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To:	Mr. Kim Won-soo Deputy Chef de Cabinet Secretary-General's Delegation in Geneva	From:	Mrs. Asha-Rose Migiro Deputy Secretary-General 
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Subject:	Miscellaneous		

For the Secretary-General's attention

1. Note dated 18 May 2009 from the Deputy Secretary-General regarding a telephone conversation today with Amb. Giulio Terzi di Sant'Agata, Permanent Representative of Italy.
2. Update Note from the Political Unit dated 18 May 2009. [29-05199]

via FAX

cc: Mr. Yeocheol Yoon
Ms. Linda Taylor, Trip Coordinator
Ms. Simona Petrova

Note to Secretary-General

Italian Government concerns re: UNHCR statements on the handling of illegal immigrants

The Italian Permanent Representative, HE Mr. Giulio Terzi, called me this morning, at the request of his Minister, to express the Italian Government's concern regarding statements made by UNHCR in respect of the recent controversy over Italy's handling of illegal immigrants.

The High Commissioner for Refugees has publicly expressed concern over the fate of 234 people who were rescued on 6 May 2009 by Italian patrol boats (in the Maltese Search and Rescue Region of responsibility), and who were then immediately sent back to Libya without proper assessment of their possible protection needs nor access to territory and asylum procedures, including the dedicated Geneva Convention.

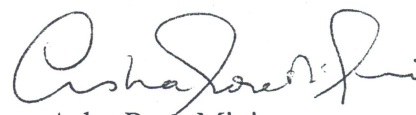
The Italian Permanent Representative indicated this was a politically sensitive issue for them and that his government would like to cooperate with UNHCR. He asked if the United Nations could deal with this situation as discreetly as possible and not rush towards public statements.

Having followed-up with the Office of the High Commissioner, my Office was advised that the 234 illegal immigrants consisted of nationals from Nigeria (181), Ivory Coast (19), Somalia (7), Mali (2), Ghana (25) and Gambia. UNHCR indicates there are reports from different sources that more boats have been pushed back by the Italian coastal guards towards Libya.

UNHCR informed that once the boats land in Libya, the illegal immigrants are transported to overcrowded Detention centers. UNHCR Tripoli has visited two detention centers outside of Tripoli and has so far screened 363 persons in total.

UNHCR also advise that Italy is currently in the middle of elections and that the issue of illegal immigrants is being used for political scoring by rival parties. UNHCR do not wish to get caught in the middle and are therefore taking a principled position, based on international law. UNHCR are also concerned about the possible spill-over effects this might have in the region (e.g. Malta, Greece) and its repercussions for the European Union's policy on illegal immigration.

The High Commissioner intends to send a letter tomorrow to the European Union regarding UNHCR's position and action which will be taken on the matter. Upon receipt and for your ease of reference, I shall make available to you a copy of this letter.



Asha-Rose Migiro
18 May 2009

cc; Mr. Nambiar
Mr. Kim

**Update Note for the Secretary-General
18 May 2009**

ARJ

1. Western Sahara

The Political Unit met today with Ambassador Ahmed Boukhari regarding the latest developments in the Western Sahara dossier. Boukhari suggested, inter alia, that the Secretary-General should, on his own initiative, visit the region. He pointed out that the last three SGs visited Western Sahara twice. However, he does not believe that this request should emanate from any one of the parties as this would lead to rejection by the other party.

The Political Unit agreed to share his suggestion with the Secretary-General.

2. Sudan

Qazi reports¹ that the new Southern Kordofan State Governor, Ahmed Haroun, reiterated his commitment to cooperation between NCP and SPLM.

Adada reports² that yesterday 15 wounded GoS soldiers were treated at a UNAMID team site before being evacuated to a GoS facility. They were wounded in fighting around Kornoï. UNAMID was informed that JEM forces are in control of Kornoï and have taken a number of GoS soldiers prisoner. GoS forces have been observed entering Tine from the direction of Kornoï. The UNAMID team site commander described the situation as very tense and indicated that a planned UNAMID convoy to Tine has been postponed. The GoS commander in Tine stated that he expects a JEM attack within the next 48 hours.

Adada observes³ the veracity of the information that JEM has dislodged the Government from Kornoï cannot yet be established, it is at present deemed unlikely. First, a concentration of 400-500 vehicles appears too large and calls for a more detailed investigation. Second, such a development would constitute a major military gain for the JEM, given

¹ (UNMIS Daily Situation Report for 14-16/05/09)

² (ELF-393 of 18/05/09)

³ (ELF-392 of 17/05/09)

the strength of the GoS position in the area, and would therefore more likely have been immediately advertised on the JEM website.

Qazi reports⁴ on his meeting with National Election Commission (NEC) Chairman, Abel Alier, to consult on recent developments with regards to the census results. Alier stated that the census results had been officially handed over to the NEC by the Presidency, and NEC would now focus on the delimitation of geographical constituencies. Meanwhile, in a meeting with UNMIS on the same day, SPLM Spokesperson, Yassar Erman, stated that Salva Kiir had submitted the SPLM's objections to the census results to the Presidency in writing, and that census results were given to the NEC without clear instructions to move forward.

3. Somalia

Ould-Abdallah reports⁵ that on Friday he was ready to lobby for the removal of the names of Somali individuals who are on the US terror suspects list if they are willing to pursue dialogue instead of conflict. "No one who is named on the UN Security Council list of terrorists can become a president or a prime minister. He cannot sit in an office nor even travel as a simple citizen because he may be in trouble. But those who are on the US terrorist list, he is ready to lobby for them, he put in writing. He will help remove the names of Somalis to open political dialogue for them. It is not kicking their own compatriots that will solve this problem" He restated that the dialogue window is still open for any peace loving party to end the bloodshed. His statement comes after a week-long fighting in the war-ravaged nation that involved Somali militant groups and pro-government forces.

4. Afghanistan

Eide reports that it has become clear that even with the additional resources provided in the 2009 budget, UNAMA is not in a position to implement its coordination mandate properly. This negatively affects the overall effectiveness of the international community's efforts on the ground and, most of all, the credibility of the Missions.

Eide comments that throughout 2008 and the first quarter of 2009, the insurgency has increased in terms of incidents and geographical extension. One of the main enabling factors for the spread of the

⁴ (UNMIS Daily Situation Report for 17/05/09)

⁵ (CMN 104 of 18/05/09)

insurgency is the lack of capacity and the weaknesses of the Government both at national and sub-national levels. While the increase in military forces is meant to address the belligerence of Anti-Government Elements in the eastern provinces, the civilian surge is designed, inter alia, to enable the Government to deliver essential services to the population and thus address the widespread dissatisfaction that helps the Taliban to recruit local support.

The civilian surge will place additional demands on UNAMA's coordination capacity that go well beyond what the Mission can deliver with its current resources. Considering that another four un-budgeted Provincial Offices need to be opened before the end of 2009, and that the critical posts in the area of donor coordination and aid effectiveness are needed urgently, the additional substantive positions needed are 29 Professional staff and 16 National Officers. This does not include the additional mission support staff, communications, vehicles and premises required to enable the substantive offices to function.

It is imperative that UNAMA is put in a position to coordinate the multiple actors more widely, more directly and in a more proactive manner. The current set-up is clearly not sufficient and the donor community lately has been criticizing UNAMA for not playing a more prominent role.

The magnitude of the additional requirements goes well beyond what the Mission can address by redeploying existing resources. Moreover, given the urgency with which the international community wishes to pursue the strategic shift in approaching the stabilization of Afghanistan, he believes there is sufficient reason for submitting a supplementary budget to the General Assembly. He understands that the current Security Council resolution may not suffice to obtain the General Assembly's approval for additional resources. DPKO should consider initiating such a resolution in the context of the next quarterly report of the Secretary-General to the Security Council, due in June 2009.

5. Guatemala

Castresana reports⁶ that President Alvaro Colon convened a meeting on 14 May with the Vice President, the Ambassadors of Canada, Spain, Sweden and the US, the Ombudsman, the Archbishop of Guatemala, the Rector of the University of San Carlos, the head of the Evangelical Alliance, the Attorney General, and senior civil servants. The purpose of the meeting was to discuss the current situation following the murder of

⁶ (CTG075 of 15/05/09)
29-05199

attorney Rodrigo Rosenberg. (Rosenberg was killed 10 May. The following day a video recording and written declaration were released accusing the President, the First Lady, the President's Private Secretary and an influential contractor for his murder).

He further reports⁷ various events have occurred subsequent to the meeting with the opposition blocs called by the President on 14 May, during which all of the participants agreed that the public must remain calm and constitutional order must be maintained. Tensions have heightened and there is deterioration of the security situation throughout the country.

6. Kosovo

Zannier reports⁸ that intensive and focused efforts by UNMIK, in close coordination with EULEX and KFOR, have for now calmed the tense situation prevailing in the Kroi i Vitakut area and prevented a direct confrontation between the communities. Both communities are for the fifth day working peacefully side-by-side on their respective parcels of land. However, the situation remains fragile with the possibility of it sliding back to a confrontation.

He further reports⁹ that the newly published April 2009 Early Warning Report by UNDP notes that there is growing disappointment among Kosovo citizens regarding the work of Kosovo institutions. "The satisfaction level with governing institutions of Kosovo has seen a decrease as compared to the October 2008 reporting period. The April 2009 poll results show approximately 38% of survey respondents were satisfied with the work of the Government of Kosovo, a decrease of some 19% since 2008," the report states. The report also notes that the level of satisfaction with the work of the President has dropped by nearly 23% from October 2008 and now stands at 47%, while the level of satisfaction with the work of the Prime Minister has dropped by 24% and now stands at 39%. The report also notes that the level of satisfaction with the UN mission in Kosovo has reached an all-time low at only 16%, while satisfaction with the work of EULEX has increased by 17% since October 2008, standing now at 38%. The three main problems affecting Kosovo were once again identified as unemployment (46%), poverty (18%) and lack of electricity supply (9%).

⁷ (CTG076 of 15/05/09)

⁸ (UNMIK 059 of 18/05/09)

⁹ (Daily sitrep of 15-17/05/09)

7/7

Reacting to the Report, PM Thaçi stated that he does not work according to polls, but to priorities. Needless to say, the report has been supported by the opposition who use it as an argument to back their claims against the Government and warn of potential social unrest in the future.



Political Unit
18 May 2009

cc: DSG, VN, KWS

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