

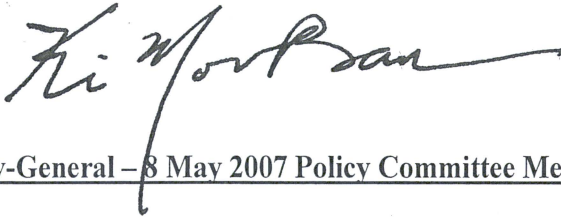
TO: Members of the Policy Committee
A: Participants at the 8 May Policy Committee meeting
(see distribution list)

DATE: 11 May 2007

REFERENCE:

THROUGH:
S/C DE:

FROM: The Secretary-General
DE:



SUBJECT: Decisions of the Secretary-General – 8 May 2007 Policy Committee Meeting
OBJET:

Confidential

Decision No. 2007/23 - Korean Peninsula

- i. With the resumption of the still fragile six-party talks, and continued difficulties faced in the political, development, humanitarian and human rights arenas, the UN finds itself at a critical juncture in its engagement with the DPRK. The Organization should focus on
 - a. sustaining and, where possible, intensifying engagement with the DPRK, and
 - b. ensuring that the United Nations system has in place a coherent strategy and a consistent approach towards the Korean Peninsula.
- ii. Within such a pro-active approach, UN strategy should:
 - a) contribute towards progress of the six-party talks on the denuclearization of the Peninsula,
 - b) initiate a sustained political dialogue with the DPRK;
 - c) contribute to establishing a multilateral peace and security mechanism in Northeast Asia;
 - d) help resolve humanitarian concerns in the DPRK, advocating that such assistance be increased and separate from political and security considerations;
 - e) assist the DPRK in achieving the Millennium Development Goals and promoting economic reforms (including through its capacity building and preparing for integration into the international economic and financial system); and
 - f) engage the DPRK in a human rights dialogue.
- iii. To ensure system-wide consultation and cohesion of action, the Secretary-General should assign a senior Secretariat official as Korean Peninsula Coordinator, based in New York. (Action: EOSG) While UN entities concerned will continue to implement their respective mandates, the Coordinator will provide focused support to the UN system's work. The work of the Coordinator should be based on close consultations with the six-party participants and other key stakeholders, with a view to increasing UN engagement in all areas related to the region in a phased manner. In close consultation with the EOSG and main UN entities concerned, DPA should develop the Coordinator's ToR and assist the Coordinator to develop and implement an action plan towards the outlined strategy. The Coordinator should be supported by an inter-departmental Task Force. (Action: DPA and relevant entities)
- iv. An ad-hoc aid coordination group, bringing together UN actors engaged with the DPRK, and interested donors, should meet informally with the view to supporting a common line on humanitarian access and monitoring of aid programmes, as well as increasing donor support for humanitarian and development assistance. While maintaining close contact with the Korean Peninsula Coordinator, this group would serve as a forum for addressing operational issues and



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concerns related to multilateral aid assistance to the DPRK, including the separation of humanitarian assistance from political and security issues.

(Action: OCHA, UNDP and WFP)

v. Relevant elements of the above strategy should be reviewed in light of the outcome of the ongoing audit of UN activities in DPRK, once it is known.

Decision No. 2007/24 - Cote d'Ivoire

i. The United Nations should assist the Ivorian institutions to: restore State administration country-wide, implement the DDR programme including special provisions for children, disarm and dismantle militias, implement the identification process, undertake SSR, organize the elections, monitor the human rights situation, support economic and social recovery, protect vulnerable civilians, and conduct an appropriate public information campaign. In doing so, UNOCI should support national ownership of the new phase of the peace process and should not seek to substitute for Ivorian authorities.

ii. There should be no immediate drawdown of UNOCI. As the zone of confidence is lifted, UNOCI troops and police will redeploy to support the integrated command centre and other relevant institutions.

iii. Following the completion of the DDR process, as well as the disarmament and dismantling of the militias and the restoration of State administration throughout the country (i.e. within three months), the troop and police levels of UNOCI will be reviewed and possible reductions in personnel will be considered, based on a careful troop-to-task analysis and taking into account the need to retain a sufficient military and police presence to support the completion of the electoral process and other remaining tasks.

iv. UNOCI troops should enhance their capability to protect civilians facing imminent threats of violence.

v. In view of the specific political circumstances and constraints in Cote d'Ivoire the responsibility for international certification of the electoral process should be entrusted to the SRSG. A dedicated unit of up to three experts attached to the Office of the SRSG will support this function, which will be carried out independently and separately from UNOCI's electoral unit and its technical assistance functions. The SRSG should draw on the findings of independent electoral observer groups in carrying out the certification of the electoral process.

vi. UNOCI should establish a mechanism to facilitate integrated support by the UN to the authorities in implementing the Ouagadougou agreement. UNOCI should ensure integrated planning and coordination with the UN Country Team of relevant civilian functions. The Country Team should support the government's efforts to streamline the coordination of humanitarian and recovery assistance and to ensure adequate donor support and assistance for recovery. UNOCI and the Country Team should also coordinate and share assessments regularly with the World Bank, the IMF and ADB, who will support some key aspects of the peace process.

vii. The UN in Côte d'Ivoire should pay special attention to the situation in the western part of the country and in particular help to provide security and humanitarian assistance and develop a national plan to promote reconciliation, support reconstruction and restore social cohesion.

viii. UNOCI should continue to make utmost efforts to implement the zero tolerance policy on sexual exploitation and abuse and ensure all credible allegations are investigated, and troop contributing countries should be encouraged to continue to conduct appropriate training and take any necessary remedial action.

ix. To assist the Secretary-General to appoint a new SRSG as soon as possible, the Chef de Cabinet will consult with DPKO and DPA on possible candidates. President Gbagbo (and Prime Minister Soro) should be consulted on the recommended candidate.

* * *

cc: Deputy Secretary-General
Mr. Nambiar
Mr. Kim
Mr. Pascoe
Mr. Guéhenno
Mr. Akasaka
Ms. Arbour
Mr. Michel
Mr. Holmes
Mr. Melkert
Mr. ElBaradei (Korean Peninsula Item)
Ms. Sheeran (Korean Peninsula Item)
Ms. Hoppe (Korean Peninsula Item)
Mr. Moussa (Côte d'Ivoire item)
Ms. McAskie (Côte d'Ivoire item)
Ms. Coomaraswamy (Côte d'Ivoire item)
Mr. Veness (Côte d'Ivoire item)
Mr. Annabi (Côte d'Ivoire item)
Mr. Orr

Policy Committee Meeting, 8 May 2007
Summary Record of Discussion

Agenda Item 1: Korean Peninsula

1. The policy submission was introduced. The UN for some time has not had substantial political engagement with the DPRK, and significant humanitarian, development and human rights issues are of concern. Prior to the Secretary-General's assumption of his responsibilities, there were expectations that he would appoint a Special Envoy to the country. With the recent resumption of the six-party talks, discussing constructive engagement with the DPRK was timely. The paper was designed to cover all the broad areas of possible UN engagement with the DPRK and was meant to serve as a starting point for discussions on increasing engagement over the coming months. The paper recommended the appointment of a Korean Peninsula Coordinator to support UN engagement in all tracks: political, security, humanitarian, development and human rights.

2. Policy Committee members were briefed on the current situation regarding the monitoring and verification of the shutdown of the Yongbyon nuclear facilities, a task mandated to the IAEA in the 13 February Accord. Since the Accord, the IAEA returned to the DPRK for senior level meetings; however, the discussions were of a preliminary nature and have not yet focused on the verification procedures, due in part to the Macau banking situation. The IAEA would need to discuss the basic principles for the verification procedures, and then have them approved by its Board of Governors. With the next Board meeting scheduled for June, the time-frame for accomplishing this was tight. The matter of funding IAEA verification procedures in the DPRK also needed to be addressed, with this work not included in the IAEA's budgets for 2007 through 2009. The IAEA was exploring whether this could be funded through extra-budgetary resources, as it could not be funded from its regular budget, which could only be used in support of IAEA member states. To this end, the IAEA was also inquiring as to whether the DPRK would fund the verification process. In response to whether the DPRK was currently deemed a member of the NPT, it was noted that the IAEA had not taken an official position on the matter; some six-party members had pointed out since the Security Council was calling for safeguards to be explored this implied DPRK remained in a NPT member. At this point, in any case, the emphasis was on practical steps to implement the 6 party agreement. Notwithstanding the pre-eminence of the nuclear issue, it was also suggested that in the longer-term the UN should also focus on supporting engagement with the DPRK on other weapons of mass destruction, which have not been addressed in the six-party talks.

3. The humanitarian situation is pressing and deteriorating, with a danger of a reversal of gains made in the last years. There are clear needs in the food and health sectors particularly. WFP's programming is currently only 22% funded, with food assistance reaching 700,000 recipients out of 1.9 million targeted. In response to the query regarding WFP's relations with the DPRK authorities, it was noted the relationship was strong with the authorities recognizing the strict humanitarian nature of WFP's work, although some officials in the security sector questioned an expanded humanitarian presence. However, in the near-term, up to 5 or 6 million

North Korean's might be in need of food assistance, with the onset of the lean pre-harvest season. Some funding has been provided by the CERF; however, urgent support from donors is needed. To that end, it was suggested that a donor aid coordination group be established, with a view towards developing a common line on the needs of DPRK and how to address them. The humanitarian community currently remains compartmentalized, with limited leverage on access issues and monitoring of programs. This suggestion was not specified in the policy paper and the details of such a group were not articulated in the meeting, although suggestions included for the UN to recommend to key donors to establish a donor aid coordination group, drawing on the six-party model and to create a group consisting of donors and UN agencies engaged in the DPRK.

4. The impetus for suggesting such a coordination group was also to establish a forum which underscored the separation of humanitarian aid assistance from political and security considerations. A number of Policy Committee members stressed the need for this separation. Notwithstanding the importance of maintaining this separation, a number of Policy Committee members commented that this posed a fundamental dilemma. It was noted that economic and other development assistance was inextricably linked to the political situation, and that DPRK authorities frequently confused the development and humanitarian agendas, preferring to label humanitarian assistance as developmental. Donors had also been linking humanitarian assistance to the political and security situation. Furthermore, it was noted that movement on the political front might be seen as necessary to create an opening for improved humanitarian access and re-engagement in the development sector, and this could be a role for the proposed Korean Peninsula Coordinator.

5. It was noted that from a human rights perspective, it was difficult to de-link humanitarian and development assistance from political concerns. It was posited that the country's repressive human rights policies were the primary impediment to humanitarian access. The abysmal human rights record of the DPRK pointed to the importance of trying to engage the DPRK on the human rights front. The DPRK continued to refuse to cooperate with the OHCHR, including on technical cooperation, and it has not recognized the mandate of the Special Rapporteur, despite GA resolutions in 2005 and 2006 on the human rights situation in the country and the Human Rights Council having discussed the situation in March 2007. It was noted that the Human Rights Council would meet in June, at which time it would be known whether the Council would continue to support the Special Rapporteur function. The OHCHR was currently compiling the Secretary-General's report on the human rights situation in the DPRK to be delivered to the next GA session.

6. Policy Committee members generally agreed on the recommendation to appoint a Korean Peninsula Coordinator to help strengthen UN engagement in the DPRK. However, the responsibilities of the Coordinator and his/her visibility were debated. It was suggested that the current political climate did not warrant a high-profile UN initiative on the political front, as while the six-party talks were progressing, six-party members were not necessarily requesting UN support. It was suggested that the Coordinator appointment should be a low-profile initiative, and perhaps even designated as a Focal Point rather than Coordinator at this stage. It was agreed that the work of the Coordinator should be based on close consultations with the six-party participants and other key stakeholders. Coordinator contact with the six-party participants and other stakeholders would also serve as a litmus test for possible greater political engagement in

the future. In response to whether this Coordinator role should engage within the DPRK, it was agreed the position would be based in New York, where the Coordinator would focus on supporting key stakeholders and UN entities at the headquarters level.

7. The Coordinator's role regarding the humanitarian and development tracks for the UN was questioned. It was suggested that the Coordinator's role could prove useful in creating an opening for improved coordination of humanitarian and development assistance, with the notion that humanitarian and development agencies could then build on this in due time. The suggested human rights component of the Coordinator's ToR was welcomed. It was agreed that DPA, in close consultation with the EOSG and main UN entities concerned, would develop the Coordinator's ToR, bearing in mind the political, development, humanitarian and human rights issues raised during the Policy Committee discussion.

8. It was noted that the external audit of UN operations, including those of UNDP, was expected to be delivered to the GA in the near-term future. The report was expected to suggest that some standard rules of engagement had not been followed.

9. The recommendations were endorsed with the following amendments: The Korean Peninsula Coordinator position should be based in New York and the work of the Coordinator should be based on close consultations with the six-party participants and other key stakeholders, with a view to increasing UN engagement in a phased manner. Furthermore, DPA should develop the Coordinator's ToR in close consultation with the EOSG and main UN entities concerned, and the Coordinator should be supported by an inter-departmental Task Force.

10. A new recommendation was added: to establish a donor aid coordination group with the view to supporting a common line on humanitarian access and monitoring of aid programmes, as well as increasing donor support for humanitarian and development assistance. Subsequent to the Policy Committee discussion, there was a debate on whether the donor group should consist of donors only, with the UN providing information on the humanitarian situation to them, or whether the group should consist of both donors and UN entities engaged in the DPRK.

Agenda Item 2: Cote d'Ivoire

1. The policy paper was introduced and the Policy Committee was briefed on the recent inter-departmental assessment mission to Cote d'Ivoire. The mission had found a new atmosphere in the country in the aftermath of the Ougadougou agreement, with the parties taking ownership of the peace process and showing the will to implement it. The use of hate media was greatly diminished and propaganda against the UN had stopped. The mission had sought clarification on the question of downsizing the UN force. Earlier statements by African Union and the planned withdrawal of one of the Licorne battalions had led to the impression the UN would withdraw. However, the mission found Ivoirians on all sides of the conflict expected the UN to stay, particularly as leaders had begun to realize they had limited capacity to implement the Ougadougou accord. Therefore, it was recommended that UNOCI stay for the near term, but pull out of the 'zone of confidence' and redeploy country-wide to support the identification process, separation of forces and the extension of state authority in the North. The force size

would be reviewed after three months and potentially downsized, but in such case should maintain sufficient strength to support the electoral process and other mission elements. The

2. The only point of contention was regarding the certification of the electoral process. President Gbagbo considered the role of the High Representative for the Elections as too intrusive, and would not accept its extension. The opposition parties, on the other hand, insisted on the UN certifying the elections. The parties had been encouraged to reach a compromise to maintain the consensus basis of the Ouagadougou agreement, supported by calls from Presidents Campaore and Mbeki made at the request of ASG/DPKO Annabi. Mr. Annabi had reminded President Gbagbo that international certification would bring international confidence in the winner of the elections and with it donor support. It would also help dissuade the losers. Ultimately, President Gbagbo agreed to keep the certification function but insisted the High Representative for Elections (HRE) should go. DPKO had therefore sought a compromise position in consultation with DPA, which was admittedly not ideal, to combine the certification function with the SRSB's current role. This was agreed by DPA on the understanding that a separate and independent cell in the SRSB's office would be responsible for supporting the certification function and it would maintain its independence from the UN's electoral technical assistance. This would help assuage the concern that the two functions of both supporting and certifying the electoral process would create a conflict of interest.

3. President Gbagbo has also proposed leaving empty the vacant SRSB UNOCI position, since the two deputies were functioning well in his view, but he had been advised that the Secretary-General would require a leader for the mission. He had been assured that he would be consulted in the appointment process.

4. Policy Committee members discussed the question of the SRSB holding both the certification function and the responsibility of UNOCI's mandated technical assistance to the elections. It was argued that the UN might not be seen as an independent actor in the certification but rather linked to major powers and therefore it would be preferable to leave the certification function to independent groups who would monitor and observe the electoral process. This, it was argued, would allow the UN's role to be supportive of the process but focused on technical assistance. On the other hand, it was argued that the UN's presence was in fact, from the start, based on the need for certification of the electoral process. There was a fragile compromise between the President and the opposition in Cote d'Ivoire that depended upon the UN maintaining the certification role but only under the SRSB. Among the advantages of this were that it was cost effective and it met the President's objections to the HRE role. Amongst its disadvantages were that it could raise doubts regarding the neutrality of UNOCI, which could face contradictions between the two roles. On balance, however, more Policy Committee members thought that the compromise solution was the best option and it was decided that the SRSB should be able to play the role of certifier. The Chef de Cabinet would consult with DPKO and DPA on the selection of an appropriate candidate.

5. Another issue raised, that was not in the paper, was the question of the amnesty law envisaged under the Ouagadougou Agreement. It was argued that UN principles demanded that the UN record its objection to any amnesty for perpetrators of war crimes. The Policy Committee was reminded that an Ivorian amnesty law would not impact the jurisdiction of

international prosecution for such crimes. The Ouagadougou Agreement required the President to pass a decree on amnesty but this was not in accord with the UN's view and it was expected that this should be raised with the President. It was decided that this issue should be born in mind for now and consideration would be given as to how to address it at a later stage.

6. Another issue not reflected in the paper was problem of sexual exploitation and abuse. In a recent case 25 Filipino women had been trafficked and UNOCI personnel were allegedly among their clients in Cote d'Ivoire. It was decided that the Secretary-General's decisions should remind UNOCI of the need for full compliance with the zero tolerance policy and urged troop contributors to both train their troops and undertake remedial action where necessary following investigations. On the humanitarian front, Cote d'Ivoire faced serious challenges but one of the problems for the international community's response was a lack of data. For example, estimated IDP numbers varied from 50,000 to 750,000. There were also problems raising the needed resources, which were linked to the lack of data. The issue was discussed at a recent ECHA meeting and a review of both donor assistance and information gathering in Cote d'Ivoire was planned. The need for better integration of the humanitarian recovery stages was also stressed.

7. Indeed, gaps in the resources for recovery were alarming and there was need for support, particularly in the reintegration of combatants and general employment, to buttress the peace process. It was remarked that Cote d'Ivoire was paying more in loan payments to the World Bank than it was receiving. It was also suggested that the UN should begin considering how Cote d'Ivoire might access the Peacebuilding Fund since countries not on the Peacebuilding Commission's agenda could do so. The country was still on the Security Council agenda but it would also be useful to be thinking about whether or not it would be a good candidate for the Peacebuilding Commission so that a common internal UN view could be formed, notwithstanding that it was ultimately a Member State decision.

8. The Policy Committee was also reminded of the need to include a separate programme for responding to children in the DDR process. Overall, it was agreed that the peace process in Cote d'Ivoire had undergone a remarkable turn for the better and that the UN should ensure responsive and integrated support to it, while being ready for the inevitable delays and challenges that lay ahead. The recommendations in the policy paper were accepted, with additional recommendations on the sexual exploitation and abuse issue called for, as well as reference to the issue of children in DDR.

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