mission in Liberia (UNMIL) for one year until 30 September 2012. With elections on the horizon, the Security Council also requested for the deployment of a technical assessment mission to help with security transition after the inauguration of the new government in 2012. The Council also stressed the need for co-operation between UNMIL and UNOCI (UN Mission in Côte d'Ivoire) over matters of broader security, armed groups and migration of Ivorian refugees into Liberia.⁵⁸ The representatives of France, Germany and Portugal, acknowledged the work of UNMIL in Liberia while stressing the need to ensure that security responsibilities were transferred to national authorities. The representative of the UK expressed disappointment that Resolution 2008 did not address the concerns raised by Security Council members on preparation for transition and adjustment of mandate. The representative of the US said it was not the time to impose rigid timelines on UNMIL and hoped for a drawdown of UNMIL's military presence in 2012. She also expressed solidarity with the people of Libya in view of upcoming elections and continued support for UNMIL mandate. Liberia's representative thanked the Council for the unanimous action and affirmed that the Liberian government would continue with efforts towards sustainable development and sustained peace long after departure of UNMIL. He also underscored the

⁵⁷ Security Council Reappoints Serge Brammertz Prosecutor of International Criminal Tribunal for Former Yugoslavia, Departing From Length-Of-Office Stipulation, UN Press Release SC/10383, 14 September 2011. <<http://www.un.org/News/Press/docs//2011/sc10383.doc.htm>> (accessed 20 September 2011).

⁵⁸ With Success Of Approaching Elections In Liberia Vital, Security Council Extends Mission's Mandate For One Year, Unanimously Adopting Resolution 2008 (2011), UN Press Release SC/10388, 16 September 2011. <<http://www.un.org/News/Press/docs//2011/sc10388.doc.htm>> (accessed 30 September 2011).

commitment to ensure the existence of national capacities at all levels so as to ensure efficient transition from UNMIL to national authorities.⁵⁹

The unanimous adoption of S/RES/2009 saw to the creation of a UN Support Mission in Libya (UNSMIL) in a move to support the nationally-driven process of building a democratic, independent and united Libya. UNSMIL was authorized for an initial period of three months and was mandated with assisting the Libyan national efforts to restore public security, promote rule of law, foster inclusive political dialogue and build on constitution-making and electoral processes. Through the Resolution, the Council also partly lifted the arms embargo on Libya and the asset freeze on entities linked to the Gaddafi regime. Mr Sanqu (South Africa) and Mr Churkin (Russian Federation) expressed concern that the resolution did not call for the early lifting of the no-fly zone over Libyan territory. Mr Sanqu raised three issues. First, that a complete and verifiable ceasefire including an end to the NATO military campaign was a precondition to stability. Second, the Council's reluctance to protect the human rights of the 2.5 million African migrants who are part of the Libyan population. Finally, the need for continued enforcement of the no-fly zone was questioned in view of the changing realities on the ground.⁶⁰

S/RES/2010 provided for the extension of the mandate of the African Union Mission in Somalia (AMISOM) until 31 October 2012. The Council also asked the AU to increase the Mission's force strength up to a level of 12 000 uniformed personnel. In addition, the Council urged the UN to work with the AU to develop a guard force to provide security and escort to international humanitarian personnel and UN staff. The resolution called on all member states to contribute to the UN trust fund for the Somali security institutions. Somali

⁵⁹ *ibid*

⁶⁰ Security Council Creates United Nations Support Mission in Libya, Adopting Resolution 2009 (2011), UN Press Release SC/10389 16 September 2011. <<http://www.un.org/News/Press/docs//2011/sc10389.doc.htm> > (accessed 30 September 2011).

parties were urged to support the Djibouti Peace Agreement and to abide by the roadmap to be delivered over the next twelve months with definite timelines and dates.⁶¹

Also of note in September was the application for statehood by Palestine. On 23 September 2011, Palestinian President Mahmoud Abbas formally submitted Palestine's application for UN membership to the Secretary-General. The Quartet (UN, EU, Russia and the US) issued a statement noting Palestine's application and setting out a timeframe for both Israelis and Palestinians to resume direct negotiations aimed at reaching agreement by the end of 2012.⁶² As far as Council dynamics on the question of Palestine are concerned, it is highly probable that the US will veto the Palestinian application. EU members in the Council (France, Germany, Portugal and the UK) have not explicitly stated support for Palestine's bid. Palestine is recognized by 128 UN member states, nine of which are Security Council members (Bosnia and Herzegovina; Brazil; China; Gabon; India; Lebanon; Nigeria; Russia and South Africa). However, it is still not clear if Bosnia and Herzegovina will support the Palestinian statehood bid to the UN Security Council. President Abbas has argued that the bid for statehood is a necessary step for Palestinians to assert the legitimacy of the claim to territory hindered by the continued construction of Israeli settlements.⁶³

⁶¹ Security Council Extends Mandate of African Union Mission in Somalia until 31 October 2012, Adopting Resolution 2010 (2011), UN Press Release SC/10399, 30 September 2011.
<<http://www.un.org/News/Press/docs//2011/sc10399.doc.htm>> (accessed 30 September 2011).

⁶² Palestinian statehood at the UN, Council on Foreign Relations, 27 September 2011.
<<http://www.cfr.org/palestinian-authority/palestinian-statehood-un/p25954>> (accessed 30 September 2011).

⁶³ SCR Update Report on Palestine's Application for Admission to the UN,
<<http://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/Update%20Report%2023%20September%202011%20Palestine.pdf>> (accessed 30 September 2011).

11. October 2011

Nigeria held the presidency of the Security Council in October 2011. 8 resolutions were adopted and a draft resolution vetoed by China and Russia.

On 4 October, draft resolution S/2011/612 on the Middle East situation failed to be adopted as a result of vetoes by China and Russia. The draft resolution contained provisions that condemned the violent Syrian government crackdown on protesters and called for an end to the violence against civilians. There were 9 votes in favour (Bosnia& Herzegovina, Colombia, France, Gabon, Germany, Nigeria, Portugal, UK, US) and 4 abstentions (Brazil, India, Lebanon and South Africa). Opponents of the text asserted that the Council should prioritize dialogue between the parties and that the principle of non-intervention should be applied in relation to the domestic affairs of Syria. On the contrary, the proponents of the Resolution argued that the proposed text contained provisions for national dialogue and that not only was the resolution aimed at protection of civilians, but it was also in line with calls by members of the international community such as the Arab League who had called for condemnation of the violence in Syria.⁶⁴

France's representative, Mr Araud, noted France's relentless efforts since May to evoke a response from the Security Council in condemnation of the violent crackdown of protesters by the Syrian regime. He further argued that the vetoes on the draft resolution should be construed as a veto on principle and a refusal of all Council resolutions against Syria. He concluded by stressing that the vetoes will not 'stop efforts by France and its partners in the Council and EU to ensure protection and promotion of the rights of the Syrian people.'⁶⁵ Mr

⁶⁴ Security Council Fails to Adopt Draft Resolution Condemning Syria's Crackdown on Anti-Government Protestors, Owing To Veto by Russian Federation, China. UN Press Release SC/ 10403, 4 October 2011
<<http://www.un.org/News/Press/docs//2011/sc10403.doc.htm>> (accessed 10 October 2011)

⁶⁵ Meeting record S/PV.6627, 4 October 2011. <<http://daccess-dds-ny.un.org/doc/UNDOC/PRO/N11/529/74/PDF/N1152974.pdf?OpenElement>> (accessed 10 October 2011)

Cabral of Portugal expressed regret that the Council was unable to condemn and put an end to the violence in Syria. He also called for access of Human Rights Council representatives and humanitarian organizations in Syria; pointing out that Syria's hindrance to the humanitarian aid cast a shadow over the intentions of Syrian authorities.⁶⁶ Sir Grant of the UK noted his deep disappointment over the vetoes on the draft resolution. He pointed out that the Syrian government's actions could amount to crimes against humanity given the brutal repression of civilians. He argued that the UK's involvement in negotiations had been no mean feat involving several amendments such as the removal of sanctions, the call for an end to violence by both parties and inserting a reference to Article 41 of the UN Charter to dispel any use of military measures. In spite of these changes, the text was still unacceptable to some Council members. He urged the Council members that had undertaken bilateral talks with the Syrian government to persuade the latter to put an end to violence and initiate reform.⁶⁷

Also explaining their support for the resolution were representatives of Colombia, US, Bosnia & Herzegovina and Germany. Colombia's representative said his country had voted in favour of the resolution because Colombia was convinced that the text was the ideal means of urging the Syrian authorities to put an end to the violence. He added that the solution to the Syrian situation entailed a political process that took into account the demands of the Syrian people. The representative of the US said her country was indignant that the Security Council had failed to adopt the draft resolution. She insisted that there remained a need for tough targeted sanctions and an arms embargo to protect civilians. She concluded by stating that the vote on the draft resolution showed the Syrian people those who supported their cause for freedom and democracy and those who chose to 'prop up desperate, cruel dictators.' Bosnia & Herzegovina's representative expressed deep concern over the situation in Syria, saying that all those who had violated human rights must be brought to justice. He added that the proposed resolution would have helped the Syrian population as well as to enhance peace and security in the region. Finally, Germany's representative regretted that the Council had failed to speak with one voice in condemning

⁶⁶ *ibid*

⁶⁷ *ibid*

the violent repression of civilians in Syria. He urged the Council to live up to its Charter responsibilities by adopting a stronger resolution that included sanctions against the Syrian regime.⁶⁸

Explaining its veto, against the resolution, Russia's representative said that the outcome of the vote was a matter of different political approaches and not a question of the language of the text. He added that Russia and China had prepared a draft resolution as an alternative to the one drawn up by their European counterparts and that the former emphasized on the respect for sovereignty and the principle of non-intervention. Russia was opposed to the accusatory tone against Damascus and strongly felt that the draft resolution would have aimed to further destabilize the region as a result of the collapse of the Syrian regime. He added that the Syrian situation had to be considered alongside the Libyan experience which had seen an overstepping beyond measures sanctioned by the Security Council. The ideal solution to the crisis, according to Russia, was political negotiation between Syrian parties within a Syrian-led political process. China's representative noted his country's concern over the events in Syria saying China's stance was based on the respect for the principle of non-interference in the internal affairs of Syria.⁶⁹

India, Lebanon, Brazil and South Africa also explained their abstentions on the draft resolution. India noted the grave situation in Syria but emphasized that constructive dialogue was the only way forward. The international community should not impose sanctions or facilitate regime change but should instead encourage dialogue between parties. India felt that the draft resolution failed to address concern over sanctions, condemn violence even-handedly and adequately facilitate dialogue. Lebanon said it retained its initial stance as of 3 August 2011 in line with the presidential statement condemning violence against civilians. Brazil called for an end to the violence and for access to humanitarian aid. Brazil is set to chair the Human Rights Council's commission of inquiry on Syria and hoped for cooperation from Syrian authorities. Brazil also regretted that more time had not been allocated to negotiations over the contentious aspects of the text.

⁶⁸ *ibid*

⁶⁹ *ibid*

Brazil's position was that a meaningful, inclusive dialogue was the most viable solution to the crisis.⁷⁰

South Africa expressed concern about the inclusion of punitive measures on Syria, arguing that the draft resolution would have been used to conceal a hidden agenda for regime change, particularly because the sponsors of the resolution had rejected language that explicitly opposed military intervention. In addition to calling for access for humanitarian agencies, South Africa firmly stated that a political process that included reform and social justice was the only way out of the crisis. Furthermore, with regard to Libya, South Africa recognized the risk of abuse of Security Council resolutions and as such it was imperative for the Council to acknowledge that Syria's stability was linked to that of the Middle East region and hence any action had regional implications.⁷¹

Syria's representative said that the language in the draft resolution confirmed his previous allegations that Syria was being targeted by certain Western countries. He acknowledged that Syria did need reform and was in the process of initiating it and external opposition and intervention would undermine the domestic integrity of Syria.⁷²

S/RES/2011 was unanimously adopted on 12 October 2011 approving transfer of responsibilities over security to the government of Afghanistan and extending mandate of the International Security Assistance Force (ISAF) for one year until 13 October 2012. The resolution also urged member states to continue contribution of personnel, equipment and other resources to ISAF which is led by NATO.⁷³

⁷⁰ *ibid*

⁷¹ DIRCO Statement on 'The Situation in the Middle East, including the Palestinian Question' 25 October 2011

⁷² Meeting record S/PV.6627, 4 October 2011. <<http://daccess-dds-ny.un.org/doc/UNDOC/PRO/N11/529/74/PDF/N1152974.pdf?OpenElement>> (accessed 10 October 2011)

⁷³ Approving Extension of International Security Assistance Force in Afghanistan, Security Council Welcomes Agreement to Transfer Security Lead to Afghan Forces UN Press Release SC/10408, 12 October 2011. <<http://www.un.org/News/Press/docs//2011/sc10408.doc.htm>> (accessed 17 October 2011)

Also unanimous was the adoption of S/RES/2012 which extended the mandate of the UN Stabilization Mission in Haiti (MINUSTAH) until 15 October 2012. The Council acknowledged the fragile, but improved security situation in Haiti and that in line with the recommendations of the Secretary-General's report on MINUSTAH's work (S/2011/5450), MINUSTAH'S force levels would comprise of 7,340 troops and 3.241 police component. The resolution also called on all political actors in Haiti to engage in dialogue aimed at consolidation of priority areas such as security, national budget, reconstruction and electoral reform. The resolution strongly condemned violence against children and sexual abuse of women and girls and requested the Secretary-General to ensure MINUSTAH personnel's compliance with the UN zero-tolerance policy on sexual exploitation and abuse. MINUSTAH's human rights mandate was underscored by the Council and the centrality of respect for human rights for Haiti's stability.⁷⁴

S/RES/2013 was an exceptional resolution as far as tribunals are concerned in that the Council allowed Rwanda Tribunal Judge Bakhtiyar Tuzmukhamedov to work part-time 'in another judicial occupation until 31 December 2011, in light of exceptional circumstances' the Council noted that the exception of Resolution 2013 should not be considered as a precedent.⁷⁵

With reference to the situation in Yemen, S/RES/2014 called for an end to violence by all parties and urged them to commit to a peaceful transition of power based on the Arabian Gulf Cooperation Council Peace Plan. The plan outlined a peaceful, orderly, Yemeni-led

⁷⁴ Security Council Authorizes One-Year Extension of Haiti Stabilization Force, Also Approves Withdrawal of Some 2,700 Troops, Police UN Press Release SC/10411, 14 October 2011.

< <http://www.un.org/News/Press/docs//2011/sc10411.doc.htm> > (accessed 20 October 2011)

⁷⁵ Making one-time exception, Security Council allows Rwanda tribunal judge to handle court duties part-time while taking outside judicial work ,UN Press Release SC/10412

<<http://www.un.org/news/press/docs//2011/sc10412.doc.htm>> (accessed 20 October 2011)

transition of power from President Ali Abdullah Saleh. The council also demanded that opposition groups stop the use of force to meet political demands including putting an end to the recruitment of child soldiers.⁷⁶

The piracy situation in Somalia also featured on the agenda with the unanimous adoption of S/RES/2015 which directed the Secretary-General, in conjunction with the UN Office on Drugs and Crime (UNODC) and the UN Development Programme (UNDP) to consider the establishment of specialized anti-piracy courts. The Council underscored the importance of such courts in tackling the menace of piracy including perpetrators of piracy and affiliated networks. The Council requested a report from the Secretary-General on the envisaged implementation of the anti-piracy courts and urged member states to support efforts to establish such courts through provision of expertise and any other necessary assistance.⁷⁷

A key resolution in October was S/RES/2016 which ended the mandate of the NATO air campaign as of 31 October 2011. S/RES/2016 thus lifted the no-fly zone contained in S/RES/1973 over Libya. The resolution was unanimously adopted in light of developments on the ground including the Declaration of Liberation following Gaddafi's demise and the international recognition of the National Transitional Council.⁷⁸

Speaking in New York after the adoption of the Resolution, South Africa's Ambassador to the United Nations, Baso Sangqu said "South Africa has taken note of the events of the last

⁷⁶ Security Council Condemns Human Rights Violations by Yemeni Authorities, Abuses By 'Other Actors', After Months Of Political Strife, UN Press Release SC/10418, 21 October 2011.

<<http://www.un.org/News/Press/docs//2011/sc10418.doc.htm>> (accessed 30 October 2011)

⁷⁷ Security Council Renews Call for Study of Setting up Courts to Deal with Perpetrators of Piracy off Coast of Somalia UN Press Release SC/10419, 24 October 2011.

<<http://www.un.org/News/Press/docs//2011/sc10419.doc.htm>> (accessed 30 October 2011)

⁷⁸ Security Council Votes Unanimously To End NATO Civilian Protection Mandate In Libya, Following Authorities' Formal Declaration Of Liberation, SC/10424, 27 October 2011.

<<http://www.un.org/News/Press/docs//2011/sc10424.doc.htm>> (accessed 31 October 2011)

few weeks, including the death of Colonel Muammar Gaddafi. As President Jacob Zuma has stated, South Africa would have preferred Gaddafi to be captured and given an opportunity to stand trial in a Court of Law to answer for his actions". South Africa hopes that these latest developments will lead to a cessation of hostilities and the restoration of peace. It is our view that a lasting and sustainable peace is only possible through an all - inclusive political process, culminating in the first - ever democratic elections in accordance with the Roadmap announced by the National Transitional Council. We urge the NTC to begin in earnest the process of building national unity and reconciliation as well as the disarmament of all combatants and their reintegration into society. The South African Government remains committed to work together with the African Union, the United Nations, the League of Arab States and the Organization of Islamic Conference to ensure coordinated support to the NTC and the Libyan people in general in their endeavours to reconstruct their country and to bring about democratic, political and socio-economic changes."⁷⁹

Closely linked to S/RES/2016, was S/RES/2017 which called on the NTC to take all necessary steps to ensure proper custody of portable surface to air missiles also known as man-portable air defence systems (MANPADS) and all other arms and related material. Libya was also urged to meet its obligations under international law on arms control, disarmament and non-proliferation by seeing to the destruction of all stockpiles of chemical weapons with the Organization for the Prohibition of Chemical Weapons. The representatives of Germany and Russia welcomed the resolution. Germany noted that the IAES should also have a role in the arms control process as the resolution covered all weapons including nuclear weapons. Russia's representative said his country would support the sending of a team to Libya to assess the WMD situation.

Through S/RES/2018 the Security Council condemned all acts of piracy and armed robbery at sea committed off the coast of the states of the Gulf of Guinea. The Council called on ECOWAS, ECCAS and the Gulf of Guinea Commission to cooperate in the prosecution of alleged perpetrators including facilitators and financiers of acts of piracy and armed robbery at sea. The Council also welcomed the Secretary-General's plan to deploy a UN Assessment

⁷⁹ DIRCO 'South Africa votes yes in support of an end to the No - Fly Zone in Libya by adopting Resolution 2016 of 2011' 28 October 2011. <<http://www.dirco.gov.za/docs/2011/liby1028.html>> (accessed 31 October)

Mission to investigate threat of piracy in the Gulf of Guinea and to submit proposals on combative strategy.⁸⁰

12. November 2011

Portugal held the presidency of the Council in November. Three resolutions were passed in November. S/RES/2019 extended the mandate of the European Union Multinational Stabilization Force in Bosnia and Herzegovina (EUFOR ALTHEA) for one year until 15 November 2012. Also provided for in the Resolution was the peace-stabilization role of EUFOR ALTHEA in accordance with military aspects of the 1995 Dayton Peace Agreement.⁸¹

S/RES/2020 extended the UNSC authorization for states and regional organizations assisting the Transitional Federal Government of Somalia to use 'all necessary means' to tackle piracy in waters off the coast of Somalia. Such means included inter-alia deployment of naval-vessels and military vessels as well as seizure of vessels and equipment affiliated to piracy.⁸²

S/RES/2021⁸³ renewed the arms embargo and related sanctions on the DRC until 30 November 2012. In addition to the sanctions regime, the resolution also provided for the

⁸⁰ Resolution 2017 (2011) Asks Interim Authorities to Ensure Proper Custody Of Missiles, Other Weapons; States in Region, Appropriate Bodies Called Upon to Help. UN Press Release SC/10429, 31 October 2011. <<http://www.un.org/News/Press/docs//2011/sc10429.doc.htm>> (accessed 1 November 2011)

⁸¹ Security Council Authorizes One-year Mandate Extension for European Union Multinational Stabilization Force in Bosnia and Herzegovina. UN Press Release SC/10451, 16 November 2011. <<http://www.un.org/News/Press/docs//2011/sc10451.doc.htm>> (accessed 29 November 2011).

⁸² By Resolution 2020, Security Council Extends for 12 Months Authorization for Those Cooperating with Somali Government to Use 'All Necessary Means' to Combat Piracy. UN Press Release SC/10454, 22 November 2011. <<http://www.un.org/News/Press/docs//2011/sc10454.doc.htm>> (accessed 29 November 2011).

⁸³ Security Council Renews Arms Embargo, Related Sanctions against Democratic Republic of Congo amid Illicit Weapons Flows Within, Into Country. UN Press Release SC/10464, 29 November 2011. <<http://www.un.org/News/Press/docs//2011/sc10464.doc.htm>> (accessed 30 Nov 2011)

implementation of due diligence guidelines for natural resources imports and exports of the DRC. Moreover, the resolution called for the cessation of violence against civilians by all armed groups in the DRC and Great Lakes region.

13. December 2011

Russia held the presidency of the Council in December 2011. 11 resolutions were adopted.

S/RES/2022 extended the mandate of the UN Support Mission in Libya (UNSMIL) until 16 March 2012. The resolution also reiterated UNSMIL's mandate in arms control and disarmament in combatting proliferation of arms and related material.⁸⁴

S/RES/2023 reinforced the sanctions regime against Eritrea in an attempt to mitigate the destabilization of the Horn of Africa region. This decision was in light of the possible use of the Eritrean mining sector as a financial source to destabilize the region. Resolution 2023 was adopted by a vote of 13 in favour with 2 abstentions (China and Russia). The resolution also condemned the use of the diaspora tax on the Eritrean diaspora to further contribute to the destabilization of the region. In addition, S/RES/2023 stipulated imposition of targeted sanctions against individuals and entities involved in the recruitment of child soldiers and attacks on schools and hospitals.⁸⁵

IGAD (Intergovernmental Authority for Development) Chairperson, Melanes Zenawi had earlier expressed concerns of IGAD member states that 'Eritrea is a prime source of

⁸⁴ Security Council Extends Authorization for United Nations Support Mission in Libya until 16 March, Expands Its Mandated Tasks. UN Press Release SC/10469, 2 December 2011.

<<http://www.un.org/News/Press/docs//2011/sc10469.doc.htm>> (accessed 30 December 2011)

⁸⁵ Security Council, by Vote of 13 in Favour, Adopts Resolution Reinforcing Sanctions Regime against Eritrea 'Calibrated' to Halt All Activities Destabilizing. UN Press Release SC/10471. 5 December 2011. Region

<<http://www.un.org/News/Press/docs/2011/sc10471.doc.htm>>. (accessed 30 December 2011)

instability for the whole region'.⁸⁶ Subsequently, IGAD had been involved in drafting the text of Resolution 2023 which was tabled by Gabon and Nigeria.

Nigeria's Representative Mr Onemola said Nigeria's decision to co-sponsor the Resolution was motivated by the country's steadfast commitment to peace in the Horn of Africa and Nigeria's stance against global terrorism. He also added that the feasibility of a political settlement to the challenges facing the region should be considered based on reconciliation and co-operation between Eritrea and its neighbours. The representative of the UK, Sir Lyall Grant expressed his country's concern about Eritrea's disruptive activities in Somalia and the region. He welcomed the adoption of S/RES/2023, noting the provision to include additional measures in the event of non-compliance. Germany's representative, Mr Wittig, welcomed the adoption of Resolution 2023 stressing that the resolution was calibrated hence did not impose new economic sanctions or increase the burden on the Eritrean population. Instead, its gist was halting destabilization aided by illegitimate funds. The US and France explained their support for Resolution 2023 maintaining that stronger measures included in the resolution were justified based on Eritrea's continued failure to comply with previous S/RES/1907 (2009).⁸⁷

South Africa's representative (Mr Mashabane) welcomed the adoption of the Resolution while acknowledging the role of IGAD in fighting the spread of terrorism and armed groups in the region. South Africa reiterated the prioritization of a political process as a complement and expressed hope that the measures contained in the resolution would not negatively impact on the Eritrean economy and livelihood of its people. South Africa's vote in favour of the resolution was based on its prospect of addressing the challenges of instability in the Horn of Africa and enhancing peace in the region.⁸⁸

Explaining China's abstention, Mr Baodong argued that China was of the view that sanctions would have a negative impact on the economic development and livelihood of Eritreans. Furthermore, China believed that the vote was rushed and side-lined concerns such as

⁸⁶ Meeting record S/PV.6674, 5 December 2011. < <http://daccess-dds-ny.un.org/doc/UNDOC/PRO/N11/622/09/PDF/N1162209.pdf?OpenElement>>(accessed 30 December 2011)

⁸⁷ Ibid.

⁸⁸ Ibid.

questions on the implementation of due diligence guidelines and their impact on other issues. Russia's representative, Mr Churkin, said his country had abstained because it felt that the text of the resolution contained certain provisions that lacked adequate foundation, including insufficient proof of Eritrea's involvement in the planned terrorist attacks in Addis Ababa. Other concerns included the mandate of the Sanctions committee to draft guiding principles and the ambiguous language around the practical implementation of certain provisions.⁸⁹

S/RES/2024, adopted unanimously, broadened the mandate of the United Nations Interim Security Force for Abyei (UNISFA) to include supporting development of bilateral mechanisms facilitating liaisons and building mutual trust. UNISFA will also assist Sudan and North Sudan in meeting commitments of 29 June and 30 July which provided for, respectively, the creation of a safe demilitarized border zone and the establishment of a Joint Border Verification and Monitoring Mechanism.⁹⁰

S/RES/2025 renewed for 12 months the Council's travel ban on persons considered threat to peace in Liberia and also renewed the arms embargo. Furthermore, the resolution also extended the mandate of the panel of experts monitoring implementation of measures, tasking it with conducting two assessment missions to Liberia and neighbouring states to investigate violations on sanctions.⁹¹

⁸⁹ Ibid.

⁹⁰ Security Council, Recognizing Urgent Need for Sudan, South Sudan to Start 'Border Normalization', Expands Mandate of Abyei Force to Assist Process. UN Press Release SC/10484. 14 December 2011.

<<http://www.un.org/News/Press/docs//2011/sc10484.doc.htm>> (accessed 30 December 2011).

⁹¹ Security Council Renews for 12 Months Arms, Travel Bans Concerning Liberia Unanimously Adopting Resolution 2025 (2011). UN Press Release SC/10485, 14 December 2011.

<<http://www.un.org/News/Press/docs//2011/sc10485.doc.htm>> (accessed 30 December 2011).

S/RES/2026⁹² extended the mandate of the United Nations Peacekeeping Force in Cyprus (UNFICYP) until 19 July 2012. The Council also urged leaders to intensify negotiations so as to edge closer to comprehensive settlement. S/RES/2027⁹³ was also an extension of mandate. The mandate of the United Nations Office in Burundi (BNUB) was lengthened until 15 February 2013. BNUB has been tasked with aiding the government of Burundi in areas of socio-economic development and integration processes. Adoption of S/RES/2028⁹⁴ saw the Council renew the mandate of the United Nations Disengagement Observer Force (UNDOF) monitoring the ceasefire between Israel and Syria until 30 June 2012. Through S/RES/2029⁹⁵, The Council extended the terms of office of 4 judges on the International Criminal Tribunal for Rwanda until 30 June 2012. S/RES/2030⁹⁶ was an extension of the mandate of the United Nations Integrated Peacebuilding Office in Guinea Bissau until 28 February 2012.

⁹² Security Council Extends Mandate Of Cyprus Peacekeeping Force until 19 July 2012 Unanimously Adopting Resolution 2026 (2011). UN Press Release SC/10486, 14 December 2011. > (accessed 30 December 2011).

<<http://www.un.org/News/Press/docs//2011/sc10486.doc.htm>>

⁹³ Security Council Authorizes One-Year Mandate Extension for United Nations Office in Burundi, Adopting Resolution 2027 (2011). UN Press Release SC/10496. 20 December 2011.

<<http://www.un.org/News/Press/docs//2011/sc10496.doc.htm>> (accessed 30 December 2011).

⁹⁴ Security Council Extends Mandate of Observer Force Monitoring Ceasefire between Israel, Syria until 30 June 2012, Unanimously Adopting Resolution 2028 (2011). UN Press Release SC/10498, 21 December 2011.

<<http://www.un.org/News/Press/docs//2011/sc10498.doc.htm>> (accessed 30 December 2011).

⁹⁵ Adopting Unanimous Resolution, Security Council Extends Terms of Office of Four Judges on Rwanda Criminal Tribunal through June 2012. UN Press Release SC/10499, 21 December 2011.

<<http://www.un.org/News/Press/docs//2011/sc10499.doc.htm>> (accessed 30 December 2011).

⁹⁶ Security Council Extends Mandate of Guinea-Bissau Integrated Peacebuilding Office, Calls on Government, Political Factions to Intensify Reconciliation Efforts. UN Press Release SC/10500, 21 December 2011.

<<http://www.un.org/News/Press/docs//2011/sc10500.doc.htm>> (accessed 30 December 2011).

S/RES/2031⁹⁷ extended the mandate of the United Nations Peacebuilding Office in the Central African Republic (BINUCA) until 31 January 2013. S/RES/2032 extended the mandate of the United Nations Interim Security Force in Abyei (UNISFA) for 5 months. The Council also directed that Sudan and South Sudan finalize the establishment of the Abyei Area Administration and Police Service in accordance with previous agreement as in S/RES/1990 (2011).⁹⁸

14. January 2012 (South Africa's Presidency)

South Africa held the presidency of the Council in January 2012. During the presidency, a key high level debate on the strategic partnership between the UN and the AU in the areas of peace and security.

On 12 January, President Zuma chaired the UNSC debate on the agenda of enhancing co-operation between the UN and regional organizations particularly the AU. Prior to the debate, South Africa's permanent representative to the UN submitted a note (S/2012/13) outlining the relationship between the AU and the UN and the need for its strengthening. In the document, Amb Sanqu highlighted the fact that more than 60% of UNSC deliberations are concerned with Africa and that 6 out of 14 UN Peacekeeping operations were deployed in Africa. He also added that 'the debate would be an opportunity to address at the summit level, ways in which greater strategic political coherence between the UN and the AU can be consolidated and enhanced in the area of conflict prevention, management

⁹⁷ Security Council Extends Mandate of Peacebuilding Office in Central African Republic until 31 January 2013, Unanimously Adopting Resolution 2031 (2011). UN Press Release SC/10501, 21 December 2011.

<<http://www.un.org/News/Press/docs//2011/sc10501.doc.htm>> (accessed 30 December 2011).

⁹⁸ Security Council Extends Mandate of Interim Security Force in Abyei for Five Months, Unanimously Adopting Resolution 2032 (2011). UN Press Release SC/10505, 22 December 2011.

<<http://www.un.org/News/Press/docs//2011/sc10505.doc.htm>> (accessed 30 December 2011).

and resolution of conflicts on the African continent. In particular, the meeting could address the following questions, among others: how the Council can support African Union political processes; how coherence can be improved; how it will be possible to ensure complementarity of efforts and avoid competition and/or duplication; how coordination can be improved on the institutional level; and how it will be possible to take advantage of the complementary capacities between the two.⁹⁹

The report of the Secretary-General on the UN-AU cooperation in peace and security (S/2011/805) dated 29 December 2011 was also considered. The report outlined lessons and recommendations on ways to enhance cooperation between the two bodies. For instance, the SG highlighted that there was need for more informal communication between the AU PSC and the UNSC and the establishment of 'pre-agreed mechanisms for consultations on decisions and subsequent implementations.'¹⁰⁰

President Zuma pointed to the need for reform of the Security Council especially because Africa did not have permanent representation on the Council. He also added that it was crucial for the AU and the UN to work together in the areas of conflict prevention and resolution in Africa as a way of avoiding recurrence of a situation like the one that had happened in Libya. "The lessons we should draw from the Libyan experience is that greater political coherence and a common vision between the African Union and the United Nations are critical in the resolution of African conflicts."¹⁰¹ President Zuma made several proposals for strengthening the strategic cooperation between the AU and the UN. He called for greater strategic political coherence between the AU PSC and the UNSC and for a division of labour around cooperation and decision-making.

⁹⁹ Security Council Commits to 'Effective Steps' to Enhance Relationship with African Union in Conflict Prevention, Resolution, with Unanimous Adoption of 2033 (2012). UN Press Release SC/10519, 12 January 2012. <<http://www.un.org/News/Press/docs/2012/sc10519.doc.htm>> (accessed 30 January 2011).

¹⁰⁰ Ibid.

¹⁰¹ Security Council Commits to 'Effective Steps' to Enhance Relationship with African Union in Conflict Prevention, Resolution, with Unanimous Adoption of 2033 (2012). UN Press Release SC/10519, 12 January 2012. <<http://www.un.org/News/Press/docs/2012/sc10519.doc.htm>> (accessed 30 January 2011).

Secretary General Ban Ki-Moon acknowledged that the AU was a vital strategic partner to the UN and praised South Africa for utilizing its presidency to enhance the relationship between the two bodies. He concluded by noting that despite the concrete progress made over the years to strengthen the relationship, there was still room for improvement.¹⁰²

Ramtane Lamamra, AU Commissioner for Peace and Security said the debate had come at a time of renewed interest in strengthening the relationship between the AU and the UN. He added that the two bodies should engage in dialogue on principles of African ownership and priority setting, consultative decision-making, decision of labour and sharing of responsibilities.¹⁰³

Minister of Foreign Affairs of Kenya, Moses Wetangula and Chair of the AU PSC, said the need to maintain a strong and well-structured strategic partnership between the AU PSC and the UNSC could not be 'over-emphasized' especially because the threats to international peace and security were dominant in Africa and spread beyond affected countries, regions and continent.¹⁰⁴

María Ángela Holguín Cuéllar, Minister of Foreign Affairs of Colombia, said that in addition to peacekeeping missions, the UNSC also had to support the search for lasting solutions based on negotiations, mediation and agreements according to Chapter VI of the UN Charter.

Elmar Maharram Oglu Mammadyarov, Minister for Foreign Affairs of Azerbaijan, said that there were challenges to the strategic relationship between the AU and the UN and that more should be done to strengthen the common collective security concerns in Africa.¹⁰⁵

¹⁰² Ibid.

¹⁰³ Ibid.

¹⁰⁴ Ibid.

¹⁰⁵ Security Council Commits to 'Effective Steps' to Enhance Relationship with African Union in Conflict Prevention, Resolution, with Unanimous Adoption of 2033 (2012). UN Press Release SC/10519, 12 January 2012. <<http://www.un.org/News/Press/docs/2012/sc10519.doc.htm>> (accessed 30 January 2011).

Roger Haroldo Rodas Melgar, Minister of Foreign Affairs of Guatemala, said his country believed that 'the partnerships between the SC and regional entities in areas of peace and security contained the conceptual underpinnings of a productive relationship based on the clear comparative advantages derived from the Council's mandate to maintain international peace and security, and the greater knowledge and identification that regional bodies tended to have regarding their own member countries.'¹⁰⁶

Susan Rice, US Representative, said the EU had set an example on how to strengthen the AUPSC architecture and called for sustained collaboration on lessons learned from UNAMID and AMISOM.¹⁰⁷

Cornelia Pieper, Minister of State at the Federal Foreign Office of Germany, said the relationship between the AUPSC and the UNSC should be strengthened at the strategic level through dialogue between the two organizations. At the operational level, best practices gained in previous partnerships efforts such as the UNAMID and AMISOM in areas of training and integration of peacekeeping efforts.¹⁰⁸

Edouard Courtial, Minister of State with responsibility for French nationals abroad, stressed the importance of EU initiative to fund a peace facility for Africa and the need for permanent representation on the UNSC.¹⁰⁹

Luis Brites Pereira, Secretary of State for Foreign Affairs of Portugal, reiterated the view that UNAMID and AMISOM were concrete models of peacekeeping cooperation between the AU and the UN.¹¹⁰

Liu Guijin of China welcomed efforts to strengthen the strategic relationship between the AU and the UN but added that support from the international community was necessary to aid Africa in dealing with its challenges.¹¹¹

¹⁰⁶ Ibid.

¹⁰⁷ Ibid.

¹⁰⁸ Ibid.

¹⁰⁹ Ibid.

¹¹⁰ Meeting Record S/PV. 6702. 12 January 2012. <<http://daccess-dds-ny.un.org/doc/UNDOC/PRO/N12/205/34/PDF/N1220534.pdf?OpenElement>> (accessed 30 January 2012).

Koffi Essouw of Togo added that matters of peace and security underpinned the cooperation between the two organizations and that conflict prevention and resolution were important areas of partnership.¹¹²

Mark Lyall Grant (UK) noted many differences of substance between the AU and the Arab League on Libya and between ECOWAS and AU on Côte d'Ivoire and added that these differences showed that cooperation should utilize complementarities between UN and regional organizations.¹¹³

Vitaly Churkin of the Russian Federation said that UN-AU Partnership should continue to be based on Chapter VIII of the UN Charter and complementarity of efforts between the UN and regional bodies.¹¹⁴

Abdullah Hussain Haroon of Pakistan said that in order to strengthen cooperation, efforts should be made to optimize the annual consultative mechanism between the UNSC and the AUPSC.¹¹⁵

Hardeep Singh Puri of India said that his country supported the UN-AU partnership and welcomed the creation of the UN Office to the AU and annual dialogue between UNSC and AUPSC.¹¹⁶

Mohammed Loulichki of Morocco said Africa's stability and development topped Morocco's foreign policy agenda and that partnership between UN and regional organizations must respect UN Charter principles and mandate of the UNSC.¹¹⁷

¹¹¹ Ibid.

¹¹² Ibid.

¹¹³ Ibid.

¹¹⁴ Ibid

¹¹⁵ Ibid.

¹¹⁶ Meeting Record S/PV. 6702. 12 January 2012. <<http://daccess-dds-ny.un.org/doc/UNDOC/PRO/N12/205/34/PDF/N1220534.pdf?OpenElement>> (accessed 30 January 2012).

¹¹⁷ Ibid.

Kongit Sinegiorgis of Ethiopia noted that IGAD was supportive of enhanced levels of cooperation between the AU and the UN, given its own success in joint efforts with the AU.¹¹⁸

U. Joy Ogwu of Nigeria said that a viable, sustainable and strategic partnership between the AU and UN had to be underpinned by 'clarity of guidance', based on comparative advantages, complementarity and optimal use of resources and capacities.¹¹⁹

Following the meeting, the SC unanimously adopted S/RES/2033 to strengthen cooperation between the AU and the UN. The resolution also called for enhancement of regular interaction, consultation and coordination between the two bodies on matters of mutual interests.¹²⁰

On 24 January, the UNSC held an open debate on 'The situation in the Middle East including the Palestinian Question'. Deputy Minister Ebrahim Ebrahim issued a statement associating South Africa's stance with those of the Africa Group and the Non-Aligned Movement. South Africa was convinced that Palestine met all the criteria for UN membership and deserved to become a full member. He added that South Africa was disappointed that since 23 September 2011, tangible progress is yet to be registered by the Quartet in the peace process. He said that while South Africa acknowledged the efforts of the Quartet, it was time to assess the effectiveness of the Quartet model and to reconsider what more could be done by the Security Council towards negotiations and lasting solutions. There were concerns that prospects for direct talks seemed non-existent as the Israeli government continued acts of regression such as ongoing illegal settlement construction. It was Council's responsibility to act against such antagonistic acts. Furthermore, the increase in settler violence in the Occupied Palestinian Territories was also a cause for worry. He concluded

¹¹⁸ Ibid.

¹¹⁹ Ibid.

¹²⁰ Ibid.

that the future of Palestine was dependent on the unity of its people and urged Hamas and Fatah to implement the Cairo Reconciliation Agreement.¹²¹

Hence during its Presidency of the Council, South Africa prioritized the strengthening of AU-UN partnership, the conflicts in Somalia and South Sudan. The prioritization of Africa was in line with South Africa's foreign policy agenda of promoting the African agenda.

Furthermore, South Africa chaired the UNSC 1540 Committee on Weapons of Mass Destruction and Non-state actors. As chair, South Africa oversaw the work of four sub-committees of the 1540 Committee which monitored implementation of resolutions by member states, facilitated assistance required for implementation; facilitated cooperation with international organizations; and conducted media outreach activities.¹²²

South Africa is also chair of the UNSC Ad-hoc Working Group on Conflict Prevention and Resolution in Africa and vice-chair of the Côte d'Ivoire and Liberia Sanctions Committee.

Conclusion

Since January 2011, the UNSC has adopted 65 resolutions. Out of which a majority of 46 are on African issues. In line with its goal of championing the African agenda, South Africa's voting behaviour was guided by African and AU positions and cooperation with other

¹²¹ Statement by Deputy Minister Ebrahim Ebrahim at the UN Security Council Open Debate on "The Situation in the Middle East, including the Palestinian Question", 24 January 2012.

<<http://www.dirco.gov.za/docs/2012/un0125.html>> (accessed 30 January 2012).

¹²² Written submission by the Deputy Minister of International Relations and Cooperation, Mr Marius Fransman, on the occasion of a Roundtable Discussion on "South Africa's Second Tenure in the UN Security Council: Promoting the African Agenda, UNISA, Pretoria. 3 February 2012.

<<http://www.dirco.gov.za/docs/speeches/2012/un0203.html>> (accessed 9 February 2012)

African UNSC members namely Nigeria and Gabon. However, the three African countries did not always adopt common positions on African issues on the UNSC agenda.¹²³

Nonetheless, South Africa ended its presidency of the Council with renewed optimism about becoming a permanent member of the UNSC. Amb Sanqu is of the opinion that given South Africa's previous tenure in 2007-2008, the country's experience gives it 'the institutional capacity and memory to take on this prominent role'.¹²⁴

Other critics have been less optimistic of South Africa's performance. Eve Fairbanks of Foreign Policy has described South Africa's foreign policy as 'perplexing' and 'unsettling' given South Africa's handling of Myanmar and Zimbabwe during the first term and most recently, the about- turn on Libya.¹²⁵ Not surprisingly, as the leading proponent of "African solutions to African problems,' South Africa failed to put an end to the civil war in Libya. Furthermore, in a classic departure from AU companions, South Africa was among the last AU member states to recognize the Transitional National Council.¹²⁶

The moral narrative in South Africa's foreign policy, it seems, has been rocked by national interests and caution. Not only has South Africa been seen in the company of leaders with dubious human rights records in the likes of Mugabe and Gaddafi, but South Africa seems eager these days to earn its identity as a regional superpower, given its most recent membership to the BRICS grouping. It is not surprising, therefore, that given the eagerness

¹²³ Written submission by the Deputy Minister of International Relations and Cooperation, Mr Marius Fransman, on the occasion of a Roundtable Discussion on "South Africa's Second Tenure in the UN Security Council: Promoting the African Agenda, UNISA, Pretoria. 3 February 2012.

<<http://www.dirco.gov.za/docs/speeches/2012/un0203.html>> (accessed 9 February 2012)

¹²⁴ Neophytou, N. 2012. "New life in SA bid to join Security Council". Business Day, 1 February 2012.
<<http://www.businessday.co.za/Articles/Content.aspx?id=163822>> (accessed 9 February 2012)

¹²⁵ Fairbanks, E. 2012. "South Africa's Awkward Teenage Years". Foreign Policy Jan/Feb 2012.
<http://www.foreignpolicy.com/articles/2012/01/03/south_africa_s_awkward_teenage_years?page=full> (accessed 9 February 2012).

¹²⁶ The Economist. "South Africa and Libya: Huff and puff. South Africa's government is upset by its own failure over Libya". 3 September 2011. <<http://www.economist.com/node/21528309>> (accessed 9 February 2012)

to rise up to economic stardom, South Africa's looks to China's model as a 'recipe for economic success.'¹²⁷

As Adam Habib put it, 'the post-Mandela generation of South African leaders is not content to occupy a niche on morality like Bhutan's niche on happiness; they dream of a grander future than one in which South Africa's primary export remains a kind of Gross National Blamelessness. They yearn for the space to act as "unabashedly pragmatically" as the Chinese.'¹²⁸

South Africa's performance on the UNSC, both successes and failures, can be attributed to several factors: the promotion of the African agenda, championing human rights and even awkward teenage years of a young democracy. Ultimately, the question of morality in its international relations remains a subject of rigorous debate.

¹²⁷ Fairbanks, E. 2012. "South Africa's Awkward Teenage Years". Foreign Policy Jan/Feb 2012.
<http://www.foreignpolicy.com/articles/2012/01/03/south_africa_s_awkward_teenage_years?page=full>
(accessed 9 February 2012).

¹²⁸ Ibid.

TABLE ON VOTING 2011[illegible]

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